

Laws
of the
State of Maryland

At the Session of the General Assembly Begun and Held in the
City of Annapolis on the Thirteenth Day of January 2016
and Ending on the Eleventh Day of April 2016

Bills vetoed by the Governor appear after the Laws

VOLUME I

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Laws of Maryland

MARYLAND, Sct.:

At a Session of the General Assembly of Maryland, begun and held in the City of Annapolis on the Thirteenth Day of January 2016, and ending on the Eleventh Day of April 2016, Lawrence J. Hogan, Jr., being Governor of the State, the following laws were enacted, to wit:

Chapter 1

(House Bill 209 of the 2015 Regular Session)

AN ACT concerning

Howard County – Room Rental Tax – Room Rental Fee

Ho. Co. 12-15

FOR the purpose of clarifying that the Howard County room rental tax applies to the total charge for the rental of a room, including any room rental fee charged by a room rental intermediary but not including any tax; defining certain terms; and generally relating to the Howard County room rental tax.

BY repealing and reenacting, with amendments,
The Public Local Laws of Howard County
Section 20.400
Article 14 – Public Local Laws of Maryland
(1977 Edition and August 2008 Supplement, as amended)
(As enacted by Chapter 139 of the Acts of the General Assembly of 2011 and Chapter 510 of the Acts of the General Assembly of 2013)

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

Article 14 – Howard County

20.400.

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.

Italics indicate opposite chamber / conference committee amendments.

(a) Howard County may impose, by law, and collect a sales or use tax on room rentals in the county for sleeping accommodations for transients.

(b) (1) The rate of the tax authorized under this section may not exceed 7 percent.

(2) Subject to the annual county budget and appropriation process, the county shall distribute any revenue attributable to a tax rate greater than 5 percent imposed by the county under this subsection as follows:

(i) Two-thirds to the Howard County Tourism Council; and

(ii) One-third to the Howard County Economic Development Authority.

(c) Howard County may adopt, by law, any procedural or enforcement provision that the county council considers to be necessary or appropriate for administration or collection of the tax authorized under this section, including, without limitation:

(1) Requiring hotels in the county to:

(i) Collect the tax from patrons;

(ii) Hold the tax in trust for the county;

(iii) Pay the tax collected and file periodic returns with the county;

and

(iv) File a bond or other security for payment of the tax in an amount that the county council considers to be necessary;

(2) Providing a tax exemption for classes of hotels;

(3) Imposing interest and penalties for late payment of the tax;

(4) Making unpaid tax a lien against the real and personal property of the person owing the tax; and

(5) Providing for collection of the tax by distraint.

(d) The room rental tax authorized under this section does not apply to the sale of a right to occupy a room or lodgings as a transient guest at a dormitory or other lodging facility that:

(1) Is operated solely in support of the headquarters, a training facility, a conference facility, an awards facility, or the campus of a corporation or other organization;

(2) Provides lodging solely for employees, contractors, vendors, and other invitees of the corporation that owns the dormitory or lodging facility; and

(3) Does not offer lodging services to the general public.

(E) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) 1. “ROOM RENTAL FEE” MEANS A FEE CHARGED BY A ROOM RENTAL INTERMEDIARY TO A TRANSIENT FOR FACILITATING THE RENTAL OF A ROOM.

2. “ROOM RENTAL FEE” DOES NOT INCLUDE A COMMISSION PAID BY A HOTELKEEPER TO A PERSON AFTER FACILITATING THE RENTAL OF A ROOM.

(III) 1. “ROOM RENTAL INTERMEDIARY” MEANS A PERSON, OTHER THAN A HOTELKEEPER, WHO FACILITATES THE RENTAL OF A ROOM AND CHARGES A TRANSIENT FOR THE RENTAL OF A ROOM.

2. FOR PURPOSES OF THIS SUBPARAGRAPH, A PERSON SHALL BE CONSIDERED TO FACILITATE THE RENTAL OF A ROOM IF THE PERSON BROKERS, COORDINATES, OR IN ANY OTHER WAY ARRANGES FOR THE RENTAL OF A ROOM BY A TRANSIENT.

(2) THE ROOM RENTAL TAX AUTHORIZED UNDER THIS SECTION APPLIES TO THE TOTAL CHARGE FOR THE RENTAL OF A ROOM, INCLUDING ANY ROOM RENTAL FEE BUT NOT INCLUDING ANY TAX.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2015.

Gubernatorial Veto Override, January 21, 2016.

Chapter 2

(House Bill 71 of the 2015 Regular Session)¹

¹ This bill was printed in the Session Laws as Chapter 495 of the Acts of 2015. One item was vetoed by the Governor being indicated by footnote reference in the 2015 Session Laws. That item was passed over the Governor’s veto as indicated by appropriate footnote herein.

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2015, and the Maryland Consolidated Capital Bond Loans of 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, and 2014

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~One Billion, Sixty Eight Million, Five Hundred Forty Five Thousand Dollars (\$1,068,545,000), One Billion, Sixty Three Million, Six Hundred Seventy Thousand, One Hundred Thirty Four Dollars (\$1,063,670,134) One Billion, Sixty Million, Four Hundred Fifty Seven Thousand, Two Hundred Twenty One Dollars (\$1,060,457,221) One Billion, Sixty-Three Million, Six Hundred Seventy Thousand, One Hundred Thirty-Four Dollars (\$1,063,670,134)~~, the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to certain requirements that certain matching funds be provided and expended by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; imposing a certain tax on all assessable property in the State; ~~making a certain Watershed Implementation Plan appropriation contingent on the failure of certain legislation;~~ authorizing the creation of State Debt in certain years to be used for certain purposes; *stating the intent of the General Assembly that the State commitment for a certain facility will total a certain amount during a certain period; providing that a certain appropriation of funds be contingent on the enactment of certain legislation; authorizing certain Aging Schools Program funds to be distributed as certain grants to certain nonpublic schools that meet certain criteria; requiring the Maryland State Department of Education and the Interagency Committee on School Construction to administer certain grants to certain nonpublic schools; providing that certain schools may apply and qualify for certain grants based on certain criteria; providing that it is the intent of the General Assembly that a certain department expand the use of a certain initiative to include and prioritize certain collaborations; requiring that certain funds be used for a certain purpose; making the use of certain funds contingent on a certain department providing a certain written certification to the budget committees; authorizing the budget committees to review and comment on a certain report; providing that if certain funds are not eligible for general obligation bond funding then the funds may be used for certain other projects;* requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; authorizing certain grantees to appeal certain determinations by the Maryland Historical Trust or the Director to the Maryland Historical Trust Board of Trustees; providing that a certain decision by the Maryland Historical Trust Board of Trustees is final and not subject to administrative or judicial review; providing that the proceeds of certain loans must be expended or encumbered by a certain date; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans;

providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization acts; requiring a certain memorandum of understanding to be executed on or before a certain date; providing that a certain authorization be restricted under certain circumstances and for a certain purpose; providing that certain committees of the General Assembly have a certain period of time to review and comment on the memorandum of understanding; providing that certain funds may be allocated under certain circumstances; specifying the use of certain project funds; altering the authorized uses of certain grants; altering the authorized purposes of certain grants; altering the authorized scope of certain grants; altering the names of certain grantees; adding additional grantees to certain grants; altering the matching fund requirements of certain grants; extending the deadline for certain grantees to present evidence of certain matching funds; extending the termination dates of certain grants; altering the location of certain capital projects; removing the requirement that a certain entity grant and convey a certain easement to the Maryland Historical Trust; *repealing a certain restriction on the expenditure of certain funds until the grantee submits certain documentation and information;* authorizing premiums from the sale of State bonds in certain fiscal years to remain in or be transferred to a certain fund and to be used for certain capital projects under certain circumstances; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; making certain technical corrections; providing for a delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004, as amended by Chapter 445 of the Acts of the General Assembly of 2005
Section 1(3) Item DE02.01(B)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004, as amended by Chapter 483 of the Acts of the General Assembly of 2010
Section 1(3) Item UB00(A)

BY repealing and reenacting, with amendments,

Chapter 432 of the Acts of the General Assembly of 2004, as amended by Chapter 445 of the Acts of the General Assembly of 2005, Chapter 46 of the Acts of the General Assembly of 2006, Chapter 488 of the Acts of the General Assembly of 2007, Chapter 336 of the Acts of the General Assembly of 2008, Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, and Chapter 396 of the Acts of the General Assembly of 2011
Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 445 of the Acts of the General Assembly of 2005, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 444 of the Acts of the General Assembly of 2012, and Chapter 424 of the Acts of the General Assembly of 2013

Section 1(3) Item UB00(A)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006

Section 1(3) Item ZA01(BK) and ZA02(AX)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 219 of the Acts of the General Assembly of 2008, Chapter 707 of the Acts of the General Assembly of 2009, Chapter 372 of the Acts of the General Assembly of 2010, and Chapter 430 of the Acts of the General Assembly of 2013

Section 1(3) Item ZA01(CP) and ZA02(AZ)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 707 of the Acts of the General Assembly of 2009, and Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item ZA01(BT)

BY repealing and reenacting, with amendments,

Chapter 46 of the Acts of the General Assembly of 2006, as amended by Chapter 707 of the Acts of the General Assembly of 2009, and Chapter 430 of the Acts of the General Assembly of 2013

Section 1(3) Item ZA02(BI)

BY repealing and reenacting, with amendments,

Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 219 of the Acts of the General Assembly of 2008

Section 1(3) Item KA05(A)(4) and ZA02(BI)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008

Section 1(3) Item ~~UB00(A)~~ RM00(A), UB00(A), and ZA01(AK) and (CC)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item KA05(B)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 372 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA01(AG) and (CA) and ZA02(BM)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 372 of the Acts of the General Assembly of 2010, and Chapter 639 of the Acts of the General Assembly of 2012

Section 1(3) Item ZA01(AA) and ZA02(X)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item ZA01(V)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009

Section 1(3) Item DE02.01(B), ML01(A), and UB00(A)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item RC00(A) and 12(3) Item RM00(E)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item DH01(A)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 12(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item RM00(A)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 639 of the Acts of the General Assembly of 2012, and Chapter 430 of the Acts of the General Assembly of 2013

Section 1(3) Item ZA00(S)

BY adding to

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 639 of the Acts of the General Assembly of 2012, and Chapter 430 of the Acts of the General Assembly of 2013

Section 1(3) Item ZA00(S-1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 424 of the Acts of the General Assembly of 2013 and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item KA05(C)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010

Section 1(3) Item QB08.01(A)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item RM00(A)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 396 of the Acts of the General Assembly of 2011, Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter
444 of the Acts of the General Assembly of 2012
Section 1(3) Item KA05(C)

BY repealing and reenacting, with amendments,
Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter
424 of the Acts of the General Assembly of 2013
Section 1(3) Item MM06(A)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item KA05(C) ~~and RB31(A)~~, RB31(A), ZA02(AF), (BA), and (BN), and
ZA03(BC)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter
444 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA00(M)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter
444 of the Acts of the General Assembly of 2012 and Chapter 424 of the Acts
of the General Assembly of 2013
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter
639 of the Acts of the General Assembly of 2012
Section 1(3) Item ZA02(H) and ZA03(H)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter
430 of the Acts of the General Assembly of 2013
Section 1(3) Item ZA02(BK-2) and (BK-4)

BY repealing and reenacting, with amendments,
Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter
430 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts
of the General Assembly of 2014
Section 1(3) Item ~~ZA02(BJ)~~ ZA02(R), (AD), and (BJ) and ZA03(AW)

BY adding to

Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 430 of the Acts of the General Assembly of 2013 and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item ZA03(AW-1) and (AW-2)

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item ZA02(L)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012

Section 1(3) Item DE02.01(C), KA05(B), MM06(C), PA13.01(A), and RB23(A)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 424 of the Acts of the General Assembly of 2013

Section 1(3) Item VE01(A)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 430 of the Acts of the General Assembly of 2013

Section 1(3) Item ~~ZA01(E)~~ ZA01(F), ZA02(AB), (AW), and (AY), and ZA03(AK) and (AM)

BY repealing

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 430 of the Acts of the General Assembly of 2013 and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item ZA03(D)

BY adding to

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 430 of the Acts of the General Assembly of 2013 and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item ZA03(D-1), (D-2), and (D-3)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 463 of the Acts of the General Assembly of 2014

Section 1(1) and (3) Item DE02.01(D) and RM00(D)

BY repealing and reenacting, with amendments,

Chapter 424 of the Acts of the General Assembly of 2013

Section 1(3) Item KA05(B), RM00(B), UA04(A) and (B), UB00(A), ZA00(P), ZA01(F), and ZA02(M), (R), (BJ), and (BU), and ZA03(AK), (AW), and (BI)

BY repealing and reenacting, with amendments,

Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter 463 of the Acts of the General Assembly of 2014
Section 1(1) and (3) Item ZA02(BA) and ZA03(AM)

BY repealing

Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA00(K)

BY adding to

Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA00(K-1) and (K-2)

BY repealing and reenacting, with amendments,

Chapter 463 of the Acts of the General Assembly of 2014
Section 1(1) and (3) Item DH01.04(A), KA05(B), UB00(A), VE01(C), ~~and~~ ZA00(B), (J), (K), (M), (O), ~~and (AF)~~ (AB), (AF), (AG), (AL), and (AV), ZA02(J), (AL), and ~~(AW), and ZA03(AK)~~ (AW)

BY repealing

Chapter 463 of the Acts of the General Assembly of 2014
Section 12, 13, 14, 15, and 16

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2015 in the total principal amount of ~~\$1,068,545,000~~ ~~\$1,063,670,134~~ ~~\$1,060,457,221~~ \$1,063,670,134. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 and 8-131.2 of the State Finance and Procurement Article.

(2) The bonds to evidence this loan or installments of this loan may be sold as a single issue of bonds under § 8-122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

DA02.01	DEPARTMENT OF DISABILITIES (Statewide)	
(A)	Accessibility Modifications. Provide funds to design and construct architectural upgrades at State-owned facilities to improve accessibility for persons with disabilities	1,600,000
DA07.01	DEPARTMENT OF AGING (Statewide)	
(A)	Senior Centers Capital Grant Program. Provide grants to acquire property and to design, construct, renovate, and equip senior citizen activities centers. The funds appropriated for this purpose shall be administered in accordance with §§ 10–501 through 10–510 of the Human Services Article	1,012,000
DE02.01	BOARD OF PUBLIC WORKS GENERAL STATE FACILITIES (Statewide)	
(A)	Construction Contingency Fund. Provide funds for the Construction Contingency Fund to be administered in accordance with § 3–609 of the State Finance and Procurement Article	2,500,000
(B)	Facilities Renewal Fund. Provide funds for the repair and rehabilitation of State-owned capital facilities	7,475,000 9,475,000 <u>8,555,000</u>
	<u>STATE GOVERNMENT CENTER – ANNAPOLIS</u> <u>(Anne Arundel County)</u>	
(C)	<u>State House and State House Complex Historic Repairs and Renovations. Provide funds to design, construct, and equip historical alterations and renovations to the State House and buildings within the State House Complex</u>	<u>250,000</u>
DE02.02	PUBLIC SCHOOL CONSTRUCTION (Statewide)	
(A)	Aging Schools Program. Provide additional grants for capital improvements, repairs, and deferred maintenance work at existing public school buildings. Grants shall be distributed to local boards of education in proportion to grants received under § 5–206 of the Education Article	6,109,000

(B) Public School Construction Program. Provide funds to construct public school buildings and public school capital improvements in accordance with §§ 5–301 through 5–303 of the Education Article ~~250,000,000~~
~~270,600,000~~
280,000,000

(C) Capital Grant Program for Local School Systems with Significant Enrollment Growth or Relocatable Classrooms. Provide funds to construct public school buildings and public school capital improvements in accordance with the provisions established in HB 923 or SB 490, provided that this appropriation is contingent on the enactment of HB 923 or SB 490 establishing the Capital Grant Program for Local School Systems with Significant Enrollment Growth or Relocatable Classrooms (Regional)..... 20,000,000

(D) Nonpublic Aging Schools Program. Provide funds to be distributed as grants to nonpublic schools in Maryland for expenditures eligible under the Aging Schools Program established in § 5–206 of the Education Article, including school security improvements. Provided that grants may only be provided to nonpublic schools eligible to receive Aid to Non–Public Schools R00A03.04 (for the purchase of textbooks or computer hardware and software for loan to students in eligible nonpublic schools), excluding preschools in fiscal 2016, with a maximum amount of \$100,000 and a minimum amount of \$5,000 per eligible school.

