

SENATE BILL 1227

F1

8lr1784

By: **Senator Ready**

Introduced and read first time: March 1, 2018

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **State Education Aid – Mandated Educational Requirements – County Board**
3 **Opt-Out**

4 FOR the purpose of providing that if less than a certain percent of a county board's
5 3-year moving average annual budget is funded by the State, the county board may,
6 in the following school year, opt out of certain mandated educational requirements;
7 requiring certain county boards to follow federally mandated education
8 requirements; providing that a county board may not opt out of a certain education
9 requirement; defining a certain term; and generally relating to State education aid.

10 BY adding to

11 Article – Education

12 Section 5–203

13 Annotated Code of Maryland

14 (2014 Replacement Volume and 2017 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 That the Laws of Maryland read as follows:

17 **Article – Education**

18 **5–203.**

19 **(A) IN THIS SECTION, “3-YEAR MOVING AVERAGE ANNUAL BUDGET” MEANS**
20 **THE AVERAGE OF THE COUNTY BOARD’S ANNUAL BUDGET AMOUNT CALCULATED**
21 **FOR THE CATEGORIES LISTED UNDER § 5–101(B)(2) OF THIS TITLE AND APPROVED**
22 **BY THE COUNTY GOVERNING BODY IN ACCORDANCE WITH § 5–102 OF THIS TITLE, IN**
23 **THE 3 PREVIOUS SCHOOL YEARS.**

24 **(B) SUBJECT TO THE PROVISIONS OF THIS SECTION AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, IF THE PORTION OF A COUNTY
2 BOARD'S 3-YEAR MOVING AVERAGE ANNUAL BUDGET THAT IS FUNDED BY THE
3 STATE UNDER THIS SUBTITLE IS LESS THAN 45%, THE COUNTY BOARD MAY, IN THE
4 FOLLOWING SCHOOL YEAR, OPT OUT OF ANY STATE EDUCATIONAL REQUIREMENT
5 THAT IS MANDATED UNDER:

6 (1) THIS ARTICLE; OR

7 (2) REGULATIONS ADOPTED UNDER AUTHORITY PROVIDED FOR IN
8 THIS ARTICLE.

9 (C) A COUNTY BOARD THAT CHOOSES TO OPT OUT UNDER SUBSECTION (B)
10 OF THIS SECTION SHALL FOLLOW ANY EDUCATIONAL REQUIREMENTS UNDER
11 FEDERAL LAW.

12 (D) A COUNTY BOARD MAY NOT OPT OUT OF THE REQUIREMENT TO
13 DEVELOP AN ANNUAL BUDGET UNDER § 5-101 OF THIS TITLE.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2018.