

SB0192/469139/1

BY: Budget and Taxation Committee

AMENDMENTS TO SENATE BILL 192
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “repealing” in line 3 down through “manner;” in line 6 and substitute “increasing a certain fee for certain supervisees in the Drinking Driver Monitor Program; repealing the termination date of a certain increase in the surcharge on certain recordable instruments that the State Court Administrator is required to establish for the Circuit Court Real Property Records Improvement Fund; reducing the amount the State is required to appropriate to the Maryland Agricultural and Resource–Based Industry Development Corporation in certain fiscal years; requiring the Corporation to use the appropriation for certain programs in certain amounts, subject to a certain contingency; altering the year by which the Corporation is to become self–sufficient and in no further need of certain operating support;”; strike beginning with “altering,” in line 7 down through “colleges;” in line 10 and substitute “authorizing the Governor to include a certain mandated appropriation in either the operating budget or the capital budget;”; strike beginning with “repealing” in line 14 down through “budget;” in line 16 and substitute “requiring the State Department of Education to work with a certain office in developing certain rates; clarifying that a State contribution to a certain college investment plan may be made to one account for each qualified beneficiary; limiting a certain qualified beneficiary from receiving more than one State contribution under certain circumstances; authorizing a certain board to adopt certain regulations; requiring the Maryland Department of Health to pay certain penalties into a certain fund; increasing the amount of funds in a certain fund over which certain funds shall revert to the General Fund; requiring the Maryland Department of Health to establish a certain program, establish certain criteria, carry out the program in a certain manner, and adopt certain regulations; providing that no more than a certain percentage of certain payments shall be subject to the collection of certain penalties; authorizing the Maryland Department of Health to modify the program in a certain manner; prohibiting a certain penalty or adjustment from being

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accomplished or implemented in a certain manner; altering the fiscal agent of the Children’s Cabinet Interagency Fund;”; in line 17, strike “authorized” and substitute “required”; in the same line, after “budgets” insert “in a certain fiscal year”; strike beginning with “limiting” in line 17 down through “amount;” in line 23 and substitute “authorizing the use of a certain fund to pay certain expenses only under certain circumstances;”; strike beginning with “authorizing” in line 25 down through “form;” in line 26 and substitute “prohibiting the restoration of certain proposed appropriations struck or reduced by the General Assembly in the annual budget, except under certain circumstances; repealing the requirement for certain personnel detail and strategic plan information to be provided in certain budget books and requiring the information to be provided on the Department of Budget and Management’s website;”; strike beginning with “repealing” in line 27 down through “manner;” in line 29; and in line 31, strike “repealing” and substitute “altering”.

On page 2, in line 2, strike “repealing” and substitute “altering”; in line 5, after “transfer;” insert “clarifying that a certain distribution shall be made in an annual appropriation in a certain budget code;”; strike beginning with “increasing” in line 8 down through “State;” in line 9 and substitute “requiring certain third-party settlement organizations to report, under certain circumstances, certain payment information to the Comptroller and certain payees at least a certain number of days before federal income tax filing deadlines;”; strike beginning with “repealing” in line 14 down through “funds;” in line 15; strike beginning with “repealing” in line 18 down through “Program;” in line 19; strike beginning with “requiring” in line 20 down through “purpose;” in line 21 and substitute “authorizing the transfer of certain funds; requiring the transfer of certain funds; repealing certain obsolete provisions of law; making a certain provision of this Act contingent on the taking effect of another Act; providing for a delayed effective date for certain provisions of this Act; requiring the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct any cross-references or terminology rendered incorrect by this Act and to describe any corrections made in an editor’s note following the section affected;”; strike in their entirety lines 23 through 33, inclusive, and substitute:

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“BY repealing

Article – Insurance

Section 19–801 through 19–808 and the subtitle “Subtitle 8. Maryland Health
Care Provider Rate Stabilization Fund”

Annotated Code of Maryland

(2017 Replacement Volume and 2019 Supplement)

BY repealing

Article - Public Safety

Section 4–1006

Annotated Code of Maryland

(2018 Replacement Volume and 2019 Supplement)”;

in line 36, strike “7–116 and 7–329(b–1)” and substitute “6–226(a)(2)(ii)22.”; and strike
in their entirety lines 39 through 43, inclusive, and substitute:

“BY renumbering

Article – State Finance and Procurement

Section 6–226(a)(2)(ii)23. through 6–226(a)(2)(ii)122., respectively

to be Section 6–226(a)(2)(ii)22. through 6–226(a)(2)(ii)121., respectively

Annotated Code of Maryland

(2015 Replacement Volume and 2019 Supplement)

BY repealing

Chapter 193 of the Acts of the General Assembly of 2005

Section 3

BY repealing and reenacting, with amendments,

Article - Correctional Services

Section 6–115

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(2017 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings

Section 13-604

Annotated Code of Maryland

(2013 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

Article - Economic Development

Section 10-523

Annotated Code of Maryland

(2018 Replacement Volume and 2019 Supplement)".