Further provided that:

(a) an eligible school may apply and qualify for a grant as specified below based on the following criteria:

(1) at least 20% of the school’s students are eligible for free or reduced price meal program;

(2) tuition charged to students is less than the statewide average per pupil expenditure for public schools as calculated by the Maryland State Department of Education; and

(3) the school has a facility with an average age of 50 years or more; and

(b) if a school meets:

(1) all three of the criteria specified above, the school may receive up to \$100,000;

(2) two of the three criteria specified above, the school may receive up to \$75,000; and

(3) one of the three criteria specified above, the school may receive up to \$25,000.

Further provided that if more eligible schools apply and qualify for grants than the total authorization, the Maryland State Department of Education shall prorate the grants based on the total authorization amount. Further provided that the funds shall be administered by the Maryland State Department of Education and the Interagency Committee on School Construction.....

3,500,000

DH01.04

MILITARY DEPARTMENT

(A) Freedom Readiness Center. Provide funds to begin to design a new central Maryland Army National Guard readiness center, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Carroll County) 1,300,000

(B) Havre de Grace Readiness Center. Provide funds to begin design and construction of a new readiness center at the Havre de Grace Military Reservation, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Harford County) 625,000

DU00.02

CANAL PLACE PRESERVATION AND DEVELOPMENT
AUTHORITY
(Allegany County)

~~Highway Administration Watershed Implementation Plan (WIP). This authorization is contingent upon the failure to enact legislation during the 2015 General Assembly Session to alter or remove the requirement of § 8-613.3 of the Transportation Article that the Governor appropriate WIP funds to the State Highway Administration to comply in fiscal year 2016. If legislation altering or repealing the mandate to fund WIP is enacted, this authorization shall be null and void without the necessity of further action by the General Assembly~~ ~~65,000,000~~

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A) Community Parks and Playgrounds. Provide funds for grants to local governments to design and construct capital-eligible park and playground improvement projects ~~2,500,000~~
5,000,000

(B) Critical Maintenance Program. Provide funds to construct capital improvements such as planned maintenance and repair projects at public use facilities on State-owned property ~~750,000~~
2,838,000

(C) Natural Resources Development Fund. Provide funds to design, construct, and equip capital development projects on Department of Natural Resources property in accordance with § 5-903(g) of the Natural Resources Article. Funds may be spent only on the project listed below ~~or~~, on projects authorized under the Natural Resources Development Fund or Department of Natural Resources Capital Development projects, or on any of the following projects deferred from fiscal 2015: Bloede Dam Removal, Garrett County State Parks – Trail Construction, Point Lookout State Park Water System Infrastructure Improvements, Point Lookout State Park Charge Collection Station, Rocky Gap Parking Lot Improvements, and Wellington Wildlife Management Area Building Renovation ~~749,000~~
5,284,821

(1) Elk Neck State Park Improvements
(Cecil County) 749,000

(D) Ocean City Beach Replenishment Fund. Provide funds for the maintenance and restoration of the beach at Ocean City (Worcester County) ~~500,000~~

1,000,000

(E) Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 and 5–906 of the Natural Resources Article

~~29,000,000~~

~~51,737,650~~

~~37,181,400~~

29,759,313

(1) Program Open Space – Stateside – Land Acquisition

~~14,500,000~~

~~21,602,750~~

~~14,500,000~~

0

(2) Program Open Space – Local – Acquisition and Development Projects, provided that \$8,181,400 of this authorization may be allocated only as follows:

~~14,500,000~~

~~30,134,900~~

~~22,681,400~~

29,759,313

(a) Allegany

132,025

(b) Anne Arundel

1,430,335

(c) Baltimore

2,604,691

(d) Calvert

71,413

(e) Caroline

61,548

(f) Carroll

233,640

(g) Cecil

164,862

(h) Charles

370,102

(i) Frederick

335,651

(j) Harford

237,958

- (A) Maryland Agricultural Cost–Share Program (MACS). Provide funds for financial assistance for the implementation of best management practices that reduce soil and nutrient runoff from Maryland farms. The funds appropriated for this purpose shall be administered in accordance with §§ 8–701 through 8–705 of the Agriculture Article 2,000,000

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

MA01 OFFICE OF THE SECRETARY
(Statewide)

- (A) Community Health Facilities Grant Program. Provide grants to acquire, design, construct, renovate, and equip community mental health, addiction treatment, and developmental disabilities facilities. The funds appropriated for this purpose shall be administered in accordance with §§ 24–601 through 24–607 of the Health – General Article 5,263,000
- (B) Federally Qualified Health Centers Grant Program. Provide grants to acquire, design, construct, renovate, and equip buildings to be used as Federally Qualified Health Centers 371,000

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

QR02.02 MARYLAND CORRECTIONAL TRAINING CENTER
(Washington County)

- (A) Housing Unit Windows and Heating Systems Replacement. Provide funds to complete the replacement of windows and heating systems for six housing units at the Maryland Correctional Training Center 1,405,000

QS02.08 EASTERN CORRECTIONAL INSTITUTION
(Somerset County)

- (A) Hot Water and Steam System Improvements. Provide funds to design and construct a replacement high temperature hot water system, mechanical room renovations, and other hot water and steam improvements at the Eastern Correctional Institution, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project ... ~~6,925,000~~
4,925,000

QS02.09	DORSEY RUN CORRECTIONAL FACILITY (Anne Arundel County)	
(A)	560–Bed Minimum Security Compound. Provide funds to complete construction and equipping of a new 560–bed minimum security compound at Dorsey Run Correctional Facility	3,495,000
QT03.02	DIVISION OF PRETRIAL RELEASE SERVICES (Baltimore City)	
(A)	New Youth Detention Center. Provide funds to continue to design and construct and begin to equip a new Youth Detention Center to house youth charged as adults by demolishing the Baltimore Pre–Release Unit, partially renovating the Occupational Skills Training Center, and constructing an addition, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project	21,630,000
RA01	STATE DEPARTMENT OF EDUCATION	
(A)	Public Library Capital Grant Program. Provide grants to acquire land, design, construct, and equip public library facilities, provided that any reallocation of this authorization or prior authorized funds for previously authorized or new projects shall require notification to the General Assembly. The funds appropriated for this purpose shall be administered in accordance with § 23–510 of the Education Article (Statewide)	5,000,000
(B)	State Library Resource Center. Provide funds to continue the design and construction of renovations to the Central Branch of Baltimore City’s Enoch Pratt Free Library System, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Baltimore City)	16,850,000
	UNIVERSITY SYSTEM OF MARYLAND	
RB21	UNIVERSITY OF MARYLAND, BALTIMORE (Baltimore City)	
(A)	Health Sciences Research Facility III. Provide funds to continue to construct a new research facility at the University of Maryland, Baltimore, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project	81,550,000

RB22	UNIVERSITY OF MARYLAND, COLLEGE PARK (Prince George’s County)	
(A)	Campuswide Building Systems and Infrastructure Improvements. Provide funds to design, construct, and equip campuswide infrastructure improvements at the College Park campus	5,000,000
(B)	Edward St. John Learning and Teaching Center. Provide funds to continue partial demolition and renovation of existing buildings, and continue construction of the new Edward St. John Learning and Teaching Center, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project	65,650,000
(C)	Human Performance and Academic Research Facility. Provide funds to begin design of the renovation of the Cole Student Activities Building and expansion of the building for a new Center for Sports Medicine, Health and Human Performance..	5,000,000 <u>2,000,000</u>
(D)	New Bioengineering Building. Provide funds to continue to design and begin construction of a new bioengineering building, provided that notwithstanding Section 6 of this Act, work may commence and continue on this project prior to the appropriation of all funds necessary to complete this project	1,000,000 <u>10,000,000</u>
(E)	<u>Campuswide Computing Network Infrastructure Improvements. Provide funds to design, construct, and equip infrastructure improvements to existing high computing data network systems</u>	<u>1,017,000</u>
RB23	BOWIE STATE UNIVERSITY (Prince George’s County)	
(A)	New Natural Sciences Center. Provide funds to continue construction of a new academic and research facility, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project	39,728,000
RB25	UNIVERSITY OF MARYLAND EASTERN SHORE (Somerset County)	

(A)	New Engineering and Aviation Science Building. Provide funds to complete construction and equipping of a new Engineering and Aviation Science academic facility	6,498,000
RB26	FROSTBURG STATE UNIVERSITY (Allegany County)	
(A)	Public Safety Facility. Provide funds to continue design of and to construct and equip a facility to serve the Frostburg State University Police Department	5,105,000
RB29	SALISBURY UNIVERSITY (Wicomico County)	
(A)	New Academic Commons. Provide funds to complete construction and equip a new Academic Commons facility	40,680,000
RB31	UNIVERSITY OF MARYLAND BALTIMORE COUNTY (Baltimore County)	
(A)	Interdisciplinary Life Sciences Building. Provide funds to continue design of a new academic facility for interdisciplinary life sciences	6,000,000
RB34	UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE (Calvert County)	
(A)	New Environmental Sustainability Research Laboratory. Provide funds to complete construction and equip the New Environmental Sustainability Research Laboratory	4,531,000
RB36	UNIVERSITY SYSTEM OF MARYLAND OFFICE (Montgomery County)	
(A)	Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Provide funds to continue design and begin construction of an academic facility at Shady Grove Educational Center, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project	6,216,000 <u>4,716,000</u>
(B)	<u>Southern Maryland Regional Higher Education Facility. Provide funds to design and construct a third building on the</u>	

Southern Maryland Higher Education Center campus to provide academic and research laboratory space 450,000

RD00 ST. MARY'S COLLEGE OF MARYLAND (St. Mary's County)

(A) Anne Arundel Hall Reconstruction. Provide funds to conduct archeological field work, complete design and construction, and equip the new Anne Arundel Hall 10,482,000

RI00 MARYLAND HIGHER EDUCATION COMMISSION (Statewide)

(A) Community College Facilities Grant Program. Provide funds to assist the subdivisions in the acquisition of property and in the design, construction, renovation, and equipping of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11-105(j) of the Education Article, provided that notwithstanding Section 6 of this Act, work may commence on each of these projects prior to the appropriation of all funds necessary to complete the project ~~57,926,000~~ 54,926,000

- (1) Allegany College of Maryland - Technologies Building ADA and HVAC Upgrades Project (Allegany County)
- ~~(2) Community College of Baltimore County - Essex Health Careers and Technology Building Renovation and Expansion Project (Baltimore County)~~
- (2) Community College of Baltimore County - Historic Hilton Mansion Rehabilitation Project (Baltimore County)
- (3) Community College of Baltimore County - Catonsville - Multiple Building Roof Replacement - Phase II: Dome Roof Project (Baltimore County)
- (4) Frederick Community College -

- Building B Reconfiguration and Conversion Project (Frederick County)
- (5) Garrett College – Science, Technology, Engineering and Mathematics Building Renovation and Addition (Garrett County)
 - (6) Harford Community College – Regional Workforce Development Center Project (Harford County)
 - (7) Harford Community College – Edgewood Hall Renovation and Expansion Project (Harford County)
 - (8) Harford Community College – Nursing and Allied Health Building Roadway Improvements Project (Harford County)
 - (9) Howard Community College – Renovations to Nursing and Science and Technology Buildings Project (Howard County)
 - (10) Howard Community College – New Science, Engineering, and Technology Building Project (Howard County)
 - (11) Montgomery College – Science and Applied Studies Building Renovation and Addition (Montgomery County)
 - (12) Prince George’s Community College – Lanham Hall Renovation and Addition Project (Prince George’s County)
 - (13) Prince George’s Community College – Queen Anne Academic Center Renovation and Addition Project (Prince George’s County)

- (14) Hagerstown Community College –
Central Plant Expansion
(Washington County)
- (15) College of Southern Maryland –
Technology Infrastructure Upgrade
(Regional)
- (16) Wor–Wic Community College –
Academic and Administrative
Building and Maner Technology
Center Renovation Project
(Regional)

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

- (A) Campuswide Utilities Upgrade. Provide funds to complete design and construction of Phase IV of renovations and upgrades of campus utility systems 4,613,000
- (B) New Behavioral and Social Sciences Building. Provide funds to design and construct a new building to house the behavioral and social sciences programs on the West Campus, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project 31,007,000

RP00 MARYLAND PUBLIC BROADCASTING COMMISSION
(Statewide)

- (A) Maryland Public Television Transmission Systems Replacement. Provide funds to replace digital transmission and other broadcast equipment 400,000

RQ00 UNIVERSITY OF MARYLAND MEDICAL SYSTEM
(Baltimore City)

- (A) Neonatal Intensive Care Unit, ~~and~~ Labor and Delivery Units, and Capital Infrastructure Improvements. Provide a grant to the University of Maryland Medical System to assist in the continued design, renovation, and equipping of the NICU, ~~and~~ Labor and Delivery Units, and capital infrastructure improvements at the University of Maryland Medical Center. It is the intent of the General Assembly that the State commitment for the NICU, Labor and Delivery Units, and

capital infrastructure improvements will total \$50,000,000 in the period fiscal 2014 through 2019..... ~~3,500,000~~
6,000,000

(B) R Adams Cowley Shock Trauma Center – Phase II. Provide a grant to the University of Maryland Medical System to assist in the continued design, construction, and equipping of Phase II of renovations and upgrades to the R Adams Cowley Shock Trauma Center 5,500,000

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

SA24 DIVISION OF NEIGHBORHOOD REVITALIZATION (Statewide)

(A) Community Legacy Program. Provide funds to assist neighborhoods with revitalization efforts. The funds shall be administered in accordance with §§ 6–201 through 6–211 of the Housing and Community Development Article and Code of Maryland Regulations (COMAR) 05.17.01. Provided that any financial assistance awarded under this program is not subject to § 8–301 of the State Finance and Procurement Article 6,000,000

(B) Neighborhood Business Development Program. Provide funds for grants and loans to fund community–based economic development activities in revitalization areas designated by local governments, including food desert projects in designated food deserts. The funds shall be administered in accordance with §§ 6–301 through 6–311 of the Housing and Community Development Article 3,500,000

(C) Strategic Demolition and Smart Growth Impact Project Fund. Provide funds for grants and loans to government agencies, nonprofit organizations, and private entities for demolition, land assembly, housing development or redevelopment, and revitalization projects in areas: (i) designated a Sustainable Community under § 6–205 of the Housing and Community Development Article, a BRAC Revitalization and Incentive Zone under Title 5, Subtitle 13 of the Economic Development Article, or a transit–oriented development under § 7–101 of the Transportation Article; or (ii) that are designated through the implementation of PlanMaryland under Executive Order 01.01.2011.22. The Department of Housing and Community Development (DHCD) is authorized to administer these funds in accordance with this section and criteria established by DHCD. Provided, that any repayments of loans or grants shall

sponsors of housing facilities, including group homes and shelters to bring housing up to code and remediate lead paint hazards. These funds shall be administered in accordance with §§ 4–501, 4–505, 4–601 through 4–612, 4–701 through 4–712, 4–901 through 4–923, 4–926 through 4–931, and 4–933 of the Housing and Community Development Article. Provided that any financial assistance awarded under this program is not subject to § 8–301 of the State Finance and Procurement Article

~~5,850,000~~
~~2,135,000~~
5,850,000

(E) Rental Housing Program. Provide funds for rental housing developments that serve low- and moderate-income households. The funds shall be administered in accordance with §§ 4–401 through 4–411, 4–501, and 4–504 of the Housing and Community Development Article

~~10,000,000~~
~~10,256,663~~
10,000,000

DEPARTMENT OF THE ENVIRONMENT

UA01 OFFICE OF THE SECRETARY
(Statewide)

(A) Chesapeake Bay Water Quality Project Funds. Provide funds to be credited to the Water Pollution Control Fund to be used for projects to improve water quality. These funds shall be administered for the purposes listed below in accordance with §§ 9–345 through 9–351 of the Environment Article

30,657,000

(1) Biological Nutrient Removal Program. Provide not more than \$26,500,000 in grants for projects to remove nutrients from discharges at publicly owned sewage treatment works;

(2) Supplemental Assistance Program. Provide not more than \$4,157,000 in grants to provide assistance to grant and loan recipients to meet the local share of construction costs for compliance-related wastewater facility improvements. Notwithstanding §§ 9–345 through 9–351 of the Environment Article and any regulation adopted in accordance with those sections, \$1,000,000 of these funds shall be used to provide a grant to the Town of New Windsor to pay a portion of the loan issued by the Maryland Department of the Environment (MDE), Water

be spent on the projects listed under this program in the Fiscal Year 2016 Capital Budget Volume or on prior or future authorized projects. Expenditure of any part of this appropriation for a prior or future authorized project shall also require notification to the General Assembly. 16,471,000

DEPARTMENT OF JUVENILE SERVICES

VE01 RESIDENTIAL SERVICES

- (A) Cheltenham Youth Facility – New Detention Center. Provide funds to construct and equip a new detention center for male youths at the Cheltenham Youth Facility (Prince George’s County) 1,631,000
- (B) New Female Detention Center. Provide funds to continue design and begin acquiring easements for utility connections for a replacement detention facility for female youths on the grounds of the Thomas O’Farrell Youth Center (Carroll County) 2,525,000

