

Chapter 751

(Senate Bill 253)

AN ACT concerning

Major Information Technology Development Project Fund – Money Received by Baltimore City Community College – ~~Money Received by Baltimore City Community College~~ – Exemption and Use of Fund

FOR the purpose of excluding from the Major Information Technology Development Project Fund certain money received by Baltimore City Community College; ~~requiring the Fund to be used to support and develop programs for a certain statewide public safety radio system;~~ providing for the application of this Act; and generally relating to the Major Information Technology Development Project Fund.

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 3A–309(a), (b), and (e)
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A–309(f) ~~and (l)~~
Annotated Code of Maryland
(2015 Replacement Volume and 2018 Supplement)

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

Article – State Finance and Procurement

3A–309.

(a) There is a Major Information Technology Development Project Fund.

(b) The purpose of the Fund is to support major information technology development projects.

(e) Except as provided in subsection (f) of this section, the Fund consists of:

(1) money appropriated in the State budget to the Fund;

(2) as approved by the Secretary, money received from:

(i) the sale, lease, or exchange of communication sites, communication facilities, or communication frequencies for information technology purposes; or

(ii) an information technology agreement involving resource sharing;

(3) that portion of money earned from pay phone commissions to the extent that the commission rates exceed those in effect in December 1993;

(4) money received and accepted as contributions, grants, or gifts as authorized under subsection (c) of this section;

(5) general funds appropriated for major information technology development projects of any unit of State government other than a public institution of higher education that:

(i) are unencumbered and unexpended at the end of a fiscal year;

(ii) have been abandoned; or

(iii) have been withheld by the General Assembly or the Secretary;

(6) any investment earnings; and

(7) any other money from any source accepted for the benefit of the Fund.

(f) The Fund does not include any money:

(1) received by the Department of Transportation, Maryland Transportation Authority, **BALTIMORE CITY COMMUNITY COLLEGE**, or Maryland Public Broadcasting Commission;

(2) received by the Judicial or Legislative branches of State government; or

(3) generated from pay phone commissions that are credited to other accounts or funds in accordance with other provisions of law or are authorized for other purposes in the State budget or through an approved budget amendment.

~~(4) Notwithstanding subsection (b) of this section, all money paid into the Fund under subsection (c)(2) of this section shall be used to support **AND DEVELOP PROGRAMS FOR the**~~

~~(1) State telecommunication and computer network established under § 3A-404 of this title, including program development for these activities; AND~~

~~(2) STATEWIDE PUBLIC SAFETY INTEROPERABILITY RADIO SYSTEM
ESTABLISHED UNDER TITLE 1, SUBTITLE 5 OF THE PUBLIC SAFETY ARTICLE.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to any money received by Baltimore City Community College from a lease or resource-sharing agreement before the effective date of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2019.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 25, 2019.