On page 3, in line 3, strike beginning with the first comma through "24-204(a)" and substitute "and 18-19A-01(c)"; in line 8, strike "16-305(c)(1)," and substitute "8-417(b)(1)"; in the same line, strike "and 17-104(a)" and substitute "17-104(a), and 18-19A-04.1(a)"; after line 10, insert:

"BY adding to

Article – Education

Section 18-19A-04.1(h)

Annotated Code of Maryland

(2018 Replacement Volume and 2019 Supplement)";

strike in their entirety lines 11 through 20, inclusive; strike line 23 in its entirety and substitute "Section 15-103.3(b)(1) and (c)(1) and (4)"; and in line 28, strike "19-2201(e)(2)(v)" and substitute "15-103.7".

On page 4, after line 1, insert:

"BY repealing and reenacting, with amendments,

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Article - Human Services
Section 8-508
Annotated Code of Maryland
(2019 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, without amendments,

Article - Insurance
Section 6-121(a)
Annotated Code of Maryland
(2017 Replacement Volume and 2019 Supplement)”;

in line 4, strike “14-106(d) and (e)” and substitute “6-121(b)(1)”; after line 6, insert:

“BY repealing and reenacting, without amendments,

Article - Labor and Employment
Section 10-301(a) and (c)
Annotated Code of Maryland
(2016 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,

Article - Labor and Employment
Section 10-314
Annotated Code of Maryland
(2016 Replacement Volume and 2019 Supplement)”;

in line 9, strike “4-608,”; in the same line, strike “7-329(c) and (d)” and substitute “7-329(b-1)”; after line 11, insert:

“BY adding to

Article - State Finance and Procurement
Section 7-114.3
Annotated Code of Maryland

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(2015 Replacement Volume and 2019 Supplement)”;

in line 14, strike “7–329(b) and (e)” and substitute “7–329(b) and (c) through (e)”; in line 19, strike “2–606” and substitute “2–202(b), 2–606.”; after line 21, insert:

“BY adding to

Article - Tax - General

Section 10-825

Annotated Code of Maryland

(2016 Replacement Volume and 2019 Supplement)”;

in line 24, strike “2–106 and”; and strike in their entirety lines 35 through 39, inclusive.

On page 5, in line 11, strike “4.” and substitute “5.”.

On page 35, in lines 1, 9, 14, and 34, strike “5.”, “7.”, “8.”, and “12.”, respectively, and substitute “7.”, “8.”, “9.”, and “24.”, respectively; before line 34, insert:

“SECTION 23. AND BE IT FURTHER ENACTED, That Sections 1 and 3 of this Act shall take effect July 1, 2021.”;

and in line 34, after “That” insert “, except as provided in Sections 22 and 23 of this Act.”.

AMENDMENT NO. 2

On page 5, strike in their entirety lines 2 through 4, inclusive.

AMENDMENT NO. 3

On page 5, strike in their entirety lines 5 through 8, inclusive.

AMENDMENT NO. 4

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On pages 5 through 7, strike in their entirety the lines beginning with line 13 on page 5 through line 19 on page 7, inclusive.

AMENDMENT NO. 5

On page 7, after line 19, insert:

“Article – Correctional Services

6–115.

(a) (1) In this section the following words have the meanings indicated.

(2) “Program fee” means any fee the Division assesses on a supervisee the Division places in the Drinking Driver Monitor Program.

(3) “Supervisee” means a person that the court places under the supervision of the Division.

(4) “Supervision fee” means the fee the court orders under § 6–226 of the Criminal Procedure Article.

(b) All supervisees placed in the Drinking Driver Monitor Program by the Division shall be:

(1) subject to a monthly supervision fee in accordance with § 6–226 of the Criminal Procedure Article; and

(2) assessed a monthly Program fee of [~~\$55~~] **\$75** by the Division.

(c) (1) The Program fee imposed under this section shall be paid to the Division by all supervisees in the Drinking Driver Monitor Program.

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(2) The Division shall pay the Program fees collected under this section into the Drinking Driver Monitor Program Fund.

(d) Notwithstanding subsections (b) and (c) of this section, the Division may exempt a supervisee as a whole or in part from the Program fee imposed under this section if:

(1) the supervisee has diligently tried but has been unable to obtain employment that provides sufficient income for the supervisee to pay the fee;

(2) (i) the supervisee is a student in a school, college, or university or is enrolled in a course of vocational or technical training designed to prepare the student for gainful employment; and

(ii) certification of student status is supplied to the Division by the institution in which the supervisee is enrolled;

(3) the supervisee has a handicap limiting employment, as determined by a physical or psychological examination accepted by the Division;

(4) the supervisee is responsible for the support of dependents and the payment of the fee is an undue hardship on the supervisee; or

(5) other extenuating circumstances exist.”.

AMENDMENT NO. 6

On page 7, after line 27, insert:

“8-417.

(b) (1) The Department, [as] IN COLLABORATION WITH the fiscal agent of the Children’s Cabinet Fund under Title 8, Subtitle 5 of the Human Services Article,

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shall administer and implement a redesigned rate setting process for nonpublic general education schools, residential child care programs, and nonresidential child care programs.”.

On page 18, before line 17, insert:

“Article – Human Services

8–508.

The [State Department of Education] GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES is the fiscal agent for the Fund.”.

AMENDMENT NO. 7

On page 7, after line 19, insert:

“Article – Courts and Judicial Proceedings

13–604.