WA01 DEPARTMENT OF STATE POLICE

- (A) New Flight Training Facility. Provide funds to acquire a flight training device and construct a new flight training facility at Martin State Airport 2,100,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

- (A) Allegany Museum. Provide a grant to the Board of ~~Directors~~ Trustees of the Allegany Museum, Inc. to assist in funding the design, construction, and equipping of renovations of the Allegany Museum facility (Allegany County) ~~500,000~~ 475,000
- (B) Baltimore Museum of Art. Provide a grant to the governing board of the Baltimore Museum of Art, Inc. to assist in funding the design, construction, and equipping of the renovation of the Baltimore Museum of Art facility, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) 1,000,000
- (C) Clarence H. “Du” Burns Memorial ~~Statue~~ Project. Provide a grant to the governing board of The Clarence H. “Du” Burns Memorial Fund, Inc. and the Mayor and City Council of Baltimore City to assist in funding the design, construction, and equipping of a ~~statue to honor the former~~ memorial to

honor the late former Baltimore City Mayor, Clarence H. “Du” Burns, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) 200,000

(D) Cumberland–Washington Street Lighting Project. Provide a grant to the governing board of the Washington Street Association and the Mayor and City Council of Cumberland to assist in funding the design, construction, and equipping of historically–appropriate street lights along Washington Street, Prospect Square, and North Johnson Street in Cumberland, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Allegany County) ~~118,000~~
93,000

(E) Downtown Partnership of Baltimore. Provide a grant to the Board of Directors of the Downtown Partnership of Baltimore, Inc. to assist in funding the design, construction, and equipping of the demolition of the existing McKeldin Fountain and Plaza and renovation and construction of a new plaza in its place, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) 1,000,000

(F) East Baltimore Biotechnology Park. Provide a grant to the Mayor and City Council of the City of Baltimore to assist in funding property acquisition, demolition, and site improvements in the East Baltimore Biotechnology Park (Baltimore City) ~~2,500,000~~
5,000,000

(G) Govans Ecumenical Development Corporation (GEDCO) Stadium Place Development. Provide a grant to the Board of Directors of Govans Ecumenical Development Corporation, Inc. to assist in funding the design, construction, and equipping of ~~long-term care~~ the Village Center at Stadium Place, located in Baltimore City (Baltimore City) 500,000

(H) Maryland Food Bank. Provide a grant to the Board of Directors of the Maryland Food Bank, Inc. to assist in funding the acquisition, design, construction, and equipping of ~~a new food bank branch in~~ two new food bank branches in southern and northern Maryland, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds

	expended prior to the effective date of this Act (Statewide)	3,500,000
(I) ²	Maryland Hall for the Creative Arts. Provide a grant to the Board of Directors of Maryland Hall for the Creative Arts, Inc. to assist in funding the design, construction, and equipping of renovations to its facility to improve Maryland Hall for the Creative Arts gallery and theater spaces (Anne Arundel County)	500,000 <u>2,000,000</u>
Line Item Veto		
(J)	Maryland Independent College and University Association – Johns Hopkins University. Provide a grant equal to the lesser of (i) \$2,400,000 <u>\$3,200,000</u> or (ii) the amount of the matching fund provided, to the Board of Trustees of Johns Hopkins University for the design, construction, and equipping of renovations to four laboratory suites in the Bloomberg School of Public Health, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City)	2,400,000 <u>3,200,000</u>
(K)	Maryland Independent College and University Association – Notre Dame of Maryland University. Provide a grant equal to the lesser of (i) \$3,200,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Notre Dame of Maryland University for the design, construction, and equipping of renovations to Gibbons Hall, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City).	3,200,000
(L)	Maryland Independent College and University Association – Washington Adventist University. Provide a grant equal to the lesser of (i) \$2,400,000 <u>\$3,200,000</u> or (ii) the amount of the matching fund provided, to the Board of Trustees of Washington Adventist University for the design, construction, and equipping of the renovation and construction of an addition to the Health Sciences Building, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to	

² Item ZA00 (I) received a line item veto from the Governor; see note at end of this chapter. This item was passed over the Governor's veto on January 21, 2016.

	the effective date of this Act (Montgomery County)	2,400,000 <u>3,200,000</u>
(M)	Maryland Zoo in Baltimore. Provide a grant to the Board of Trustees of the Maryland Zoological Society, Inc. to assist in funding the design, construction, and equipping of infrastructure improvements for the exhibits and operations of the Maryland Zoo in Baltimore (Baltimore City)	5,000,000
(N)	National Cyber Security Center of Excellence. Provide a grant <u>funds</u> to the Board of Directors of the Maryland Economic Development Corporation <u>to provide a grant to the National Cyber Security Center of Excellence</u> to renovate and equip a facility to serve as the Center’s headquarters, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Montgomery County)	2,000,000
(O)	Prince George’s Hospital System. Provide funds to the Department of Health and Mental Hygiene for the purpose of providing a grant for site acquisition, design, construction, and capital equipping of a new Regional Medical Center in Prince George’s County. The Department will provide a grant to the owner/operator of the Regional Medical Center (Prince George’s County)	30,000,000 40,000,000 <u>30,000,000</u>
(P)	Sports Legends Museum Renovations. Provide a grant to the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. to assist in funding the design, construction, and equipping of renovations of the Sports Legends Museum Exhibit and the Babe Ruth Birthplace Museum, subject to the requirement that the grantee provide an equal and matching fund for this purpose, <u>provided that this authorization may not be encumbered or expended until:</u>	
	(a) <u>The Maryland Stadium Authority (MSA) provides the budget committees with written certification that the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. has either fully paid all rents due and owed under its lease with MSA for space leased at Camden Station at Camden Yards or reached a satisfactory agreement on the</u>	

disposition of outstanding rental payments under the lease; and

(b) The Board of Directors of the Babe Ruth Birthplace Foundation, Inc. and MSA have developed and submitted a long-term funding sustainability plan to the budget committees that addresses improvements to the Sports Legends Museum’s financial stability.

The budget committees shall have 45 days to review and comment (Baltimore City) ~~250,000~~
0
250,000

(Q) Strathmore Hall. Provide a grant to the Board of Directors of Strathmore Hall Foundation, Inc. to assist in funding the design, construction, and equipping of renovations and improvements to Bou Terrace, the Concert Hall, and Mansion, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Montgomery County) 1,000,000

(R) Walters Art ~~Gallery~~ Museum. Provide funds to the Board of Trustees of the Walters Art ~~Gallery~~ Museum, Inc. to assist in funding the design, construction, and equipping of renovations to the museum facility and Hackerman House, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) 1,000,000

(S) Kennedy Krieger Institute. Provide a grant to the Board of Directors of the Kennedy Krieger Institute, Inc. for the design and construction of a new Comprehensive Center for Autism and other Neurodevelopmental Disabilities at Kennedy Krieger’s East Baltimore Campus, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) 2,000,000

(T) Niarchos Parkway Film Center. Provide a grant to the Board of Directors of The Producer’s Club of Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Niarchos Parkway Film Center, located in Baltimore City (Baltimore City) 2,000,000

(U) James Brice House. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to

	<u>the Board of Trustees of the Historic Annapolis, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the James Brice House, located in Anne Arundel County (Anne Arundel County)</u>	<u>250,000</u>
(V)	<u>Camp Woodlands Restoration Project. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Girl Scouts of Central Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, restoration, and capital equipping of buildings and facilities at Camp Woodlands, including site improvements to the camp, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County)</u>	<u>250,000</u>
(W)	<u>Stabilization Center. Provide a grant to Behavioral Health System Baltimore for the acquisition, planning, design, construction, renovation, reconstruction, and capital equipping of a stabilization center located in Baltimore City (Baltimore City)</u>	<u>3,600,000</u>
(X)	<u>National Center on Institutions and Alternatives Expansion Project. Provide a grant equal to the lesser of (i) \$350,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Center on Institutions and Alternatives, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, capital equipping, and expansion of the National Center on Institutions and Alternatives (Statewide).....</u>	<u>350,000</u>
(Y)	<u>Randallstown High School Enhancements. Provide a grant of \$500,000 to the Baltimore County Board of Education, for the design, construction, repair, renovation, reconstruction, and capital equipping of general infrastructure enhancements to Randallstown High School (Baltimore County)</u>	<u>500,000</u>
(Z)	<u><i>Ripken Stadium Improvements. Provide a grant to the County Executive and County Council of Harford County Mayor and City Council of the City of Aberdeen and Tufton Professional Baseball LLC for the design, construction, renovation, and capital equipping of improvements to Ripken Stadium, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Harford County)</i></u>	<u>500,000</u>

- (AA) Marlton Swim and Recreation Club. Provide a grant to the Maryland–National Capital Park and Planning Commission for the design, construction, repair, renovation, reconstruction, and capital equipping of the Marlton Swim and Recreation Club facility, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Prince George’s County) 75,000
- (AB) Calvert County Soccer Fields. Provide a grant to the Board of Directors of the Calvert Soccer Association, Inc. for the acquisition, planning, design, construction, and capital equipping of a soccer field in Calvert County, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Calvert County) 100,000
- (AC) The Writer’s Center. Provide a grant to the Board of Directors of The Writer’s Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Writer’s Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Montgomery County) 250,000
- (AD) National Cryptologic Museum – Cyber Center of Education and Innovation. Provide a grant to the Board of Directors of The National Cryptologic Museum Foundation, Inc. for the design, construction, and capital equipping of the new Cyber Center of Education and Innovation, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Anne Arundel County) 1,000,000
- (AE) Port Discovery Children’s Museum Renovation. Provide funds to the Board of Directors of The Baltimore Children’s Museum, Inc. for the planning, design, construction, repair, renovation, and capital equipping of the Port Discovery Children’s Museum, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City) 250,000
- (AF) Merriweather Post Pavilion. Provide a grant to the Downtown Columbia Arts and Cultural Commission c/o Merriweather Post Pavilion to assist in funding of design, construction, reconstruction, renovation, repair, and capital equipping of infrastructure improvements at the Merriweather Post Pavilion, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Howard County) ~~1,600,000~~
2,000,000
- (AG) Mt. Calvary Softball Field. Provide a grant equal to the lesser

of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Bishop McNamara High School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Mt. Calvary Softball Field project, including field reseeding and sodding, landscaping, site improvements, the installation of fencing, and the construction of other sports-related facilities, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Prince George’s County) 150,000

(AH) Cornerstone Montgomery and Interfaith Works Project. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cornerstone Montgomery, Inc. and the Board of Directors of the Interfaith Works, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the #2 Taft Court Facility and for the relocation of Cornerstone Montgomery and Interfaith Works facilities, located in Montgomery County (Montgomery County) 150,000

(AI) Highway and Street Improvements – Baltimore County. Provide a grant to the County Executive and County Council of Baltimore County for the planning, design, construction, renovation, and capital equipping of highway and street infrastructure improvements. Provided these funds may be expended only in accordance with § 8-408 of the Transportation Article (Baltimore County) 1,000,000

(AJ) Stadium Square Mixed-Use Project. Provide a grant to Stadium Square Holdings, LLC to assist in funding property acquisition, demolition, construction, and site improvements related to the Stadium Square Mixed-Use Project, located in Baltimore City (Baltimore City) 500,000

(AK) Baltimore Arts Realty Corporation Open Works Center for Advanced Fabrication Technologies (Maker Space) Project. Provide a grant to the Baltimore Arts Realty Corporation to assist in funding property acquisition, demolition, construction, and site improvements related to the Open Works Center for Advanced Fabrication Technologies (Maker Space), located in Baltimore City (Baltimore City) 500,000

(AL) Agricultural Research and Exposition Foundation. Provide a grant of \$50,000 to the Board of Directors of the Agricultural Research & Exposition Foundation, Inc. for the site preparation

and site improvements of property, located in Harford County (Harford County)..... 50,000

(AM) Allegany County Animal Shelter Adoption and Care Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Allegany County Animal Shelter Management Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Allegany County Animal Shelter Adoption and Care Center, located in Allegany County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Allegany County)..... 100,000

(AN) Arthur Perdue Stadium. Provide a grant equal to the lesser of (i) \$270,000 or (ii) the amount of the matching fund provided, to the County Council of Wicomico County for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of various infrastructure improvements to the Arthur Perdue Stadium, located in Wicomico County (Wicomico County) 270,000

(AO) Chesapeake Bay Maritime Museum. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Governors of the Chesapeake Bay Maritime Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Bay Maritime Museum, located in Talbot County (Talbot County) 200,000

ZA01 MARYLAND HOSPITAL ASSOCIATION

(A) Adventist Behavioral Health. Provide a grant to the Board of Trustees of Adventist HealthCare, Inc., d.b.a., Adventist Behavioral Health to assist with renovations to the Potomac Unit, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Montgomery County) 334,000

(B) Doctors Community Hospital. Provide a grant to the Board of Directors of Doctors Hospital, Inc. to assist with renovations to the Crescent Cities Center to establish the Doctors Community Healthcare Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided

	<u>County).....</u>	<u>150,000</u>
(B)	<u>Chesapeake Arts Center. Provide a grant of \$75,000 to the Board of Directors of the Chesapeake Arts Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Arts Center, located in Anne Arundel County (Anne Arundel County)</u>	<u>75,000</u>
(C)	<u>Glen Burnie Masonic Lodge 213. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the 213 Masonic Temple Holding Corp. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Glen Burnie Masonic Lodge 213, including repairs to the HVAC, electrical systems, plumbing, external brick, and roof and site improvements to the lodge and its grounds, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County).....</u>	<u>75,000</u>
(D)	<u>Harambee House Community Outreach Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mount Olive Community Development Corporation and the Board of Trustees of the Mount Olive African Methodist Episcopal Church, Annapolis, MD for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Harambee House Community Outreach Center, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Anne Arundel County).....</u>	<u>75,000</u>
(E)	<u>Pasadena Baseball Club. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pasadena Baseball Club, Inc. and the County Executive and County Council of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Pasadena Baseball Club field, including site improvements to the parking lot and baseball diamond and the installation and construction of field lights, fencing, a batting cage and dugout, and a playground area, located in Anne Arundel County (Anne Arundel County).....</u>	<u>50,000</u>
(F)	<u>Alpha Phi Alpha Corporate Headquarters. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the</u>	

matching fund provided, to the Board of Directors of the Alpha Phi Alpha Fraternity, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Alpha Phi Alpha Corporate Headquarters, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)... 50,000

(G) Banner Neighborhoods Community Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Banner Neighborhoods Community Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Banner Neighborhoods Community Center project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)..... 75,000

(H) Economic Empowerment Community Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Economic Empowerment Coalition, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Economic Empowerment Community Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)... 50,000

(I) Elder Abuse Shelter and Office. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Associated Jewish Charities of Baltimore for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Elder Abuse Shelter and Office building, including site improvements to the building and its parking lot and sidewalks, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City)..... 50,000

(J) Habitat for Humanity of the Chesapeake. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Habitat for

- Humanity of the Chesapeake, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Habitat for Humanity of the Chesapeake homes, located in Baltimore City (Baltimore City). 50,000
- (K) Men and Families Center. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Men and Families Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Men and Families Center, including the installation of energy efficient systems, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City) 150,000
- (L) Moveable Feast. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Moveable Feast, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Moveable Feast facility, located in Baltimore City (Baltimore City)..... 100,000
- (L-1) Multi-Family Low-Income Housing Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the A Step Forward, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of housing for low-income families. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City) 50,000
- (M) New City of Hope Community Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Positive Youth Expressions, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the New City of Hope Community Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)..... 100,000
- (N) Orianda Mansion Preservation. Provide a grant equal to the lesser of (i) \$160,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Baltimore Chesapeake Bay Outward Bound Center, Inc. for the acquisition, planning,

- design, construction, repair, renovation, reconstruction, and capital equipping of the Orianda Mansion, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City)..... 160,000
- (O) St. Elizabeth School Indoor Playground. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the St. Elizabeth School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the St. Elizabeth School Indoor Playground project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)..... 125,000
- (P) Angel Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Angel Park, including the acquisition and installation of playground equipment, located in Baltimore County (Baltimore County)..... 100,000
- (Q) Gilead House Renovation. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Vestry of St. Mark’s-on-the-Hill for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Gilead House, located in Baltimore County (Baltimore County)..... 40,000
- (R) Good Shepherd Boys Unit Renovation. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the House of the Good Shepherd of the City of Baltimore for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Good Shepherd Boys Unit at the Good Shepherd facility, located in Baltimore County (Baltimore County)..... 25,000
- (S) Greenspring Montessori Method Training Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Greenspring Montessori School for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Greenspring Montessori Method

