

# SENATE BILL 253

P2, F4

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CF 9lr3292

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By: **Senators Hayes, Carter, Ferguson, McCray, and Washington**

Introduced and read first time: January 25, 2019

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2019

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

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

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

9 BY repealing and reenacting, without amendments,  
10 Article – State Finance and Procurement  
11 Section 3A–309(a), (b), and (e)  
12 Annotated Code of Maryland  
13 (2015 Replacement Volume and 2018 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – State Finance and Procurement  
16 Section 3A–309(f) and (l)  
17 Annotated Code of Maryland  
18 (2015 Replacement Volume and 2018 Supplement)

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

21 **Article – State Finance and Procurement**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 3A-309.

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

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

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

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

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

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

11 (ii) an information technology agreement involving resource  
12 sharing;

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

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

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

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

21 (ii) have been abandoned; or

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

23 (6) any investment earnings; and

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

25 (f) The Fund does not include any money:

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

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

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

5 (1) Notwithstanding subsection (b) of this section, all money paid into the Fund  
6 under subsection (e)(2) of this section shall be used to support AND DEVELOP PROGRAMS  
7 FOR the:

8 (1) State telecommunication and computer network established under §  
9 3A-404 of this title[, including program development for these activities]; AND

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

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.