(a) (1) Except as provided in paragraph (2) of this subsection, the Administrator shall establish a surcharge of \$20 for each type of recordable instrument to be recorded among the land records and the financing statement records.

(2) For recordable instruments executed on or after July 1, 2011, [but before July 1, 2020,] the surcharge established under this subsection shall be \$40 for each type of recordable instrument to be recorded among the land records and the financing statement records.

(b) The surcharge shall be collected by the office of the clerk of the circuit court for each county.

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(c) The surcharge may not be charged to an entity that is exempt from the payment of fees under § 3–603 of the Real Property Article.

(d) Receipts from the surcharge shall be placed in the Fund and used by the Administrator for the purposes of the Fund.”.

AMENDMENT NO. 8

On page 7, after line 19, insert:

“Article – Economic Development

10–523.

(a) (1) The Corporation may receive annual funding through an appropriation in the State budget.

(2) The Corporation may also receive money for projects included in the budgets of State units.

(3) (i) To assist the Corporation in complying with subsection (c) of this section, the Governor shall include each year in the State budget bill an appropriation to the Corporation for rural business development and assistance as follows:

1. for fiscal year [2015] **2021**, \$2,875,000; and

2. for each of the fiscal years [2016] **2022** through [2024] **2025**, [~~\$2,875,000~~] **\$2,735,000**.

(ii) In addition to any money provided under subparagraph (i) of this paragraph, the Governor may include each year in the State budget bill an appropriation to the Corporation in an amount not exceeding \$5,000,000 for rural land

acquisition and easement programs, including programs to assist young and beginning farmers.

(b) (1) THE FUNDS APPROPRIATED TO THE CORPORATION UNDER SUBSECTION (A)(3)(I)2 OF THIS SECTION SHALL BE USED TO SUPPORT THE CORPORATION’S RURAL BUSINESS LOAN PROGRAMS AND SMALL MATCHING GRANT PROGRAMS.

(2) All unexpended and unencumbered money appropriated to the Corporation shall remain with the Corporation for future use.

(c) The Corporation shall conduct its financial affairs so that, by fiscal year [2025] 2026, it is self-sufficient and in no further need of general operating support by the State.

(d) The Corporation may use up to 3% of the money received under § 13-306(a)(3)(ii)2 of the Tax – Property Article for administrative costs associated with the Next Generation Farmland Acquisition Program.”.

On page 33, after line 24, insert:

“SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Economic Development

10-523.

(b) (1) THE FUNDS APPROPRIATED TO THE CORPORATION UNDER SUBSECTION (A)(3)(I)2 OF THIS SECTION SHALL BE USED AS FOLLOWS:

(Over)

(I) \$2,300,000 TO SUPPORT THE CORPORATION’S RURAL BUSINESS LOAN PROGRAMS AND SMALL MATCHING GRANT PROGRAMS; AND

(II) \$435,000 TO MAKE GRANTS AND NEAR-EQUITY INVESTMENTS TO:

1. SUPPORT THE CREATION OR EXPANSION OF FOOD AGGREGATION AND STORAGE SITES; AND

2. FACILITATE PARTICIPATION IN THE CERTIFIED LOCAL FARM ENTERPRISE PROGRAM.”.

On page 35, before line 34, insert:

“SECTION 22. AND BE IT FURTHER ENACTED, That Section 6 of this Act shall take effect October 1, 2020, contingent on the taking effect of Chapter _____ (S.B. 985/H.B. 1488) of the Acts of the General Assembly of 2020, and if Chapter _____ (S.B. 985/H.B. 1488) does not take effect, Section 6 of this Act, with no further action required by the General Assembly, shall be null and void.”.

AMENDMENT NO. 9

On pages 7 through 12, strike in their entirety the lines beginning with line 28 on page 7 through line 15 on page 12, inclusive.

AMENDMENT NO. 10

On page 12, in line 17, after “(1)” insert “**(I)**”; in the same line, strike “fiscal year 2019 and in each fiscal year thereafter” and substitute “**FISCAL YEARS 2019 THROUGH 2021**”; in line 18, strike the brackets; in the same line, strike “MAY”; in the same line, strike “OR CAPITAL BUDGET”; after line 20, insert:

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“(II) IN FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL ANNUALLY APPROPRIATE IN THE OPERATING OR CAPITAL BUDGET OF THE COMMISSION AN AMOUNT EQUAL TO 5% OF THE APPROPRIATION TO THE COMMUNITY COLLEGE CONSTRUCTION GRANT PROGRAM IN THE SAME FISCAL YEAR.”;

in line 21, strike the opening bracket; strike beginning with the closing bracket in line 21 down through “GOVERNOR” in line 22; and in line 22, strike “, THE APPROPRIATION”.

AMENDMENT NO. 11

On page 12, in line 26, after “(4),” insert “**AND**”; and in the same line, strike “, AND (6)”.

On page 13, in line 26, strike “AND”; in line 29, strike the bracket; in the same line, strike “and”; after line 29, insert:

“(XI) IN FISCAL YEAR 2022, AN AMOUNT NOT LESS THAN 14% OF THE STATE’S GENERAL FUND PER FULL-TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR;

(XII) IN FISCAL YEAR 2023, AN AMOUNT NOT LESS THAN 15% OF THE STATE’S GENERAL FUND PER FULL-TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4-YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR; AND”;

in line 30, strike “(xi)” and substitute “**(XIII)**”; in the same line, strike “2021” and substitute “**2024**”; and in line 32, strike the bracket.