	<u>Training Center, located in Baltimore County (Baltimore County).....</u>	<u>75,000</u>
(T)	<u>Lake Roland Education Center. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Lake Roland Education Center, located in Baltimore County (Baltimore County).....</u>	<u>125,000</u>
(U)	<u>Pikesville Volunteer Fire Company Building. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pikesville Volunteer Fire Company, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, repurposing, and capital equipping of the Pikesville Volunteer Fire Company Building, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore County).....</u>	<u>200,000</u>
(V)	<u>The Arc of Carroll County Building Renovation. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Arc of Carroll County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Arc of Carroll County building, located in Carroll County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Carroll County).....</u>	<u>75,000</u>
(W)	<u>Cecil County Farm Museum. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cecil County Farm Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Cecil County Farm Museum, including site improvements to the museum grounds, located in Cecil County (Cecil County).....</u>	<u>25,000</u>
(X)	<u>Benedict Volunteer Fire Department and Rescue Squad and Auxiliary Facility. Provide a grant of \$150,000 to the Board of Directors of the Benedict Volunteer Fire Department & Rescue Squad & Auxiliary, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Benedict Volunteer Fire Department and Rescue Squad and Auxiliary facility, located in Charles County</u>	

	<u>(Charles County).....</u>	<u>150,000</u>
<u>(Y)</u>	<u>Southern Maryland Carousel. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Southern Maryland Carousel Group, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Southern Maryland Carousel project, located in Charles County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Charles County) ...</u>	<u>150,000</u>
<u>(Z)</u>	<u>Chesapeake Grove Senior Housing and Intergenerational Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Delmarva Community Services, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Grove Senior Housing and Intergenerational Center, located in Dorchester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Dorchester County).</u>	<u>50,000</u>
<u>(AA)</u>	<u>Culler Lake Stormwater Management Project. Provide a grant equal to the lesser of (i) \$60,000 or (ii) the amount of the matching fund provided, to the Mayor and Board of Aldermen of the City of Frederick and the Board of Directors of the Friends of Baker Park, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of projects at Culler Lake, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Frederick County) ...</u>	<u>60,000</u>
<u>(AB)</u>	<u>Weinberg Center for the Arts. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Mayor and Board of Aldermen of the City of Frederick for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Weinberg Center for the Arts, including the installation of an HVAC system, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Frederick County)</u>	<u>40,000</u>
<u>(AC)</u>	<u>Ladew Topiary Gardens. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Trustees of the Ladew Topiary Gardens, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Ladew Topiary Gardens, including</u>	

- construction of a maintenance hub, site improvement of the parking lot, and construction of a series of access roads, located in Harford County (Harford County)..... 100,000
- (AD) Regional Fire and Rescue Boat. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Havre de Grace and the Board of Directors of the Susquehanna Hose Company, Inc. for the Lower Susquehanna River and Upper Chesapeake Bay and their tributaries, including site improvements to and construction, repair, and renovation of a boat dock and boat launch, located in Harford County and Cecil County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Harford County)..... 100,000
- (AE) Community Action Council Food Bank Facility. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Community Action Council of Howard County, Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Action Council Food Bank Facility, located in Howard County (Howard County)..... 200,000
- (AF) Environmental Education Center Renovation and Expansion. Provide a grant equal to the lesser of (i) \$71,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Howard County Conservancy, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, expansion, and capital equipping of the Environmental Education Center, located in Howard County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Howard County).. 71,000
- (AG) Bethesda Graceful Growing Together Community Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Graceful Growing Together, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Bethesda Graceful Growing Together Community Center, located in Montgomery County (Montgomery County) 50,000
- (AH) Brooke Grove Rehabilitation and Nursing Center. Provide a

	<u>grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Brooke Grove Foundation, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a new addition to the Brooke Grove Rehabilitation and Nursing Center, located in Montgomery County (Montgomery County)</u>	<u>150,000</u>
<u>(AI)</u>	<u>Cornerstone Montgomery and Interfaith Works Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cornerstone Montgomery, Inc. and the Board of Directors of the Interfaith Works, Inc. for the relocation of Cornerstone Montgomery and Interfaith Works facilities, located in Montgomery County (Montgomery County).....</u>	<u>50,000</u>
<u>(AJ)</u>	<u>Damascus Volunteer Fire Department. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Damascus Volunteer Fire Department, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Damascus Volunteer Fire Department building, located in Montgomery County (Montgomery County)..</u>	<u>50,000</u>
<u>(AK)</u>	<u>Early Literacy Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Friends of the Library, Silver Spring Maryland Chapter, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Early Literacy Center project, located in Montgomery County (Montgomery County).....</u>	<u>100,000</u>
<u>(AL)</u>	<u>F. Scott Fitzgerald Theatre and Social Hall. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Rockville for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the F. Scott Fitzgerald Theatre and Social Hall facility, including site improvements to facility parking lots, sidewalks, and driveways, located in Montgomery County (Montgomery County).....</u>	<u>100,000</u>
<u>(AM)</u>	<u>Inter-Generational Center Expansion. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Easter Seals Greater Washington-Baltimore Region, Inc. for the acquisition, planning, design, construction, repair, renovation,</u>	

- reconstruction, and capital equipping of the Inter-Generational Center, located in Montgomery County (Montgomery County).. 100,000
- (AN) Jewish Foundation for Group Homes Renovations. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Jewish Foundation for Group Homes, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of multiple group homes within the Jewish Foundation for Group Homes, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County)..... 75,000
- (AO) Josiah Henson Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Maryland-National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Josiah Henson Park, including site improvements and landscaping, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County) 100,000
- (AP) Jubilee Association of Maryland Community Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Jubilee Association of Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Jubilee Association of Maryland Community Center project, located in Montgomery County (Montgomery County) 100,000
- (AQ) Potomac Community Resources Home. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Potomac Community Resources, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Potomac Community Resources Home, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County)..... 50,000
- (AR) The Writer's Center. Provide a grant equal to the lesser of (i) \$60,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Writer's Center, Inc. for the

- acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Writer's Center facility, located in Montgomery County (Montgomery County).. 60,000
- (AS) Bowie Senior Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Bowie for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Bowie Senior Center, located in Prince George's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Prince George's County)..... 100,000
- (AT) Family Life and Wellness Intergenerational Center. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Richard Allen Community Development Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Family Life and Wellness Intergenerational Center, located in Prince George's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George's County)..... 200,000
- (AU) Greenbelt Lake Dam Repair. Provide a grant of \$135,000 to the Mayor and City Council of the City of Greenbelt for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Greenbelt Lake Dam, located in Prince George's County, subject to a requirement that the grantee provide and expend a matching fund of \$70,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Prince George's County)..... 135,000
- (AV) Knights of St. John Hall. Provide a grant of \$109,000 to the Board of Trustees of the Knights of St. John, Ascension Commandery 283, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Knights of St. John Hall, located in Prince George's County (Prince George's County)..... 109,000
- (AW) Park Berkshire Neighborhood Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Maryland-National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of concession stands, storage facilities, and restroom

- buildings at Park Berkshire Neighborhood Park, located in Prince George’s County (Prince George’s County)..... 100,000
- (AX) Town of Capitol Heights Public Works Modular Home. Provide a grant of \$100,000, to the Mayor and Town Council of the Town of Capitol Heights for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Town of Capitol Heights Public Works Modular Home, located in Prince George’s County, subject to a requirement that the grantee provide and expend a matching fund of \$50,000 (Prince George’s County)..... 100,000
- (AY) Phillips Wharf Aquaculture Jobs Training Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Phillips Wharf Environmental Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Phillips Wharf Aquaculture Jobs Training Center, located in Talbot County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Talbot County)..... 50,000
- (AZ) Cushwa Basin Area. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the National Park Service, U.S. Department of the Interior for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the improvements in the Cushwa Basin around the C&O Canal in Williamsport, including site improvements to parking lots and a boat dock, a rail trail, and open space, located in Washington County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Washington County)..... 50,000
- (BA) Maryland Theatre. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Maryland Theatre Association, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Theatre, located in Washington County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Washington County)..... 50,000
- (BB) Tri-County Council Multi-Purpose Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Tri-County Council for the

Lower Eastern Shore of Maryland for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Tri-County Council Multi-Purpose Center, located in Wicomico County (Wicomico County)..... 50,000

(BC) Delmarva Discovery Center and Museum. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Pocomoke for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Delmarva Discovery Center and Museum, located in Worcester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Worcester County)..... 100,000

ZA03

SENATE INITIATIVES

(Statewide)

(A) Allegany County Animal Shelter Adoption and Care Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Allegany County Animal Shelter Management Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Allegany County Animal Shelter Adoption and Care Center, located in Allegany County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Allegany County)..... 50,000

(B) Broadneck High School Field House. Provide a grant equal to the lesser of (i) \$60,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Bruin Athletic Boosters Club, Inc. and the Anne Arundel County Board of Education for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Broadneck High School Field House, including site improvements and an addition to the Broadneck High School Field House, located in Anne Arundel County (Anne Arundel County)..... 60,000

(C) Chesapeake Arts Center. Provide a grant of \$75,000 to the Board of Directors of the Chesapeake Arts Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Arts Center, located in Anne Arundel County (Anne Arundel County) 75,000

- (D) Glen Burnie Masonic Lodge 213. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the 213 Masonic Temple Holding Corp. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Glen Burnie Masonic Lodge 213, including repairs to the HVAC, electrical systems, plumbing, external brick, and roof and site improvements to the lodge and its grounds, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County)..... 75,000
- (E) Harambee House Community Outreach Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mount Olive Community Development Corporation and the Board of Trustees of the Mount Olive African Methodist Episcopal Church, Annapolis, MD for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Harambee House Community Outreach Center, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Anne Arundel County) 50,000
- (F) Samaritan House. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Samaritan Houses, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Samaritan House project, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County)..... 100,000
- (G) Southern High School Athletic Improvements. Provide a grant equal to the lesser of (i) \$20,000 or (ii) the amount of the matching fund provided, to the Board of Education of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of athletic facilities at Southern High School, including site improvements and the installation and construction of sports-related facilities, located in Anne Arundel County (Anne Arundel County) 20,000
- (H) Blessed Sacrament Supportive Housing. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching

fund provided, to the Board of Directors of the Marian House, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Blessed Sacrament Supportive Housing project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)..... 75,000

(I) Cherry Hill Early Head Start. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mayor and City Council of Baltimore City for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Cherry Hill Early Head Start building, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)..... 50,000

(J) Economic Empowerment Community Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Economic Empowerment Coalition, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Economic Empowerment Community Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)... 50,000

(K) Habitat for Humanity of the Chesapeake. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Habitat for Humanity of the Chesapeake, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Habitat for Humanity of the Chesapeake homes, located in Baltimore City (Baltimore City) 50,000

(L) In For Of Building Renovation. Provide a grant of \$50,000 to the Board of Directors of In For Of, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the In For Of Building, located in Baltimore City (Baltimore City)..... 50,000

(M) League for People with Disabilities Building Expansion. Provide a grant of \$100,000 to the Board of Directors of The

	<u>League for People with Disabilities, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the League for People with Disabilities building, located in Baltimore City (Baltimore City).....</u>	<u>100,000</u>
(N)	<u>Liberty Elementary Early Childhood Center. Provide a grant equal to the lesser of (i) \$45,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Baltimore for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Liberty Elementary Early Childhood Center project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City).....</u>	<u>45,000</u>
(O)	<u>Men and Families Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Men and Families Center Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Men and Families Center, including the installation of energy efficient systems, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)</u>	<u>100,000</u>
(P)	<u>Moveable Feast. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Moveable Feast, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Moveable Feast facility, located in Baltimore City (Baltimore City)</u>	<u>75,000</u>
(Q)	<u>North Avenue Gateway II. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the North Avenue Gateway II Limited Partnership for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the North Avenue Gateway II building (Baltimore City).....</u>	<u>25,000</u>
(R)	<u>Orianda Mansion Preservation. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Baltimore Chesapeake Bay Outward Bound Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and</u>	

capital equipping of the Orianda Mansion, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City)..... 40,000

(S) Pigtown Facade Restoration. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pigtown Main Street, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Pigtown Facade Restoration project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City) 25,000

(T) TuTTie’s Place. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the TuT’s, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the TuTTie’s Place facility, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)..... 40,000

(U) Angel Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Angel Park, including the acquisition and installation of playground equipment, located in Baltimore County (Baltimore County).... 100,000

(V) Gilead House Renovation. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Vestry of St. Mark’s-on-the-Hill for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Gilead House, located in Baltimore County (Baltimore County)..... 25,000

(W) Good Shepherd Boys Unit Renovation. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the House of the Good Shepherd of the City of Baltimore for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Good Shepherd Boys Unit at the Good Shepherd facility, located in Baltimore County (Baltimore County)..... 75,000

- (X) Lake Roland Education Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Lake Roland Education Center, located in Baltimore County (Baltimore County)..... 75,000
- (Y) Lutherville Volunteer Fire Company Station Expansion. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Lutherville Volunteer Fire Company, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Lutherville Volunteer Fire Company Station, located in Baltimore County (Baltimore County)..... 125,000
- (Z) National Center on Institutions and Alternatives Expansion Project. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Center on Institutions and Alternatives, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, capital equipping, and expansion of the National Center on Institutions and Alternatives, located in Baltimore County (Baltimore County)..... 100,000
- (AA) Pikesville Volunteer Fire Company Building. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pikesville Volunteer Fire Company, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, repurposing, and capital equipping of the Pikesville Volunteer Fire Company Building, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore County)..... 50,000
- (AB) White Marsh Volunteer Fire Company. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the White Marsh Volunteer Fire Company, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the White Marsh Volunteer Fire Company building, located in Baltimore County (Baltimore County)..... 150,000

- (AC) Town of North Beach Flood Mitigation Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of North Beach for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of site improvements and flood controls for flood mitigation at the 7th and 9th Street outfalls, located in Calvert County (Calvert County)..... 50,000
- (AD) The Arc of Carroll County Building Renovation. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Arc of Carroll County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Arc of Carroll County building, located in Carroll County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Carroll County)..... 75,000
- (AE) Benedict Volunteer Fire Department and Rescue Squad and Auxiliary Facility. Provide a grant of \$150,000 to the Board of Directors of the Benedict Volunteer Fire Department & Rescue Squad & Auxiliary, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Benedict Volunteer Fire Department and Rescue Squad and Auxiliary facility, located in Charles County (Charles County)..... 150,000
- (AF) Lions Camp Merrick Septic System. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Lions Camp Merrick, Inc. and the Board of Directors of the Waldorf Lions Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the septic system at Lions Camp Merrick, located in Charles County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Charles County) ... 150,000
- (AG) Chesapeake Grove Senior Housing and Intergenerational Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Delmarva Community Services, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Grove Senior Housing and Intergenerational Center, located in Dorchester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Dorchester County). 50,000

- (AH) Culler Lake Stormwater Management Project. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Mayor and Board of Aldermen of the City of Frederick and the Board of Directors of the Friends of Baker Park, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of projects at Culler Lake, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Frederick County) ... 40,000
- (AI) Northwest Trek Conservation and Education Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Global Wildlife Trust, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Northwest Trek Conservation and Education Center, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Frederick County)..... 50,000
- (AJ) Weinberg Center for the Arts. Provide a grant equal to the lesser of (i) \$60,000 or (ii) the amount of the matching fund provided, to the Mayor and Board of Aldermen of the City of Frederick for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Weinberg Center for the Arts, including the installation of an HVAC system, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Frederick County) 60,000
- (AK) Emergency Operations Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of Garrett County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Emergency Operations Center, located in Garrett County (Garrett County) 50,000
- (AL) Agricultural Research and Exposition Foundation. Provide a grant of \$100,000 to the Board of Directors of the Agricultural Research & Exposition Foundation, Inc. for the site preparation and site improvements of property, located in Harford County (Harford County)..... 100,000

- (AM) Community Action Council Food Bank Facility. Provide a grant equal to the lesser of (i) \$90,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Community Action Council of Howard County, Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Action Council Food Bank Facility, located in Howard County (Howard County)..... 90,000
- (AN) Environmental Education Center Renovation and Expansion. Provide a grant equal to the lesser of (i) \$179,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Howard County Conservancy, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, expansion, and capital equipping of the Environmental Education Center, located in Howard County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Howard County).. 179,000
- (AO) Howard County Historical Society. Provide a grant equal to the lesser of (i) \$35,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Howard County Historical Society, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Howard County Historical Society facility, including repair of the roof, located in Howard County (Howard County)..... 35,000
- (AP) Anne L. Bronfman Center and Misler Adult Day Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Jewish Council for the Aging of Greater Washington, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Anne L. Bronfman Center and Misler Adult Day Center, including site improvements to the center, located in Montgomery County (Montgomery County)..... 75,000
- (AQ) Bethesda Graceful Growing Together Community Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Graceful Growing Together, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Bethesda Graceful Growing Together Community Center, located in Montgomery County (Montgomery County)..... 100,000

- (AR) Blair Regional Park Scoreboards. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Montgomery Blair Athletic Association, Inc. and the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Blair Regional Park, including installation of scoreboards, located in Montgomery County (Montgomery County)..... 25,000
- (AS) Cornerstone Montgomery and Interfaith Works Project. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cornerstone Montgomery, Inc. and the Board of Directors of the Interfaith Works, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the #2 Taft Court facility and for the relocation of Cornerstone Montgomery and Interfaith Works facilities, located in Montgomery County (Montgomery County)..... 150,000
- (AT) Damascus Volunteer Fire Department. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Damascus Volunteer Fire Department, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Damascus Volunteer Fire Department building, located in Montgomery County (Montgomery County).. 50,000
- (AU) F. Scott Fitzgerald Theatre and Social Hall. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Rockville for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the F. Scott Fitzgerald Theatre and Social Hall facility, including site improvements to facility parking lots, sidewalks, and driveways, located in Montgomery County (Montgomery County)..... 75,000
- (AV) Four Corners Community Outreach Site. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Silver Spring United Methodist Church for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Four Corners Community Outreach Site project, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Montgomery County) 100,000

- (AW) Jewish Foundation for Group Homes Renovations. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Jewish Foundation for Group Homes, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of multiple group homes within the Jewish Foundation for Group Homes, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County)..... 25,000
- (AX) Jubilee Association of Maryland Community Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Jubilee Association of Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Jubilee Association of Maryland Community Center project, located in Montgomery County (Montgomery County) 100,000
- (AY) Melvin J. Berman Hebrew Academy. Provide a grant of \$25,000, to the Board of Directors of the Melvin J. Berman Hebrew Academy for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the academy’s kitchen, located in Montgomery County, subject to a requirement that the grantee provide and expend a matching fund of \$6,250. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County)..... 25,000
- (AZ) Olney Manor Dog Park. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Olney Manor Dog Park, including site improvements to the park, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County)..... 50,000
- (BA) Potomac Community Resources Home. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Potomac Community Resources, Inc. for the acquisition, planning, design,

- construction, repair, renovation, reconstruction, and capital equipping of the Potomac Community Resources Home, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County)..... 100,000
- (BB) Silver Spring Learning Center Expansion. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Silver Spring Jewish Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Silver Spring Learning Center, located in Montgomery County (Montgomery County)..... 100,000
- (BC) Bladensburg Road Economic Development Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of Colmar Manor for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of commercial property in the Bladensburg Road Economic Development corridor, located in Prince George’s County (Prince George’s County)..... 50,000
- (BD) Champ House. Provide a grant of \$100,000 to the Board of Directors of the Champ House Recovery, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Champ House facilities, located in Prince George’s County (Prince George’s County)..... 100,000
- (BE) Crossland High School. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Education of Prince George’s County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Crossland High School, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Prince George’s County)..... 75,000
- (BF) Elizabeth Seton High School Library Renovation. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Elizabeth Seton High School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Elizabeth Seton High School Library, located in Prince George’s County (Prince George’s County)..... 25,000

- (BG) Greenbelt Lake Dam Repair. Provide a grant of \$150,000 to the Mayor and City Council of the City of Greenbelt for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Greenbelt Lake Dam, located in Prince George's County, subject to a requirement that the grantee provide and expend a matching fund of \$70,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Prince George's County)..... 150,000
- (BH) Knights of St. John Hall. Provide a grant of \$26,000 to the Board of Trustees of the Knights of St. John, Ascension Commandery 283, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, expansion, and capital equipping of the Knights of St. John Hall, located in Prince George's County (Prince George's County)..... 26,000
- (BI) Landover Hills Town Hall. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of Landover Hills for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Landover Hills Town Hall, located in Prince George's County (Prince George's County) 50,000
- (BJ) Park Berkshire Neighborhood Park. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Maryland-National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of concession stands, storage facilities, and restroom buildings at Park Berkshire Neighborhood Park, located in Prince George's County (Prince George's County)..... 150,000
- (BK) Susan D. Mona Center. Provide a grant of \$100,000 to the Board of Directors of the Catholic Charities of the Archdiocese of Washington, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Susan D. Mona Center, located in Prince George's County (Prince George's County)..... 100,000
- (BL) The New Beginnings Community Development Computer Lab Project. Provide a grant of \$15,000, to the Board of Trustees of The New Beginnings Community Development & Empowerment Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The New Beginnings Community

	<u>Development computer lab project, located in Prince George’s County, subject to a requirement that the grantee provide and expend a matching fund of \$5,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Prince George’s County).....</u>	<u>15,000</u>
<u>(BM)</u>	<u>Chesapeake Bay Maritime Museum. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Governors of the Chesapeake Bay Maritime Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Bay Maritime Museum, located in Talbot County (Talbot County)</u>	<u>50,000</u>
<u>(BN)</u>	<u>Cushwa Basin Area. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the National Park Service, U.S. Department of the Interior for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of improvements in the Cushwa Basin around the C&O Canal in Williamsport, including site improvements to parking lots and a boat dock, a rail trail, and open space, located in Washington County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Washington County)</u>	<u>50,000</u>
<u>(BO)</u>	<u>Maryland Theatre. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Maryland Theatre Association, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Theatre, located in Washington County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Washington County).....</u>	<u>125,000</u>
<u>(BP)</u>	<u>Tri-County Council Multi-Purpose Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Tri-County Council for the Lower Eastern Shore of Maryland for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Tri-County Council Multi-Purpose Center, located in Wicomico County (Wicomico County).....</u>	<u>50,000</u>
<u>(BQ)</u>	<u>Delmarva Discovery Center and Museum. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching</u>	

fund provided, to the Mayor and City Council of the City of Pocomoke for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Delmarva Discovery Center and Museum, located in Worcester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Worcester County)..... 75,000

ZB02 LOCAL JAILS AND DETENTION CENTERS

- (A) Montgomery County Pre-Release Center. Provide a grant to the County Executive and County Council of Montgomery County to design, construct, and capital equip renovations to the Pre-Release Center’s Dietary Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Montgomery County) 280,000
- (B) Prince George’s County Correctional Center. Provide a grant to the County Executive and County Council of Prince George’s County to design, construct, and equip renovations and an expansion to the Correctional Center’s Medical Unit, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Prince George’s County) 549,000

(4) An annual tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal of and interest on the bonds, as and when due and until paid in full. The principal shall be discharged within 15 years after the date of issue of the bonds.

(5) (a) Prior to the payment of any matching grant funds under the provisions of Section 1(3), Items ZA00 through ZB02 above, ~~and Section 15, Items ZA02 through ZA03 below,~~ grantees shall provide and expend matching funds as specified. No part of a grantee’s matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. Except as otherwise provided, no part of the fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. In case of any dispute as to what money or assets may qualify as matching funds, the Board of Public Works shall determine the matter, and the Board’s decision is final. Grantees have until June 1, 2017, to present evidence satisfactory to the Board of Public Works that the matching fund will be provided. If satisfactory evidence is presented, the Board shall certify this fact to the State Treasurer and the proceeds of the loan shall be expended for the purposes provided in this Act. If this evidence is not presented by June 1, 2017, the proceeds of the loan shall be applied to the purposes authorized in § 8–129 of the State Finance and Procurement Article.

(b) It is further provided that when an equal and matching fund is specified in Section 1(3), Items ZA00 through ZB02 above, ~~and Section 15, Items ZA02 through ZA03 below,~~ grantees shall provide a matching fund equal to the lesser of (i) the authorized

amount of the State grant or (ii) the amount of the matching fund certified by the Board of Public Works. If satisfactory evidence is presented, the Board shall certify this fact and the amount of the matching fund to the State Treasurer and the proceeds of the loan equal to the amount of the matching fund shall be expended for the purposes provided in the Act. If this evidence is not presented by June 1, 2017, the proceeds of the loan shall be applied to the purposes authorized in § 8–129 of the State Finance and Procurement Article. The proceeds of any amount of the loan in excess of the matching fund certified by the Board of Public Works shall also be applied to the purposes authorized in § 8–129 of the State Finance and Procurement Article.

(6) (a) Prior to the issuance of the bonds, unless the Maryland Historical Trust determines that the property to be assisted by a grant under Section 1(3) Items ZA00 through ZB02 ~~and Section 15, Items ZA02 through ZA03~~ of this Act is not significant, is significant only as a contributing property to a historic district listed in the Maryland register of historic properties, is a type that is already adequately represented among the Trust's existing easement properties, is already subject to a perpetual historic preservation easement acceptable to the Trust, or conditions peculiar to the property make an easement impractical, the grantee shall grant and convey to the Maryland Historical Trust a perpetual preservation easement to the extent of its interest:

(i) On the portion of the land necessary to preserve the historic setting of the capital project assisted by the grant; and

(ii) On the exterior and interior, where appropriate, of the historic structures affected by the construction or renovation project assisted by the grant.

(b) If the grantee or beneficiary of the grant holds a lease on the land and structures, the Trust may accept an easement on the leasehold interest.

(c) The easement must be in form and substance acceptable to the Trust, and the extent of the interest to be encumbered must be acceptable to the Trust, and any liens or encumbrances against the land or the structures must be acceptable to the Trust.

(d) (i) A grantee may appeal a perpetual preservation easement determination made by the Maryland Historical Trust or the Director under subparagraph (a) of this paragraph to the Maryland Historical Trust Board of Trustees.

(ii) The decision by the Maryland Historical Trust Board of Trustees is final and is not subject to further administrative appeal or judicial review.

(7) The proceeds of the loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2022. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2022, the amount of the unexpended or unencumbered authorization shall be canceled and be of no further force and effect. If bonds have been issued for the loan, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

(8) Multiple grants provided to the same organization in this Section are in addition to one another. Unless otherwise provided, any matching fund requirements apply to each individual grant.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Chapter 432 of the Acts of 2004, as amended by Chapter 445 of the Acts of 2005

Section 1(3)

DE02.01 STATE GOVERNMENT CENTER – BALTIMORE
(Baltimore City)

(B) 2100 Guilford Avenue. Provide funds to prepare detailed design of the renovation of the State Office Building #3 at 2100 Guilford Avenue and to construct and equip an addition to State Office Building #3 at 2100 Guilford Avenue, provided that no funds shall be expended for planning, design, or construction on this project until:

(1) a committee shall be formed to review and study alternative locations for the Parole and Probation Office. The committee shall include representatives of the City of Baltimore and the Old Goucher Barclay Midway Coalition; and

(2) all alternative sites studied shall be submitted to the budget committees for review and comment

[5,344,000]
4,840,017

Further provided that the General Assembly directs the Department of General Services (DGS) and the Department of Public Safety and Correctional Services (DPSCS) to meet with a committee of the Old Goucher Barclay Midway Coalition by June 1, 2005, to discuss the Coalition’s concerns regarding the renovation of the State Office Building #3 at 2100 Guilford Avenue. DGS shall maintain the minutes of the meeting and provide a copy of the minutes to the budget committees. Further provided that DGS shall prepare and submit a report by August 1, 2005, to the budget committees that outlines what steps DGS and DPSCS will take to address the community

concerns with the project.

Chapter 432 of the Acts of 2004, as amended by Chapter 483 of the Acts of 2010

Section 1(3)

UB00

MARYLAND ENVIRONMENTAL SERVICE

- (A) Infrastructure Improvement Fund. Provide funds to design, construct, and equip capital improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent on the projects listed below or on [previously] **PRIOR OR FUTURE** authorized projects. Expenditure of any part of this appropriation for a [previously] **PRIOR OR FUTURE** authorized project shall also require notification to the General Assembly 2,957,000

Chapter 432 of the Acts of 2004, as amended by Chapter 445 of the Acts of 2005, Chapter 46 of the Acts of 2006, Chapter 488 of the Acts of 2007, Chapter 336 of the Acts of 2008, Chapter 485 of the Acts of 2009, Chapter 483 of the Acts of 2010, and Chapter 396 of the Acts of 2011

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2004 in the total principal amount of [~~\$606,690,592~~] **\$606,186,609**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with Sections 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, Section 22 of the Code.

Chapter 445 of the Acts of 2005, as amended by Chapter 483 of the Acts of 2010, Chapter 444 of the Acts of 2012, and Chapter 424 of the Acts of 2013

Section 1(3)

UB00

MARYLAND ENVIRONMENTAL SERVICE

- (A) Infrastructure Improvement Fund. Provide funds to design, construct and equip capital improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without

notification to the General Assembly. Funds may only be spent on the projects listed below or on **[previously] PRIOR OR FUTURE** authorized projects. Expenditure of any part of this appropriation for a **[previously] PRIOR OR FUTURE** authorized project shall also require notification to the General Assembly 2,547,000

Chapter 46 of the Acts of 2006

Section 1(3)

ZA01 LOCAL SENATE INITIATIVES

(BK) Montrose Center for Children and Families. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the [Board of Directors of the Reginald S. Lourie Center for Infants and Young Children, Inc.] BOARD OF DIRECTORS OF THE ADVENTIST HEALTHCARE, INC. for the repair, renovation, and capital equipping of the Montrose Center for Children and Families, located in Rockville (Montgomery County) 100,000

ZA02 LOCAL HOUSE OF DELEGATES INITIATIVES

(AX) Montrose Center for Children and Families. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the [Board of Directors of the Reginald S. Lourie Center for Infants and Young Children, Inc.] BOARD OF DIRECTORS OF THE ADVENTIST HEALTHCARE, INC. for the repair, renovation, and capital equipping of the Montrose Center for Children and Families, located in Rockville (Montgomery County) 100,000

Chapter 46 of the Acts of 2006, as amended by Chapter 219 of the Acts of 2008, Chapter 707 of the Acts of 2009, Chapter 372 of the Acts of 2010, and Chapter 430 of the Acts of 2013

Section 1(3)

ZA01 LOCAL SENATE INITIATIVES

(CP) Our House Youth Home. Provide a grant equal to the lesser of (i) \$175,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Our House Youth Home, Inc. for the construction and capital equipping of a new dormitory at Our House Youth Home, located in Olney, subject to a requirement

that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, 2012, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2015] 2017 (Montgomery County) 175,000

ZA02 LOCAL HOUSE INITIATIVES

(AZ) Our House Youth Home. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Our House Youth Home, Inc. for the construction and capital equipping of a new dormitory at Our House Youth Home, located in Olney, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, 2012, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2015] 2017 (Montgomery County) 250,000

Chapter 46 of the Acts of 2006, as amended by Chapter 707 of the Acts of 2009, and Chapter 396 of the Acts of 2011

Section 1(3)

ZA01 LOCAL SENATE INITIATIVES

(BT) Ebenezer Community Life Center. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Ebenezer Community Development Corporation for the planning, design, construction, renovation, reconstruction, and capital equipping of the Community Life Center, located in Lanham. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act, INCLUDING FUNDS EXPENDED ON OR AFTER JANUARY 1, 2003. Notwithstanding any other provision of law, the proceeds of the loan must be encumbered by the Board of Public Works or expended for the purposes provided in this Act no later than December 1, [2012] 2016 (Prince George’s County) 150,000

Chapter 46 of the Acts of 2006, as amended by Chapter 707 of the Acts of 2009, and Chapter 430 of the Acts of 2013

Section 1(3)

ZA02 LOCAL HOUSE OF DELEGATES INITIATIVES

(BI) College Park City Hall. Provide a grant equal to the lesser of (i) \$400,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of College Park for the design, engineering, construction, and renovation of the City Hall for the City of College Park, located in College Park. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2015] 2017 (Prince George’s County) 400,000

Chapter 488 of the Acts of 2007, as amended by Chapter 219 of the Acts of 2008

Section 1(3)

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION

(A) Community Parks and Playgrounds. Provide funds for grants to local governments to design and construct eligible projects (Statewide). Further provided that \$2,000,000 of this appropriation may only be used to provide grants for the following projects:

(4) Woodstock Equestrian Park. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission for the planning, design, construction, and capital equipping of a public equestrian park, located in Beallsville[, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust] (Montgomery County).