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On pages 14 and 15, strike in their entirety the lines beginning with line 9 on page 14 through line 6 on page 15, inclusive, and substitute:

“(5) IN FISCAL YEAR 2021, THE TOTAL AMOUNT OF THE AID PROVIDED UNDER THIS SUBTITLE SHALL BE \$70,159,994, TO BE ALLOCATED AMONG THE INSTITUTIONS THAT QUALIFY UNDER THIS SUBTITLE IN PROPORTION TO THE NUMBER OF FULL-TIME EQUIVALENT STUDENTS ENROLLED AT EACH INSTITUTION DURING THE FALL SEMESTER OF FISCAL YEAR 2020, AS DETERMINED BY THE MARYLAND HIGHER EDUCATION COMMISSION.”.

AMENDMENT NO. 12

On page 15, after line 6, insert:

“18-19A-01.

(c) “Board” means the Maryland 529 Board established under § 18-1904 of this title.

18-19A-04.1.

(a) **(1) [For] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR investment accounts established after December 31, 2016, a State contribution may be made to [an] ONE investment account FOR EACH QUALIFIED BENEFICIARY as provided in this section if:**

[(1)] (I) The qualified beneficiary of the investment account is a Maryland resident;

[(2)] (II) The account holder submits an application to the Board or its designee between January 1 and June 1 of each year; and

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[(3)] (III) The account holder has Maryland taxable income in the previous taxable year no greater than \$112,500 for an individual or \$175,000 for a married couple filing a joint return.

(2) FOR STATE CONTRIBUTION APPLICATION PERIODS AFTER DECEMBER 31, 2020, A QUALIFIED BENEFICIARY MAY NOT RECEIVE MORE THAN ONE STATE CONTRIBUTION FOR EACH YEAR THE QUALIFIED BENEFICIARY IS ELIGIBLE FOR THE STATE CONTRIBUTION UNDER THIS SECTION.

(H) THE BOARD MAY ADOPT ANY REGULATIONS THAT THE BOARD CONSIDERS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION.”.

AMENDMENT NO. 13

On pages 15 and 16, strike in their entirety the lines beginning with line 7 on page 15 through line 3 on page 16, inclusive.

AMENDMENT NO. 14

On pages 16 and 17, strike in their entirety the lines beginning with line 5 on page 16 through line 15 on page 17, inclusive.

AMENDMENT NO. 15

On page 17, after line 15, insert:

“15-103.3.

(b) (1) The Department shall pay all fines collected under § 15-103(b)(12)(v) of this subtitle AND PENALTIES COLLECTED UNDER § 15-103.7(E)(2)(IV) OF THIS SUBTITLE to the Comptroller of the State.

(c) (1) [(i) Except as otherwise provided in this paragraph, the] THE Fund shall be used exclusively for the provider reimbursement budget under the

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HealthChoice Program, including providing financial incentives designed to improve the quality of care to managed care organizations that exceed performance targets.

[(ii) For fiscal years 2004 through 2006, the Fund shall be used exclusively to provide grants to Medbank of Maryland, Inc.

(iii) The grant to Medbank of Maryland, Inc. under this section may not exceed:

1. \$1,200,000 in fiscal 2004;
2. \$1,000,000 in fiscal 2005; and
3. \$500,000 in fiscal 2006.]

(4) At the end of each fiscal year, any amount in excess of [~~\$3~~] \$5 million shall revert to the General Fund.

15-103.7.

(A) IN THIS SECTION, "PROGRAM" MEANS THE PROGRAM ESTABLISHED BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS SECTION.

(B) (1) THE DEPARTMENT SHALL ESTABLISH A VALUE-BASED PURCHASING PROGRAM THAT AWARDS FINANCIAL INCENTIVES TO AND ASSESSES PENALTIES ON MANAGED CARE ORGANIZATIONS BASED ON THE ORGANIZATION'S PERFORMANCE ON HEALTH MEASURES ESTABLISHED BY THE DEPARTMENT.

(2) THE DEPARTMENT SHALL, IN ACCORDANCE WITH THIS SECTION, ESTABLISH CRITERIA TO IMPLEMENT THE PROGRAM, INCLUDING THE

ESTABLISHMENT OF PERFORMANCE TARGETS, AWARD OF INCENTIVES, AND COLLECTION OF PENALTIES.

(C) NOT MORE THAN 1% OF THE AMOUNT OF CAPITATED PAYMENTS RECEIVED BY A MANAGED CARE ORGANIZATION EACH YEAR SHALL BE SUBJECT TO THE COLLECTION OF PENALTIES UNDER THE PROGRAM.

(D) FOR EACH MEASUREMENT YEAR, BEGINNING JANUARY 1, 2021, THE DEPARTMENT MAY NOT IN ANY CALENDAR YEAR PAY A TOTAL AMOUNT OF INCENTIVES TO MANAGED CARE ORGANIZATIONS UNDER THE PROGRAM IN AN AMOUNT THAT EXCEEDS:

(1) THE TOTAL AMOUNT OF PENALTIES THE DEPARTMENT COLLECTS FROM MANAGED CARE ORGANIZATIONS UNDER THE PROGRAM; AND

(2) ANY ADDITIONAL FUNDS ALLOCATED BY THE DEPARTMENT TO SUPPORT THE PROGRAM.