ZA02 LOCAL SENATE INITIATIVES

(BI) Woodstock Equestrian Park. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission for the planning, design, construction, and capital equipping of a public equestrian park, located in Beallsville[, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust] (Montgomery County) 250,000

Chapter 336 of the Acts of 2008

Section 1(3)

RM00

MORGAN STATE UNIVERSITY
(Baltimore City)

(A) Campuswide Utility Upgrade. Provide funds to construct Phase III and design Phase IV of the utility upgrades on the Morgan State University Campus **[7,723,000]**
7,333,000

UB00

MARYLAND ENVIRONMENTAL SERVICE

(A) Infrastructure Improvement Fund. Provide funds to design, construct, and equip capital improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may be spent only on the projects listed below or on **[previously] PRIOR OR FUTURE** authorized projects. Expenditure of any part of this appropriation for a **[previously] PRIOR OR FUTURE** authorized project shall also require notification to the General Assembly 11,874,000

ZA01

LOCAL SENATE INITIATIVES

(AK) Chesapeake Cares Food Pantry. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Chesapeake Church, Inc. for the design, construction, renovation, and capital equipping of the Chesapeake Cares Food Pantry and related office space, located in Huntingtown. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016** (Calvert County) 75,000

(CC)

Laurel Armory Anderson Murphy Community Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Laurel for the renovation, reconstruction, and capital equipping of the Laurel Armory Anderson Murphy Community Center, located in Laurel, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior

to the effective date of this Act. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016 (Prince George’s County).....

75,000

Chapter 336 of the Acts of 2008, as amended by Chapter 485 of the Acts of 2009, Chapter 483 of the Acts of 2010, Chapter 396 of the Acts of 2011, Chapter 444 of the Acts of 2012, Chapter 424 of the Acts of 2013, and Chapter 463 of the Acts of 2014

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2008 in the total principal amount of [\\$855,646,737] **\$855,256,737**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with Sections 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, Section 22 of the Code.

Chapter 336 of the Acts of 2008, as amended by Chapter 485 of the Acts of 2009, Chapter 424 of the Acts of 2013, and Chapter 463 of the Acts of 2014

Section 1(3)

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION

(B) Capital Development Projects. Provide funds for Department of Natural Resources (DNR) Capital Development Projects initially funded in fiscal 2008. Provided that this authorization may [only] be used to fund the following projects: North Point State Park – Stone Revetment, Seawall, Fishing Platform; Cedarville Fish Hatchery Pipe Replacement/Pond Relining; Deep Creek Lake Bathhouse; Susquehanna State Park – Bathhouse Renovations; Janes Island State Park – Nature Center Renovations/Improvements; Point Lookout State Park – Administration Building Renovations; Black Walnut Point Natural Resources Management Area – Shore Erosion Control; Assateague State Park – Nature Center Replacement; and Pocomoke River State Park – Milburn Landing Bathhouse Replacement. **FUNDS MAY ALSO BE REALLOCATED TO PROJECTS AUTHORIZED UNDER THE NATURAL RESOURCES DEVELOPMENT FUND OR DEPARTMENT OF**

NATURAL RESOURCES CAPITAL DEVELOPMENT PROJECTS.

Further provided that prior to any expenditure of these funds DNR shall provide the budget committees with a letter indicating the amount of each project intended to be funded with this authorization. The budget committees shall have 45 days to review and comment upon receipt of the letter

3,900,000

Chapter 336 of the Acts of 2008, as amended by Chapter 372 of the Acts of 2010

Section 1(3)

ZA01

LOCAL SENATE INITIATIVES

(AG)

Family Life Intergenerational Center. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the We Are Family Community Development, Inc. for the planning, design, construction, renovation, and capital equipping of the Family Life Intergenerational Center, located in Randallstown. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended on or after January 1, 2005, and the grantee has until June 1, 2012, to present evidence that a matching fund will be provided. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2017** (Baltimore County)

250,000

(CA)

Laurel Armory Anderson Murphy Community Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Laurel for the renovation, reconstruction, and capital equipping of the Laurel Armory Anderson Murphy Community Center, located in Laurel. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, 2012. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016** (Prince George’s County)

75,000

ZA02

LOCAL HOUSE INITIATIVES

(BM)

Laurel Armory Anderson Murphy Community Center. Provide

a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Laurel for the renovation, reconstruction, and capital equipping of the Laurel Armory Anderson Murphy Community Center, located in Laurel. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee must present evidence that a matching fund will be provided by June 1, 2012. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016** (Prince George’s County)..... 100,000

Chapter 336 of the Acts of 2008, as amended by Chapter 372 of the Acts of 2010, and Chapter 639 of the Acts of 2012

Section 1(3)

ZA01 LOCAL SENATE INITIATIVES

(AA) Roberta’s House. Provide a grant of \$50,000 to the Board of Directors of Roberta’s House, Inc. for the acquisition, planning, design, renovation, construction, reconstruction, repair, and capital equipping of Roberta’s House, located in Baltimore City. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2019** (Baltimore City)..... 50,000

ZA02 LOCAL HOUSE INITIATIVES

(X) Roberta’s House. Provide a grant of \$250,000 to the Board of Directors of Roberta’s House, Inc. for the acquisition, planning, design, renovation, construction, reconstruction, repair, and capital equipping of Roberta’s House, located in Baltimore City. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2019** (Baltimore City) 250,000

Chapter 336 of the Acts of 2008, as amended by Chapter 463 of the Acts of 2014

Section 1(3)

ZA01 LOCAL SENATE INITIATIVES

(V) Mary Harvin Transformation Center. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Mary Harvin

Transformation Center Development Corporation, Inc. for the acquisition, planning, design, demolition, construction, and reconstruction of the Mary Harvin Transformation Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016 (Baltimore City)**

150,000

Chapter 485 of the Acts of 2009

Section 1(3)

DE02.01

BOARD OF PUBLIC WORKS

**STATE GOVERNMENT CENTER – ANNAPOLIS
(Anne Arundel County)**

(B) State House – Old House of Delegates Chamber. Provide funds to construct and equip alterations and renovations to the State House in order to restore the Old House of Delegates Chamber to its 19th Century appearance

[3,136,000]
3,011,000

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

ML01

**MENTAL HYGIENE ADMINISTRATION
(Statewide)**

(A) Patient Safety Improvements. Provide funds to construct patient safety improvements at psychiatric hospitals and residential treatment centers. These improvements may include, but are not limited to, modifications to bathrooms, doors, ceilings, and fire sprinklers that may pose potentially harmful conditions to patients at psychiatric facilities

[4,000,000]
3,830,000

DEPARTMENT OF THE ENVIRONMENT

UB00

MARYLAND ENVIRONMENTAL SERVICE

(A) Infrastructure Improvement Fund. Provide funds to design, construct, and equip capital improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent

on the projects listed below or on [previously] **PRIOR OR FUTURE** authorized projects. Expenditure of any part of this appropriation for a [previously] **PRIOR OR FUTURE** authorized project shall also require notification to the General Assembly 7,233,000

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010

Section 1(3)

RC00 BALTIMORE CITY COMMUNITY COLLEGE
(Baltimore City)

(A) Main Building Renovation – Liberty Campus. Provide funds for a detailed design to complete the final phase of the Main Building Renovation – Liberty Campus, the renovation of the Administration Wing, and reconstruction of the Fine Arts Wing [914,000]
614,000

Section 12(3)

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

(E) New Center for the Built Environment and Infrastructure Studies. Provide funds to construct and equip a new Center for the Built Environment and Infrastructure Studies [26,935,000]
~~26,735,000~~
26,435,000

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010, Chapter 424 of the Acts of 2013, and Chapter 463 of the Acts of 2014

Section 1(3)

DH01 MILITARY DEPARTMENT
(Wicomico County)

(A) Salisbury Armory Renovation and Addition. Provide funds to design and construct renovations and additions to the Salisbury Armory [2,801,000]
2,501,000

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010, Chapter 396 of the Acts of 2011, Chapter 424 of the Acts of 2013, and Chapter 463 of the Acts of 2014

SECTION 12. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2010 in the total principal amount of ~~[\$136,453,000] \$136,572,820~~ **\$136,272,820**. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010, Chapter 396 of the Acts of 2011, Chapter 444 of the Acts of 2012, Chapter 424 of the Acts of 2013, and Chapter 463 of the Acts of 2014

SECTION 1. AND BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2009 in the total principal amount of ~~[\$1,051,670,225] \$1,050,775,225~~ **\$1,050,560,225**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with Sections 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, Section 22 of the Code.

Chapter 485 of the Acts of 2009, as amended by Chapter 396 of the Acts of 2011

Section 1(3)

RM00

MORGAN STATE UNIVERSITY
(Baltimore City)

(A) Campuswide Utilities Upgrade. Provide funds to complete the construction of a utility tunnel project on the Morgan State University campus and to reimburse the University for utility upgrades in the Morgan Commons and the Academic Quad **[4,035,281]**
3,820,281

Chapter 485 of the Acts of 2009, as amended by Chapter 639 of the Acts of 2012, and Chapter 430 of the Acts of 2013

Section 1(3)

ZA00

MISCELLANEOUS GRANT PROGRAMS

(S) Perry Hall Gymnasium Project. Provide a grant to the County Executive and County Council of Baltimore County on behalf of the Baltimore County Department of Recreation and Parks for the planning, design, construction, and capital equipping of improvements to the Perry Hall Gymnasium in Baltimore County, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act, INCLUDING FUNDS EXPENDED ON OR AFTER JUNE 1, 2007, AND THE GRANTEE HAS UNTIL JUNE 1, 2017, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022 (Baltimore County).....

[3,000,000]
750,000

(S-1) ROBERT E. LEE PARK. PROVIDE A GRANT TO THE COUNTY EXECUTIVE AND COUNTY COUNCIL OF BALTIMORE COUNTY ON BEHALF OF THE BALTIMORE COUNTY DEPARTMENT OF RECREATION AND PARKS FOR THE PLANNING, DESIGN, CONSTRUCTION, AND CAPITAL EQUIPPING OF IMPROVEMENTS TO THE ROBERT E. LEE PARK IN BALTIMORE COUNTY, SUBJECT TO THE REQUIREMENT THAT THE GRANTEE PROVIDE AN EQUAL AND MATCHING FUND FOR THIS PURPOSE. NOTWITHSTANDING THE PROVISIONS OF SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT, INCLUDING FUNDS EXPENDED ON OR AFTER JUNE 1, 2007, AND THE GRANTEE HAS UNTIL JUNE 1, 2017, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022 (BALTIMORE COUNTY).....

2,250,000

Chapter 485 of the Acts of 2009, as amended by Chapter 424 of the Acts of 2013 and Chapter 463 of the Acts of 2014

Section 1(3)

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(C)	Program Open Space Capital Development. Provide funds to design, construct, and equip Department of Natural Resources capital development projects in accordance with § 5–903(g) of the Natural Resources Article. Funds may only be spent on the projects listed below OR ON PROJECTS AUTHORIZED UNDER THE NATURAL RESOURCES DEVELOPMENT FUND OR DEPARTMENT OF NATURAL RESOURCES CAPITAL DEVELOPMENT PROJECTS:	3,741,311
(1)	Black Walnut Point Shoreline Erosion Control (Talbot County)	1,178,311
(2)	James Island Nature Center Renovations (Somerset County)	1,550,000
(3)	Point Lookout Administration Office Renovations (St. Mary’s County)	1,013,000

Chapter 483 of the Acts of 2010

Section 1(3)

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

QB08.01 WESTERN CORRECTIONAL INSTITUTION
(Allegany County)

(A)	Vocational Education Building. Provide funds to equip a new Vocational Education Building at the Western Correctional Institution	[321,000]
		174,183

Chapter 483 of the Acts of 2010, as amended by Chapter 396 of the Acts of 2011

Section 1(3)

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

(A)	Banneker Hall Renovation and Hub Relocation. Provide supplemental construction funds to renovate Banneker Hall and to relocate the telecommunications hub	[2,565,000]
		1,604,272

Chapter 483 of the Acts of 2010, as amended by Chapter 396 of the Acts of 2011, Chapter 444 of the Acts of 2012, Chapter 424 of the Acts of 2013, and Chapter 463 of the Acts of 2014

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2010 in the total principal amount of ~~[\$996,791,261]~~ ~~\$1,004,616,896~~ ~~\$1,003,446,896~~ **\$1,003,466,896**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Chapter 483 of the Acts of 2010, as amended by Chapter 444 of the Acts of 2012

Section 1(3)

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

- (C) Natural Resources Development Fund. Provide funds to design, construct, and equip capital development projects on Department of Natural Resources property in accordance with § 5–903(g) of the Natural Resources Article. Funds may only be spent on the projects listed below or on [previously authorized projects] **PROJECTS AUTHORIZED UNDER THE NATURAL RESOURCES DEVELOPMENT FUND OR DEPARTMENT OF NATURAL RESOURCES CAPITAL DEVELOPMENT PROJECTS:** 10,126,000
- (2) Fort Frederick State Park – Park Improvements (Washington County) 1,800,000

Chapter 483 of the Acts of 2010, as amended by Chapter 424 of the Acts of 2013

Section 1(3)

MM06 DEVELOPMENTAL DISABILITIES ADMINISTRATION
(Statewide)

matching fund may consist of real property.
NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS
GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016 (Prince
 George’s County) 100,000

Chapter 396 of the Acts of 2011, as amended by Chapter 444 of the Acts of 2012

Section 1(3)

ZA00 MISCELLANEOUS GRANT PROGRAMS

- (M) National Children’s Museum. Provide a grant to the Board of Directors of the National Children’s Museum, Inc. for the acquisition, design, construction, and capital equipping of the new National Children’s Museum in Oxon Hill, Maryland, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Prince George’s County)..... [3,000,000]
0

Chapter 396 of the Acts of 2011, as amended by Chapter 444 of the Acts of 2012 and Chapter 424 of the Acts of 2013

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2011 in the total principal amount of **[\$945,985,501] \$942,274,129**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Chapter 396 of the Acts of 2011, as amended by Chapter 639 of the Acts of 2012

Section 1(3)

ZA02 LOCAL SENATE INITIATIVES

- (H) Andover Field Renovations. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Andover Football League, Inc. and the County Executive and County Council of Anne Arundel County for the planning, design, construction, repair, and

renovation of the Andover Park fields and field house, located in Linthicum. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016** (Anne Arundel County) 25,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(H) Andover Field Renovations. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Andover Football League, Inc. and the County Executive and County Council of Anne Arundel County for the planning, design, construction, repair, and renovation of the Andover Park fields and field house, located in Linthicum. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016** (Anne Arundel County) 75,000

Chapter 396 of the Acts of 2011, as amended by Chapter 430 of the Acts of 2013

Section 1(3)

ZA02 LOCAL SENATE INITIATIVES

(BK-2) Marlton Safety and Surveillance Systems. Provide a grant of \$24,000 to the Board of Directors of [Marlton 100 Homeowners Association, Inc.] **THE MARLTON CONTROL COMMISSION, INC.** for the acquisition, construction, and capital equipping of community safety and surveillance systems, located in Prince George’s County. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022** (Prince George’s County) 24,000

(BK-4) [Fairwood Safety and Surveillance Systems.] **KNIGHTS OF ST. JOHN HALL.** Provide a grant of \$24,000 to the [Board of Directors of Fairwood Community Association] **BOARD OF TRUSTEES OF THE KNIGHTS OF ST. JOHN, ASCENSION COMMANDERY, 283, INC.** for the acquisition, construction, **REPAIR, RENOVATION, EXPANSION,** and capital equipping of [community safety and surveillance systems.] **THE KNIGHTS OF ST. JOHN HALL,** located in Prince George’s County.

NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022 (Prince George’s County) 24,000

Chapter 396 of the Acts of 2011, as amended by Chapter 430 of the Acts of 2013 and Chapter 463 of the Acts of 2014

Section 1(3)

ZA02

LOCAL SENATE INITIATIVES

- (R) *Mary Harvin Transformation Center. Provide a grant of \$125,000 to the Board of Directors of The Mary Harvin Transformation Center Development Corporation, Inc. for the acquisition, planning, design, demolition, and construction of the Mary Harvin Transformation Center, located in Baltimore City, subject to a requirement that the grantee provide and expend a matching fund of \$70,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, [2015.] 2016, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2015] 2017 (Baltimore City) 125,000*
- (AD) *Todd’s Inheritance. Provide a grant of \$175,000 to the Board of Trustees of the Todd’s Inheritance Historic Site, Inc. for the renovation, reconstruction, and capital equipping of Todd’s Inheritance, located in Edgemere. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2015] 2016 (Baltimore County) 175,000*
- (BJ) *Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s County Boys and Girls Club, Inc., the Board of Education of Prince George’s County,] and the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard signs, stands, gym floor, and sports fields for the Capitol Heights Seat Pleasant Boys and Girls Club, Inc. located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act.*

Notwithstanding Section 1(5) of this Act, the grantee has until June 1, 2016, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, 2016 (Prince George’s County) 25,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(AW) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s County Boys and Girls Club, Inc., the Board of Education of Prince George’s County, and the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, renovation, and capital equipping of the scoreboard signs, stands, gym floor, and sports fields for the Capitol Heights Seat Pleasant Boys and Girls Club, Inc. located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, 2016, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, 2016 (Prince George’s County) [75,000]
40,000

(AW-1) CAPITOL HEIGHTS SEAT PLEASANT BOYS AND GIRLS CLUB INITIATIVE. PROVIDE A GRANT EQUAL TO THE LESSER OF (I) \$5,000 OR (II) THE AMOUNT OF THE MATCHING FUND PROVIDED, TO THE BOARD OF DIRECTORS OF THE PRINCE GEORGE’S COUNTY BOYS AND GIRLS CLUB, INC. AND THE BOARD OF EDUCATION OF PRINCE GEORGE’S COUNTY FOR THE ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, RENOVATION, AND CAPITAL EQUIPPING OF THE GYM AT WALKER MILLS MIDDLE SCHOOL, INCLUDING THE INSTALLATION OF A SCOREBOARD, LOCATED IN PRINCE GEORGE’S COUNTY. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2016, TO PRESENT EVIDENCE THAT A MATCHING

FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016 (PRINCE GEORGE’S COUNTY) **5,000**

(AW-2) CAPITOL HEIGHTS SEAT PLEASANT BOYS AND GIRLS CLUB INITIATIVE. PROVIDE A GRANT EQUAL TO THE LESSER OF (I) \$30,000 OR (II) THE AMOUNT OF THE MATCHING FUND PROVIDED, TO THE BOARD OF DIRECTORS OF THE PRINCE GEORGE’S COUNTY BOYS AND GIRLS CLUB, INC. AND THE BOARD OF EDUCATION OF PRINCE GEORGE’S COUNTY FOR THE ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, RENOVATION, AND CAPITAL EQUIPPING OF THE LIBRARY AND GYM AT CAPITOL HEIGHTS ELEMENTARY SCHOOL, INCLUDING THE INSTALLATION OF A SCOREBOARD, LOCATED IN PRINCE GEORGE’S COUNTY. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2016, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016 (PRINCE GEORGE’S COUNTY) **30,000**

Chapter 396 of the Acts of 2011, as amended by Chapter 463 of the Acts of 2014

Section 1(3)

ZA02

LOCAL SENATE INITIATIVES

(L) Charles Carroll House. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Charles Carroll House of Annapolis, Inc. for the acquisition, planning, design, construction, repair, reconstruction, and capital equipping of the Charles Carroll House, located in Annapolis. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2015] 2016 (Anne Arundel County). **75,000**

Chapter 444 of the Acts of 2012

Section 1(3)

DE02.01

BOARD OF PUBLIC WORKS

STATE GOVERNMENT CENTER – BALTIMORE
(Baltimore City)

(C) Saratoga State Center – Garage Improvements. Provide funds to construct garage improvements at the Saratoga State Center, PROVIDED THAT, NOTWITHSTANDING SECTION 6 OF THIS ACT, WORK MAY COMMENCE AND CONTINUE ON THIS PROJECT PRIOR TO THE APPROPRIATION OF ALL FUNDS NECESSARY TO COMPLETE THE PROJECT.

FURTHER PROVIDED THAT THE DEPARTMENT OF GENERAL SERVICES (DGS) HAS UNTIL SEPTEMBER 1, 2015, TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE MAYOR AND CITY COUNCIL OF BALTIMORE CITY THAT RESOLVES ALL OUTSTANDING DISPUTES BETWEEN THE PARTIES CONCERNING THE AMOUNTS DUE AND PAYABLE FOR PRIOR INFRASTRUCTURE AND MAINTENANCE EXPENDITURES INCURRED BY BALTIMORE CITY AT THE SARATOGA STATE CENTER SUCH THAT TITLE TO THE BUILDING CAN BE TRANSFERRED TO DGS AS CUSTODIAL AGENT FOR THE STATE. IF THE MOU IS NOT EXECUTED BY SEPTEMBER 1, 2015, THIS AUTHORIZATION SHALL BE RESTRICTED FOR THE SOLE PURPOSE OF FUNDING FACILITY RENEWAL PROJECTS AT STATE FACILITIES MANAGED BY DGS UNDER DE02.01 BOARD OF PUBLIC WORKS GENERAL STATE FACILITIES, FACILITIES RENEWAL FUND. THE BUDGET COMMITTEES SHALL HAVE 45 DAYS FROM THE RECEIPT OF THE MOU TO REVIEW AND COMMENT

[4,445,000]
2,220,000

DEPARTMENT OF NATURAL RESOURCES

KA05

CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(B) Natural Resources Development Fund. Provide funds to design, construct, and equip capital development projects on Department of Natural Resources property in accordance with § 5–903(g) of the Natural Resources Article. Funds may only be spent on the projects listed below or on [previously authorized

projects] **PROJECTS AUTHORIZED UNDER THE NATURAL RESOURCES DEVELOPMENT FUND OR DEPARTMENT OF NATURAL RESOURCES CAPITAL DEVELOPMENT PROJECTS:** 10,874,000

- (1) Western Maryland Rail Trail (Allegany County) 1,900,000
- (2) Harriet Tubman Underground Railroad State Park (Dorchester County) 2,683,000
- (3) Wellington Wildlife Management Area – Office Renovation (Somerset County) 342,000
- (4) North Point State Park – Pier Replacement and Shore Erosion Control (Baltimore County) 1,910,000
- (5) Point Lookout State Park Lighthouse Restoration (St. Mary’s County) 398,000
- (6) Elk Neck State Park Improvements (Cecil County) 241,000
- (7) State Parks – New Natural Playgrounds 1,400,000
- (8) Sandy Point State Park – Green Infrastructure Improvements (Anne Arundel County) 1,700,000
- (9) Garrett County State Parks – Trail Construction (Garrett County) 150,000
- (10) Western Maryland Recreational Access and Trail Restoration Project (Garrett County) 150,000

MM06 DEVELOPMENTAL DISABILITIES ADMINISTRATION (Statewide)

(C) Henryton Center – Abate Asbestos and Raze Buildings. Provide funds to design, abate asbestos, and demolish buildings at the Henryton Center, provided that notwithstanding Section 6 of

Chapter 444 of the Acts of 2012, as amended by Chapter 430 of the Acts of 2013

Section 1(3)

ZA01 MARYLAND HOSPITAL ASSOCIATION

(F) Union Memorial Hospital. Provide a grant to the Board of Directors of the Union Memorial Hospital, Inc. to assist in the renovation and expansion of the Renal Dialysis Unit in Baltimore, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City)..... [242,500]
0

ZA02 LOCAL SENATE INITIATIVES
(Statewide)

(AB) Neighbor–Space of Baltimore County. Provide a grant of \$150,000 to the [County Executive and County Council of Baltimore County] BOARD OF DIRECTORS OF THE NEIGHBORSPACE OF BALTIMORE COUNTY, INC. for the acquisition, planning, DESIGN, CONSTRUCTION, REPAIR, RENOVATION, RECONSTRUCTION, and capital equipping of the Neighbor–Space Project, located in Baltimore County. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2017 (Baltimore County) 150,000

(AW) National Center for Children and Families Youth Activities Center. Provide a grant equal to the lesser of (i) \$225,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the National Center for Children and Families, Inc. for the ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, REPAIR, RENOVATION, RECONSTRUCTION, AND capital equipping of the National Center for Children and Families Youth Activities Center, located in Bethesda. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016 (Montgomery County) 225,000

(AY) Quebec Terrace Lighting. Provide a grant equal to the lesser of (i) \$58,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of ArtPreneurs, Inc. for the planning, design, and construction of the Quebec Terrace lighting, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE DECEMBER 1, 2017** (Montgomery County) 58,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES
(Statewide)

(AK) National Center for Children and Families Youth Activities Center. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The National Center for Children and Families for the **ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, REPAIR, RENOVATION, RECONSTRUCTION, AND** capital equipping of the National Center for Children and Families Youth Activities Center, located in Bethesda. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2016** (Montgomery County) 25,000

(AM) Quebec Terrace Lighting. Provide a grant equal to the lesser of (i) \$62,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of ArtPreneurs, Inc. for the planning, design, and construction of the Quebec Terrace lighting, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE DECEMBER 1, 2017** (Montgomery County) 62,000

Chapter 444 of the Acts of 2012, as amended by Chapter 430 of the Acts of 2013, and Chapter 463 of the Acts of 2014

Section 1(3)

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES
(Statewide)

[(D) Maryland Alliance of Boys & Girls Clubs – Renovations.

Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Maryland Alliance of Boys and Girls Clubs, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of various boys and girls clubs, located in Maryland. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, 2016, to present evidence that a matching fund will be provided. Notwithstanding Section 1(6) of this Act, the Maryland Historical Trust may not require a grantee that receives funds from this grant to grant and convey a perpetual easement. (Statewide).....

250,000

The grant authorized under this item shall be distributed as follows:

- (1) Boys and Girls Clubs of Harford County, MD..... 51,000
- (2) The Boys and Girls Club of Washington County, Inc..... 174,000
- (3) The Salvation Army..... 25,000]

(D-1) BOYS & GIRLS CLUB OF HARFORD COUNTY, MARYLAND, INC. PROVIDE A GRANT OF \$51,000 TO THE BOARD OF DIRECTORS OF THE BOYS & GIRLS CLUB OF HARFORD COUNTY, MARYLAND, INC. FOR THE ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, REPAIR, RENOVATION, RECONSTRUCTION, AND CAPITAL EQUIPPING OF VARIOUS BOYS AND GIRLS CLUBS, LOCATED IN HARFORD COUNTY. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT AND THE GRANTEE HAS UNTIL JUNE 1, 2017, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022 (STATEWIDE).....

51,000

(D-2) THE BOYS & GIRLS CLUB OF WASHINGTON COUNTY, INC. PROVIDE A GRANT OF \$174,000 TO THE BOARD OF

DIRECTORS OF THE BOYS & GIRLS CLUB OF WASHINGTON COUNTY, INC. FOR THE ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, REPAIR, RENOVATION, RECONSTRUCTION, AND CAPITAL EQUIPPING OF VARIOUS BOYS AND GIRLS CLUBS, LOCATED IN WASHINGTON COUNTY. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT AND THE GRANTEE HAS UNTIL JUNE 1, 2017, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022 (STATEWIDE)..... 174,000

(D-3) THE SALVATION ARMY. PROVIDE A GRANT OF \$25,000 TO THE BOARD OF TRUSTEES OF THE SALVATION ARMY FOR THE ACQUISITION, PLANNING, DESIGN, CONSTRUCTION, REPAIR, RENOVATION, RECONSTRUCTION, AND CAPITAL EQUIPPING OF VARIOUS BOYS AND GIRLS CLUBS, LOCATED IN MARYLAND. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF REAL PROPERTY, IN KIND CONTRIBUTIONS, OR FUNDS EXPENDED PRIOR TO THE EFFECTIVE DATE OF THIS ACT AND THE GRANTEE HAS UNTIL JUNE 1, 2017, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022 (STATEWIDE) 25,000

Chapter 444 of the Acts of 2012, as amended by Chapter 463 of the Acts of 2014

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2012 in the total principal amount of [1,113,924,000] ~~\$1,112,688,767~~ ~~\$1,178,078,377~~ \$1,107,463,767. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Section 1(3)

DE02.01

BOARD OF PUBLIC WORKS

STATE GOVERNMENT CENTER – BALTIMORE
(Baltimore City)

(D) William Donald Schaefer Tower – Replace Fire Alarm System. Provide funds to replace the fire alarm system at the William Donald Schaefer Tower [1,475,000]
1,200,000

RM00

MORGAN STATE UNIVERSITY
(Baltimore City)

(D) Soper Library Demolition. Provide design and construction funds for the demolition of Soper Library [500,000]
350,000

Chapter 424 of the Acts of 2013

Section 1(3)

DEPARTMENT OF NATURAL RESOURCES

KA05

CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(B) Natural Resources Development Fund. Provide funds to design, construct, and equip capital development projects on Department of Natural Resources property in accordance with § 5–903(g) of the Natural Resources Article. Funds may only be spent on the projects listed below or on [previously authorized projects] **PROJECTS AUTHORIZED UNDER THE NATURAL RESOURCES DEVELOPMENT FUND OR DEPARTMENT OF NATURAL RESOURCES CAPITAL DEVELOPMENT PROJECTS:** 4,562,000

(1) Harriet Tubman Underground Railroad State Park (Dorchester County) 250,000

(2) Cunningham Falls State Park – Day Use and Beach Improvements (Frederick County) 316,000

(3) Western Maryland Recreational

- (1) Biological Nutrient Removal Program. Provide not more than \$29,200,000 in grants for projects to remove nutrients at publicly owned sewage treatment works;
- (2) Supplemental Assistance Program. Provide not more than ~~[\$5,925,000]~~ **\$5,375,000** in grants to provide assistance to grant and loan recipients to meet the local share of construction costs. [Notwithstanding §§ 9–345 through 9–351 of the Environment Article and any regulation adopted in accordance with those sections, \$550,000 of these funds shall be used to provide a grant to Talbot County for the design and construction of sewer system infrastructure to support the Shore Health System Regional Medical Center];

(B) Water Supply Financial Assistance Program. Provide funds for assistance to State and local government entities to acquire, design, construct, rehabilitate, equip, and improve water supply facilities. The funds shall be administered in accordance with §§ 9–420 through 9–426 of the Environment Article and in accordance with the Code of Maryland Regulations (COMAR) 26.03.09[, provided that \$450,000 of these funds shall be used to provide a grant to Talbot County for the design and construction of water system infrastructure to support the Shore Health System Regional Medical Center]

[3,450,000]
3,000,000

UB00

MARYLAND ENVIRONMENTAL SERVICE

(A) Infrastructure Improvement Fund. Provide funds to design, construct and equip capital improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent on the projects listed below or on ~~[previously]~~ **PRIOR OR FUTURE** authorized projects. Expenditure of any part of this appropriation for a ~~[previously]~~ **PRIOR OR FUTURE**

authorized project shall also require notification to the General Assembly. Notwithstanding Section 6 of this Act, work may commence on these projects prior to appropriation of all the funds necessary to complete these projects..... 5,200,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(P) Maryland Independent College and University Association – Maryland Institute College of Art. Provide a grant equal to the lesser of (i) \$4,000,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Maryland Institute College of Art to assist in the **ACQUISITION**, planning, design, construction, renovation, and capital equipping of the New Academic Building and Fox Building located at the Maryland Institute College of Art campus, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City)..... 4,000,000

ZA01 MARYLAND HOSPITAL ASSOCIATION

(F) MedStar Good Samaritan Hospital. Provide a grant to the Board of Directors of The Good Samaritan Hospital of Maryland, Inc. to assist in the expansion of the Cancer Center at MedStar Good Samaritan Hospital in Baltimore City, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2017, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022** (Baltimore City) 375,000

ZA02 LOCAL SENATE INITIATIVES

(M) Carroll’s Hundred Archaeology Project. Provide a grant of \$100,000 to the [Board of Directors of Carroll Park Restoration Foundation, Inc.] **MAYOR AND CITY COUNCIL OF BALTIMORE CITY** for the planning, design, construction, reconstruction, and capital equipping of the Carroll’s Hundred Archaeology Project, subject to a requirement that the grantee provide and expend a matching fund of \$62,500. Notwithstanding Section 1(5) of this Act, the matching fund

may consist of in kind contributions AND THE GRANTEE HAS UNTIL JUNE 1, 2017, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022 (Baltimore City) ~~100,000~~
~~0~~

(R) Mattie B. Uzzle Outreach Center. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Collington Square Non-Profit Corporation for the repair, renovation, reconstruction, and capital equipping of the Mattie B. Uzzle Outreach Center, INCLUDING SITE IMPROVEMENTS AND SITE WORK RELATED TO THE CENTER’S PARKING LOT AND SIDEWALKS. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions AND THE GRANTEE HAS UNTIL JUNE 1, 2016, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Baltimore City) 150,000

(BJ) Cheverly UMC Kitchen and Public Accessibility Project. Provide a grant equal to the lesser of (i) \$70,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Cheverly Community Church of the Evangelical Brethren Church for the design, construction, repair, and renovation of the Cheverly UMC kitchen and social hall. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2016, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County) 70,000

(BU) Kennard High School Restoration Project. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Kennard Alumni Association, Inc. for the repair, renovation, reconstruction, and capital equipping of Kennard High School. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions AND THE GRANTEE HAS UNTIL JUNE 1, 2016, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Queen Anne’s County) 150,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(AK) Maryland Youth Ballet Institutional Capacity Building. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the

amount of the matching fund provided, to the Board of Directors of Maryland Youth Ballet, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Youth Ballet Institutional Capacity Building. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act **AND THE GRANTEE HAS UNTIL JUNE 1, 2016, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Montgomery County) 100,000

(AW) *Cheverly UMC Kitchen and Public Accessibility Project. Provide a grant equal to the lesser of (i) \$80,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Cheverly Community Church of the Evangelical Brethren Church for the design, construction, repair, and renovation of the Cheverly UMC kitchen and social hall. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2016, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Prince George’s County) 80,000*