(E) (1) FOR EACH MEASUREMENT YEAR, BEGINNING JANUARY 1, 2021, THE DEPARTMENT SHALL BASE THE INITIAL DISTRIBUTION OF FUNDING AWARDED UNDER THE PROGRAM TO A MANAGED CARE ORGANIZATION IN EACH CALENDAR YEAR ON THE NUMBER OF PERFORMANCE TARGETS THAT THE MANAGED CARE ORGANIZATION MEETS OR EXCEEDS.

(2) FOR EACH MEASUREMENT YEAR, BEGINNING JANUARY 1, 2021, IF THE TOTAL AMOUNT OF PENALTIES THAT THE DEPARTMENT COLLECTS UNDER THE PROGRAM EXCEEDS THE TOTAL AMOUNT OF INCENTIVE FUNDING AWARDED IN THE INITIAL DISTRIBUTION OF FUNDS IN A CALENDAR YEAR UNDER THE PROGRAM, THE REMAINING FUNDS SHALL BE ALLOCATED AS FOLLOWS:

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(I) 40% TO MANAGED CARE ORGANIZATIONS THAT HAVE MET OR EXCEEDED MORE PERFORMANCE TARGETS THAN THE MANAGED CARE ORGANIZATION HAS NOT MET;

(II) 25% TO MANAGED CARE ORGANIZATIONS THAT THE DEPARTMENT DETERMINES HAVE DEMONSTRATED PERFORMANCE IMPROVEMENT IN THE MEASUREMENT YEAR, IF THE MANAGED CARE ORGANIZATIONS USE THE FUNDING TO TARGET PERFORMANCE IMPROVEMENT IN AREAS IDENTIFIED BY THE DEPARTMENT;

(III) 25% FOR HEALTH IMPROVEMENT PROGRAMS UNDER THE MARYLAND MEDICAID MANAGED CARE PROGRAM, WITH THE FUNDING USED TO FUND ENHANCEMENTS IN:

1. AREAS WHERE THE MARYLAND MEDICAID MANAGED CARE PROGRAM AS A WHOLE UNDERPERFORMS AS COMPARED TO EQUIVALENT PROGRAMS IN OTHER STATES; OR

2. AREAS DETERMINED BY THE DEPARTMENT TO BE A STATE HEALTH PRIORITY;

(IV) EXCEPT AS PROVIDED IN ITEM (V) OF THIS SUBSECTION, 10% TO ESTABLISH A RESERVE IN THE HEALTHCHOICE PERFORMANCE INCENTIVE FUND TO BE USED IN ANY CALENDAR YEAR IN WHICH THE AMOUNT OF PENALTIES THE DEPARTMENT COLLECTS UNDER THE PROGRAM ARE INSUFFICIENT TO PAY INCENTIVES EARNED BY MANAGED CARE ORGANIZATIONS;
AND

(V) IF THE DEPARTMENT MAY NOT ALLOCATE FUNDS, IN WHOLE OR IN PART, IN ACCORDANCE WITH ITEM (IV) OF THIS PARAGRAPH BECAUSE OF THE LIMITATION IN PARAGRAPH (3) OF THIS SUBSECTION, THE DEPARTMENT SHALL EQUALLY ALLOCATE THE REMAINING FUNDS FOR USE UNDER ITEMS (I), (II), AND (III) OF THIS PARAGRAPH.

(3) THE DEPARTMENT MAY NOT ALLOCATE FUNDS UNDER PARAGRAPH (2)(IV) OF THIS SUBSECTION IN A MANNER THAT CAUSES THE BALANCE IN THE HEALTHCHOICE PERFORMANCE INCENTIVE FUND TO EXCEED \$5 MILLION.

(F) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE DEPARTMENT MAY MODIFY THE PROGRAM IF THE DEPARTMENT:

(1) ADOPTS BY REGULATION ANY CHANGES TO THE CORE SET OF PERFORMANCE MEASURES AND THE METHODOLOGY FOR PENALTIES, REWARDS, DISINCENTIVES, OR INCENTIVES UNDER SUBSECTION (E)(1) AND (2)(I) OF THIS SECTION BEFORE THE CALENDAR YEAR FOR WHICH THE MANAGED CARE ORGANIZATIONS WILL BE HELD ACCOUNTABLE FOR THE STANDARD COMPLIANCE WITH THE PERFORMANCE MEASURES; AND

(2) NOTIFIES EACH MANAGED CARE ORGANIZATION OF THE CORE SET OF PERFORMANCE MEASURES AND TARGETS UNDER SUBSECTION (E)(1) AND (2)(I) OF THIS SECTION AT LEAST 3 MONTHS BEFORE THE CALENDAR YEAR FOR WHICH THE MANAGED CARE ORGANIZATION WILL BE HELD ACCOUNTABLE TO THE STANDARD FOR COMPLIANCE WITH THE PERFORMANCE MEASURES.

(G) ANY PENALTY OR CAPITATION ADJUSTMENT IMPOSED UNDER THIS SECTION ON A MANAGED CARE ORGANIZATION MAY NOT BE ACCOMPLISHED OR IMPLEMENTED BY WITHHOLDING A CAPITATION PAYMENT.

(H) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.”.

On page 5, after line 10, insert:

“SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) 3 of Chapter 193 of the Acts of the General Assembly of 2005 be repealed.”

AMENDMENT NO. 16

On pages 17 and 18, strike in their entirety the lines beginning with line 16 on page 17 through line 8 on page 18, inclusive.

On pages 18 through 20, strike in their entirety the lines beginning with line 18 on page 18 through line 3 on page 20, inclusive.

AMENDMENT NO. 17

On page 18, in line 14, after “(3)” insert “**(I)**”; in the same line, strike “and each fiscal year thereafter”; in line 15, strike the brackets; in the same line, strike “MAY”; and after line 16, insert:

“(II) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL OR THE CAPITAL BUDGET BILL AN APPROPRIATION OF \$10,000,000 FOR THE FUND.”

AMENDMENT NO. 18

On page 18, after line 17, insert:

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“6–121.

(a) (1) In this section the following words have the meanings indicated.

(2) “Nonprofit health maintenance organization” means a health maintenance organization authorized by Title 19, Subtitle 7 of the Health – General Article that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code.

(3) “Premium tax exemption value” means the amount of premium taxes that a nonprofit health maintenance organization would have been required to pay if the nonprofit health maintenance organization were not exempt from taxation under § 6–101(b)(5) of this subtitle.

(b) (1) **[A] BEGINNING IN FISCAL YEAR 2022, A nonprofit health maintenance organization shall transfer funds in an amount equal to the premium tax exemption value of the nonprofit health maintenance organization to the [Medical Assistance Program Account established under Title 19, Subtitle 8 of this article to be used to support the provision of health care to eligible individuals] COMMISSIONER TO DISTRIBUTE TO THE GENERAL FUND OF THE STATE TO BE USED TO SUPPORT THE PROVISION OF HEALTH CARE TO ELIGIBLE INDIVIDUALS IN THE MEDICAL ASSISTANCE PROGRAM.”**

On page 5, after line 8, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 19–801 through 19–808 and the subtitle “Subtitle 8. Maryland Health Care Provider Rate Stabilization Fund” of Article – Insurance and Section(s) 6–226(a)(2)(ii)22 of Article – State Finance and Procurement of the Annotated Code of Maryland be repealed.”

On page 5, before line 9, insert:

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“SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 6–226(a)(2)(ii)23 through 6–226(a)(2)(ii)122, respectively, of Article – State Finance and Procurement of the Annotated Code of Maryland be renumbered to be Section(s) 6–226(a)(2)(ii)22 through 6–226(a)(2)(ii)121, respectively.”.

AMENDMENT NO. 19

On page 20, strike beginning with “AND” in line 13 down through “THEREAFTER” in line 14; and after line 14, insert:

“(III) FOR EACH STATE FISCAL YEAR THEREAFTER, THE APPROPRIATION SHALL BE NO LESS THAN \$35,000,000.”.

AMENDMENT NO. 20

On page 20, after line 14, insert:

“Article – Labor and Employment

10–301.

- (a) In this subtitle the following words have the meanings indicated.
- (c) “Fund” means the Uninsured Employers’ Fund.

10–314.

- (a) The Fund shall consist of:
 - (1) the money credited to the Fund under Title 9 of this article;
 - (2) income from investments that the State Treasurer makes for the Fund; and

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(3) interest on deposits or investments of money from the Fund.

(b) [The] SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE Director shall use the Fund to pay:

(1) each award under Title 9 of this article charged against the Fund;

(2) the amount that the Director authorizes for an expert or witness hired under § 10–310(c) of this subtitle;

(3) other proper charges that the Director authorizes;

(4) whenever an employer who is self-insured in accordance with § 9–404 or § 9–405 of this article becomes insolvent, any outstanding obligations of the employer; and

(5) hearing loss claims for retirees of the Bethlehem Steel Corporation.

(c) The liability of the Board, Director, Fund, State Treasurer, and State for all proper charges against the Fund is limited to the assets of the Fund.

(D) BEGINNING IN FISCAL YEAR 2021, THE DIRECTOR MAY USE THE FUND TO PAY FOR THE ADMINISTRATION OF THE FUND ONLY IF AN APPROPRIATION IS INCLUDED IN THE STATE BUDGET FOR THIS PURPOSE.”

AMENDMENT NO. 21

On page 20, strike in their entirety lines 16 through 23, inclusive.

AMENDMENT NO. 22

On page 21, after line 25, insert:

(Over)

“7-114.3.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PROPOSED APPROPRIATION IN THE ANNUAL BUDGET BILL FOR A UNIT OF STATE GOVERNMENT THAT THE GENERAL ASSEMBLY HAS STRUCK OR REDUCED MAY NOT BE RESTORED FOR THE SAME PURPOSE AS ORIGINALLY PROPOSED.

(B) A PROPOSED APPROPRIATION THAT THE GENERAL ASSEMBLY HAS STRUCK OR REDUCED MAY BE RESTORED FOR THE SAME PURPOSE AS ORIGINALLY PROPOSED IF THE GENERAL ASSEMBLY, IN STRIKING OR REDUCING THE APPROPRIATION, EXPRESSLY AUTHORIZED THE RESTORATION.”.

AMENDMENT NO. 23

On page 5, strike in their entirety lines 9 and 10.

On page 21, in line 29, strike “(1)”.

On pages 21 and 22, strike in their entirety the lines beginning with line 31 on page 21 through line 2 on page 22.

On page 22, in line 21, after the semicolon insert “AND”; and strike beginning with the first “the” in line 22 down through “(3)” in line 27.

On page 23, in line 3, strike “budget books shall include” and substitute “FOLLOWING INFORMATION SHALL BE PROVIDED ON THE WEBSITE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT SIMULTANEOUSLY WITH THE SUBMISSION OF THE ANNUAL STATE BUDGET:

(1)”;

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in line 4, strike “but shall be”; and in line 5, after “measures” insert “;AND”

(2) PERSONNEL DETAIL, BY UNIT OF STATE GOVERNMENT, THAT SETS FORTH, FOR EACH PROGRAM OR PURPOSE OF THE UNIT, THE TOTAL AMOUNT FOR SALARIES OF OFFICERS AND EMPLOYEES AND THE AMOUNT FOR SALARIES OF EACH JOB CLASSIFICATION:

(I) SPENT DURING THE LAST FULL FISCAL YEAR;

(II) AUTHORIZED IN THE STATE BUDGET FOR THE CURRENT FISCAL YEAR; AND

(III) REQUESTED FOR THE NEXT FISCAL YEAR”.

AMENDMENT NO. 24

On page 24, strike in their entirety lines 1 through 3, inclusive, and substitute “ACCOUNT IN THE AMOUNT OF \$291,439,149; AND”.

AMENDMENT NO. 25

On page 24, in line 24, strike the bracket; in line 29, strike “a cost-of-living adjustment of up to 2%” and substitute a comma; in line 31, after “representatives” insert “,A COST-OF-LIVING ADJUSTMENT AS FOLLOWS”; in line 32, after “(1)” insert “UP TO 3% FOR”; in line 35, after “(2)” insert “UP TO 2% FOR”; and in line 36, after “(3)” insert “UP TO 2% FOR”.

On page 25, in line 1, strike the bracket; in lines 2 and 13, in each instance, strike the brackets; and in the same lines, in each instance, strike “**IF**”.

On page 26, in line 4, strike the brackets; in the same line, strike “**THE**”; in lines 6, 8, and 9, in each instance, strike the brackets; in the same lines, strike “**(1)**”, “**(2)**”,

(Over)

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and “(3)”, respectively; in lines 11 and 20, in each instance, strike the bracket; in lines 11 and 12, strike “a cost-of-living adjustment of up to 2%” and substitute a comma; in line 14, after “representatives” insert “, A COST-OF-LIVING ADJUSTMENT AS FOLLOWS”; in line 15, after “(i)” insert “UP TO 3% FOR”; in line 18, after “(ii)” insert “UP TO 2% FOR”; and in line 19, after “(iii)” insert “UP TO 2% FOR”; in line 27, strike the brackets; and in the same line, strike “THE”.

On page 27, in lines 2 and 13, in each instance, strike the bracket; in lines 4 and 5, strike “a cost-of-living adjustment of up to 2%” and substitute a comma; in line 7, after “representatives” insert “, A COST-OF-LIVING ADJUSTMENT AS FOLLOWS”; in line 8, after “(i)” insert “UP TO 3% FOR”; in line 11, after “(ii)” insert “UP TO 2% FOR”; and in line 12, after “(iii)” insert “UP TO 2% FOR”.

AMENDMENT NO. 26

On page 27, after line 16, insert:

“2-202.

(b) (1) [From] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FROM the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars in Calvert County under § 4-102(e) of this article, the Comptroller shall distribute from:

[(1)] (I) the revenue attributable to a tax rate of 1.5%:

[(i)] 1. \$50,000 to the Boys and Girls Club of the Town of North Beach; and

[(ii)] 2. the remainder to the Town of North Beach;

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[(2)] (II) the revenue attributable to a tax rate of 2.5% to the Town of Chesapeake Beach; and

[(3)] (III) the revenue attributable to a tax rate of 4% to the Calvert County Youth Recreational Opportunities Fund under Title 5, Subtitle 19 of the Natural Resources Article.

(2) FUNDS REQUIRED TO BE DISTRIBUTED TO THE ENTITIES IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PROVIDED THROUGH AN APPROPRIATION IN THE ANNUAL STATE BUDGET UNDER BUDGET CODE A15000.03 PAYMENTS TO CIVIL DIVISIONS OF THE STATE.”.

AMENDMENT NO. 27

On page 29, in line 10, strike “**2021 THROUGH 2040**” and substitute “**2024 THROUGH 2043**”.

AMENDMENT NO. 28

On page 29, in line 24, strike “**\$10,000,000**” and substitute “**\$12,000,000**”.

AMENDMENT NO. 29

On page 30, after line 8, insert:

“10-825.

(A) IN THIS SECTION, “PARTICIPATING PAYEE”, “REPORTABLE PAYMENT TRANSACTION”, AND “THIRD-PARTY SETTLEMENT ORGANIZATION” HAVE THE MEANINGS STATED IN § 6050W OF THE INTERNAL REVENUE CODE.

(B) NOTWITHSTANDING THE FILING THRESHOLD UNDER § 6050W OF THE INTERNAL REVENUE CODE, A THIRD-PARTY SETTLEMENT ORGANIZATION SHALL REPORT TO THE COMPTROLLER AND A PARTICIPATING PAYEE REQUIRED

(Over)

TO FILE A RETURN OR DECLARATION UNDER PART II OF THIS SUBTITLE THE GROSS AMOUNT OF REPORTABLE PAYMENT TRANSACTIONS MADE TO THE PARTICIPATING PAYEE IF THE AMOUNT OF REPORTABLE PAYMENT TRANSACTIONS MEETS OR EXCEEDS THE FILING THRESHOLD UNDER § 6041(A) OF THE INTERNAL REVENUE CODE.

(C) THE THIRD-PARTY SETTLEMENT ORGANIZATION SHALL REPORT THE INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION TO THE COMPTROLLER AND THE PARTICIPATING PAYEE AT LEAST 30 DAYS BEFORE THE FEDERAL FILING DEADLINES FOR THE INFORMATION.”.

AMENDMENT NO. 30

On pages 30 and 31, strike in their entirety the lines beginning with line 10 on page 30 through line 13 on page 31, inclusive.

AMENDMENT NO. 31

On page 34, strike in their entirety lines 22 through 33, inclusive.

AMENDMENT NO. 32

On page 35, strike in their entirety lines 5 through 8, inclusive.

AMENDMENT NO. 33

On page 35, strike in their entirety lines 18 through 22, inclusive.

AMENDMENT NO. 34

On page 35, in line 28, strike “revert to the General Fund” and substitute “transfer”; and in line 29, after “Account” insert “to the Annuity Bond Fund established under § 8–132 of the State Finance and Procurement Article”.

AMENDMENT NO. 35

On page 35, after line 33, insert:

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“SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2021, the Governor shall transfer \$54,000,000 of the fund balance in the Revenue Stabilization Fund established under § 7–311 of the State Finance and Procurement Article to the General Fund.”.

AMENDMENT NO. 36

On page 35, after line 33, insert:

“SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, in each of fiscal years 2021 and 2022, the Governor may transfer to the Maryland Medical Assistance Program \$750,000 of the fund balance in the State Board of Pharmacy Fund established under § 12–206 of the Health Occupations Article.”.

AMENDMENT NO. 37

On page 35, after line 33, insert:

“SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, in each of fiscal years 2021 and 2022, the Governor may transfer \$800,000 of the fund balance in the Board of Physicians Fund established under § 14–207 of the Health Occupations Article to support the Maryland Primary Care Program.”.

AMENDMENT NO. 38

On page 35, after line 33, insert:

“SECTION 15. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the premium subsidy payments for the federal Dairy Margin Protection Program in Marketing and Agricultural Development (L00A12.10) within the Office of Marketing, Animal Industries, and Consumer Services in the Maryland Department of Agriculture, that was included in the fiscal year 2020 operating budget

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(Chapter 565 of the Acts of 2019) is reduced by \$216,253 in general funds, which shall revert to the General Fund.”.

AMENDMENT NO. 39

On page 35, after line 33, insert:

“SECTION 16. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Maryland Department of Health Behavioral Health Administration fiscal year 2020 contract with the Administrative Services Organization that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by \$287,500 in federal funds and \$287,500 in general funds, which shall revert to the General Fund.”.

AMENDMENT NO. 40

On page 35, after line 33, insert:

“SECTION 17. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Concentration of Poverty Grants from the Blueprint for Maryland’s Future Fund established under § 5–219 of the Education Article and that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by \$5,971,992 in special funds, which shall revert to the Blueprint for Maryland’s Future Fund.”.

AMENDMENT NO. 41

On page 35, after line 33, insert:

“SECTION 18. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Maryland Community College Promise Scholarship established under § 18–3602 of the Education Article and that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by \$3,000,000, which shall revert to the General Fund.”.

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AMENDMENT NO. 42

On page 35, after line 33, insert:

“SECTION 19. AND BE IT FURTHER ENACTED, That the unexpended appropriation for personnel in the Department of Public Safety and Correctional Services that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by \$2,500,000 in general funds, which shall revert to the General Fund.”.

AMENDMENT NO. 43

On page 5, before line 9, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 4–1006 of Article – Public Safety of the Annotated Code of Maryland be repealed.”.

On page 35, after line 33, insert:

“SECTION 20. AND BE IT FURTHER ENACTED, That the unexpended appropriation required under § 4–1006 of the Public Safety Article and that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) that has not been awarded by the Governor’s Office of Crime Prevention, Youth, and Victim Services to a grantee is reduced by \$156,500, which shall revert to the General Fund.

SECTION 21. AND BE IT FURTHER ENACTED, That the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross–references and terminology rendered incorrect by this Act. The publisher shall adequately describe any correction that is made in an editor’s note following the section affected.”.