(BI) Kennard High School Restoration Project. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Kennard Alumni Association, Inc. for the repair, renovation, reconstruction, and capital equipping of Kennard High School. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions **AND THE GRANTEE HAS UNTIL JUNE 1, 2016, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Queen Anne’s County) 150,000

Chapter 424 of the Acts of 2013, as amended by Chapter 463 of the Acts of 2014

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2013 in the total principal amount of **[\$1,105,419,000] \$1,104,119,000**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Section 1(3)ZA00MISCELLANEOUS GRANT PROGRAMS

[(K)] Hillel Center for Social Justice. Provide a grant to the Board of Directors of Ben and Esther Rosenbloom Hillel Center for Jewish Life at University of Maryland, Inc. for the demolition of the existing center and the design, construction, and equipping of the Hillel Center for Social Justice, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Prince George’s County) 1,000,000]

[(K-1)] SINAI HOSPITAL OF BALTIMORE. PROVIDE A GRANT TO THE BOARD OF DIRECTORS OF THE SINAI HOSPITAL OF BALTIMORE, INC. TO DESIGN, CONSTRUCT, AND CAPITAL EQUIP RENOVATIONS AND IMPROVEMENTS AT THE SINAI HOSPITAL OF BALTIMORE, SUBJECT TO THE REQUIREMENT THAT THE GRANTEE PROVIDE AN EQUAL AND MATCHING FUND FOR THIS PURPOSE. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2017, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022 (BALTIMORE CITY) 500,000

[(K-2)] JEWISH COMMUNITY CENTER OF GREATER WASHINGTON. PROVIDE A GRANT TO THE BOARD OF DIRECTORS OF THE JEWISH COMMUNITY CENTER OF GREATER WASHINGTON, INC. TO DESIGN, CONSTRUCT, AND CAPITAL EQUIP RENOVATIONS AND IMPROVEMENTS TO PUBLIC SPACES IN ITS ROCKVILLE, MARYLAND FACILITY, SUBJECT TO THE REQUIREMENT THAT THE GRANTEE PROVIDE AN EQUAL AND MATCHING FUND FOR THIS PURPOSE. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2017, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022 (MONTGOMERY COUNTY) 500,000

ZA02LOCAL SENATE INITIATIVES

[(BA)] Pyramid Atlantic Art Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund

provided, to the Board of Directors of the Pyramid Atlantic, Inc. for the design and construction of the Pyramid Atlantic Art Center, LOCATED IN PRINCE GEORGE’S COUNTY. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property AND THE GRANTEE HAS UNTIL JUNE 1, 2016, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED [(Montgomery County)] (PRINCE GEORGE’S COUNTY) 75,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(AM) Pyramid Atlantic Art Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pyramid Atlantic, Inc. for the design and construction of the Pyramid Atlantic Art Center, LOCATED IN PRINCE GEORGE’S COUNTY. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property AND THE GRANTEE HAS UNTIL JUNE 1, 2016, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED [(Montgomery County)] (PRINCE GEORGE’S COUNTY) 100,000

Chapter 463 of the Acts of 2014

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2014 in the total principal amount of ~~[\$1,180,515,377]~~ ~~**\$1,180,395,377**~~ ~~**\$1,179,095,377**~~ **\$1,178,078,377**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article.

Section 1(3)

DH01.04 MILITARY DEPARTMENT

(A) Hagerstown Readiness Center Parachute Rigging Facility. Provide funds to design, construct, and equip a parachute rigging facility and storage building at the Hagerstown Readiness Center (Washington County) [120,000]

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KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(B) Natural Resources Development Fund. Provide \$108,000 to design improvements at the Sassafras Natural Resources Management Area (Phase II) and \$300,000 to design and construct improvements for the St. Clement’s Island Shore Erosion Control project in accordance with § 5–903(g) of the Natural Resources Article. Funds may only be spent on these two projects or on [previously authorized projects] **PROJECTS AUTHORIZED UNDER THE NATURAL RESOURCES DEVELOPMENT FUND OR DEPARTMENT OF NATURAL RESOURCES CAPITAL DEVELOPMENT PROJECTS** 408,000

UB00 MARYLAND ENVIRONMENTAL SERVICE

(A) Infrastructure Improvement Fund. Provide funds to design, construct and equip capital improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent on the projects listed below or on [previously] **PRIOR OR FUTURE** authorized projects. Expenditure of any part of this appropriation for a [previously] **PRIOR OR FUTURE** authorized project shall also require notification to the General Assembly. Notwithstanding Section 6 of this Act, work may commence on these projects prior to appropriation of all the funds necessary to complete these projects..... 9,079,000

DEPARTMENT OF JUVENILE SERVICES

VE01 RESIDENTIAL SERVICES

(C) Lower Shore Treatment Center. Provide funds for land acquisition and preliminary design for the Lower Shore Treatment Center (Wicomico County) [1,600,000]
300,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(B) Allegany Museum. Provide a grant to the Board of ~~Directors~~ **TRUSTEES** of the Allegany Museum, **INC.** for the construction of a new green roof **AND FOR THE DESIGN, CONSTRUCTION, RENOVATION, AND CAPITAL EQUIPPING OF CAPITAL INFRASTRUCTURE IMPROVEMENTS TO THE ALLEGANY**

MUSEUM], subject to the requirement that the grantee provide an equal and matching fund for this purpose] (Allegany County) 250,000

(J) Green Branch Athletic Complex. Provide a grant to the Maryland–National Capital Park and Planning Commission and the Board of Directors of the Green Branch Management Group Corp. for the acquisition, planning, design, site development, construction, repair, renovation, reconstruction, and capital equipping of the Green Branch Athletic Complex, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all of the funds necessary to complete this project[. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions] 3,000,000

(K) High Performance Computing Data Center. Provide a grant to the Board of Trustees of Johns Hopkins University for the construction, and capital equipping of a High Performance Computer Data Center (HPDC), provided that \$15,000,000 of this authorization may not be expended until Johns Hopkins University develops, in consultation with the University of Maryland, College Park, a plan to provide access to Maryland’s 4–year public and nonprofit private institutions of higher education, including Morgan State University and the University System of Maryland. Further provided the plan shall be submitted to the budget committees, and the committees shall have 45 days to review and comment (Baltimore City) [15,000,000]
13,983,000

(M) Hospice of the Chesapeake. Provide a grant to the Board of Directors of Hospice of the Chesapeake, Inc. to design, construct, and equip a new inpatient care facility in Pasadena, Maryland[. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions] (Anne Arundel County) 1,000,000

(O) Jewish Community Center of Greater Washington. Provide a grant to the Board of Directors of the Jewish Community Center of Greater Washington, Inc. to design, construct, and equip renovations to public spaces in its Rockville, Maryland facility[, subject to the requirement that the grantee provide a matching fund for this purpose] (Montgomery County) 1,000,000

(AB) National Sailing Hall of Fame. Provide a grant to the Board of

	<u>Directors of the National Sailing Hall of Fame and Museum, Inc. to design, construct, and equip a new facility for the National Sailing Hall of Fame, subject to the requirement that the grantee provide an equal and matching fund for this purpose], provided that \$250,000 of this authorization made for the purpose of the National Sailing Hall of Fame may not be expended until the Board of Directors of the National Sailing Hall of Fame and Museum, Inc. submits an amended lease that has been approved by the Board of Public Works, provides information on the amount of State funding expected to be requested for the project, and completes all of the trigger events for the agreement-to-lease to go into effect. The budget committees shall have 45 days to review and comment before the release of funds] (Anne Arundel County).....</u>	<u>70,000</u>
(AF)	Sinai Hospital of Baltimore. Provide a grant to the Board of Directors of [The Associated: Jewish Community Federation of Baltimore] SINAI HOSPITAL OF BALTIMORE, INC. , to design, construct, and capital equip renovations and improvements at the Sinai Hospital of Baltimore, Inc., subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City).....	1,500,000
(AG)	<u>South River High School Athletic Facilities. Provide a grant to the Board of Education of Anne Arundel County for the design and construction of athletic facilities improvements at South River High School], subject to the requirement that the grantee provide a matching fund for this purpose] (Anne Arundel County)</u>	<u>1,300,000</u>
(AL)	<u>YWCA of Annapolis and Anne Arundel County Domestic Violence Shelter. Provide a grant to the governing board of the YWCA of Annapolis and Anne Arundel County, Inc. to acquire, design, construct, and equip a new Domestic Violence Shelter], subject to the requirement that the grantee provide an equal and matching fund for this purpose] (Anne Arundel County) ..</u>	<u>1,000,000</u>
(AV)	<u>Governor Thomas Johnson High School Stadium. Provide a \$50,000 grant to the Board of Directors of the Thomas Johnson High School Patriots Boosters, Inc. AND THE BOARD OF EDUCATION OF FREDERICK COUNTY for the design, construction, repair, renovation, reconstruction, and capital equipping of the Governor Thomas Johnson High School Stadium, including the installation of a turf field (Frederick County)</u>	<u>50,000</u>

ZA02

LOCAL SENATE INITIATIVES

(J) Calvary Food Bank. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the [Calvary Community Economic Development Corporation] CALVARY CHAPEL, INC. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Calvary Food Bank. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Anne Arundel County) 75,000

(AL) [End Hunger Warehouse.] OMAHA BEACH CHAPTER, NO. 7, DISABLED AMERICAN VETERANS BUILDING. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the [Board of Directors of the End Hunger In Calvert County, Inc.] BOARD OF DIRECTORS OF THE OMAHA BEACH CHAPTER, NO. 7, DISABLED AMERICAN VETERANS, INC. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the [End Hunger Warehouse.] OMAHA BEACH CHAPTER, NO. 7, DISABLED AMERICAN VETERANS BUILDING. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act AND THE GRANTEE HAS UNTIL JUNE 1, 2017, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2022 (Calvert County) 25,000

(AW) Ladew Topiary Gardens. Provide a grant equal to the lesser of (i) \$110,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of THE TRUSTEES OF the Ladew Topiary Gardens, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Ladew Topiary Gardens, including a maintenance hub, roads and parking lots, and a new entrance (Harford County) 110,000

ZA03

LOCAL HOUSE OF DELEGATES INITIATIVES

~~(AK) Culler Lake Stormwater Management Project. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Friends of Baker Park, Inc. AND THE MAYOR AND BOARD OF~~

the Natural Resources Article	58,225,000
(1) Program Open Space – State Side – Prior Funds Replacement.....	28,411,000
(2) Program Open Space – Local – Prior Funds Replacement.....	29,814,000
(B) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article.....	12,494,000

DEPARTMENT OF AGRICULTURE

LA11

OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agriculture Article.....	22,726,000
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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL
SERVICES

QP00

DIVISION OF PRETRIAL DETENTION AND SERVICES
(Baltimore City)

(A) New Youth Detention Center. Provide funds to construct and equip a new Youth Detention Center. A renovation of the Baltimore Pre–Release Unit and the Occupational Skills Training Center and the building of an addition to house the youth charged as adult population	18,350,000
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QB04.02

MARYLAND CORRECTIONAL TRAINING CENTER
(Washington County)

(A) Housing Unit Windows and Heating Systems Replacement. Provide funds to replace the windows and heating systems at six housing units at the Maryland Correctional Training Center, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project.....	3,900,000
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QB06.04	DORSEY RUN CORRECTIONAL FACILITY (Anne Arundel County)	
(A)	560–Bed Minimum Security Compound. Provide funds to construct a new 560–bed minimum security compound at Dorsey Run Correctional Facility, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project	3,575,000
RA01	STATE DEPARTMENT OF EDUCATION	
(A)	State Library Resource Center. Provide funds to construct the State Library Resource Center at the Central Branch of Baltimore City’s Enoch Pratt Free Library System, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Baltimore City)	25,850,000
	UNIVERSITY SYSTEM OF MARYLAND	
RB21	UNIVERSITY OF MARYLAND, BALTIMORE (Baltimore City)	
(A)	Health Sciences Research Facility III and Surge Building. Provide funds to construct and equip a new research facility for the School of Medicine subject to the requirement that the University of Maryland, Baltimore provide a matching fund for this purpose	81,550,000
RB22	UNIVERSITY OF MARYLAND, COLLEGE PARK (Prince George’s County)	
(A)	Edward St. John Learning and Teaching Center. Provide funds to design and construct the new Edward St. John Learning and Teaching Center and construction of the addition for chemistry instruction and related functions	65,650,000
(B)	New Bioengineering Building. Provide funds to design and construct the New Bioengineering Building, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project	42,200,000
(C)	University of Maryland Sports Performance and Academic Research Building. Provide funds to design a Sports	

	Performance and Academic Research facility located at the University of Maryland, College Park.....	5,000,000
RB23	BOWIE STATE UNIVERSITY (Prince George's County)	
(A)	New Natural Sciences Center. Provide funds to construct a new Natural Sciences Center and demolish the Wiseman Student Center	48,300,000
RB25	UNIVERSITY OF MARYLAND EASTERN SHORE (Somerset County)	
(A)	New Engineering and Aviation Science Building. Provide funds to construct a new Engineering and Aviation Science Building.	1,500,000
RB27	COPPIN STATE UNIVERSITY (Baltimore City)	
(A)	Percy Julian Sciences Building. Provide funds to design renovations and an addition to the Percy Julian Science Building to house the School of Business and School of Graduate Studies programs (Baltimore City).....	1,200,000
RB28	UNIVERSITY OF BALTIMORE (Baltimore City)	
(A)	Langsdale Library. Provide funds to design and begin construction of the renovation of the Langsdale Library	11,600,000
RB29	SALISBURY UNIVERSITY (Wicomico County)	
(A)	New Academic Commons. Provide funds to construct a new Academic Commons (Library)	47,550,000
RB34	UNIVERSITY OF MARYLAND CENTER FOR ENVIRONMENTAL SCIENCE (Calvert County)	
(A)	New Environmental Sustainability Research Laboratory. Provide funds to construct the New Environmental Sustainability Research Laboratory.....	758,000
RB36	UNIVERSITY SYSTEM OF MARYLAND OFFICE (Statewide)	

(A)	Southern Maryland Regional Higher Education Facility. Provide funds to design and construct a third building on the Southern Maryland Higher Education Center campus to provide academic, research laboratory, and business incubator facility space	5,000,000
RD00	ST. MARY'S COLLEGE OF MARYLAND (St. Mary's County)	
(A)	Anne Arundel Hall Reconstruction. Provide funds to design and construct the Anne Arundel Hall Reconstruction Project	8,700,000
RI00	MARYLAND HIGHER EDUCATION COMMISSION (Statewide)	
(A)	Community College Facilities Grant Program. Provide funds to assist the subdivisions in the acquisition of property and in the design, construction, renovation, and equipping of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11–105(j) of the Education Article	32,033,000
	(1) College of Southern Maryland – Technology Infrastructure Upgrade.....	4,454,000
	(2) Harford Community College – Edgewood Hall Renovation and Expansion.....	4,129,000
	(3) Prince George's Community College – Lanham Hall Renovation and Addition.....	7,634,000
	(4) Wor–Wic Community College – Academic & Administrative Building/Maner Technology Center Renovation	1,152,000
	(5) Howard Community College – Science, Engineering, and Technology Building	14,664,000
RM00	MORGAN STATE UNIVERSITY (Baltimore City)	
(A)	Campuswide Utilities Upgrade. Provide construction funds to	

renovate and upgrade campus utility systems 3,700,000

(B) New Behavioral and Social Sciences Center. Provide funds to design, construct, and equip a new Behavioral and Social Sciences Center on the West Campus, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project 32,250,000

UB00 MARYLAND ENVIRONMENTAL SERVICE

(A) Infrastructure Improvement Fund. Provide funds to design, construct and equip capital improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent on the projects listed below or on previously authorized projects. Expenditure of any part of this appropriation for a previously authorized project shall also require notification to the General Assembly 6,012,000

(1) Rocky Gap State Park – Wastewater Treatment Plant Improvements (Allegany County)... 1,461,000

(2) Cunningham Falls State Park – Wastewater Collection and Water Distribution System (Frederick County)..... 463,000

(3) Maryland Correctional Institution – Hagerstown – Wastewater Treatment Plant Upgrade (Washington County)..... 3,088,000

(4) Charlotte Hall Veterans Home – Wastewater Treatment Plant Improvements (St. Mary’s County).. 1,000,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2022. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2022, the

amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.]

[SECTION 13. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2016 in total principal amount of \$280,660,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION (Statewide)

(A)	Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article	57,066,000
	(1) Program Open Space – State Side – Prior Funds Replacement.....	28,374,000
	(2) Program Open Space – Local – Prior Funds Replacement.....	28,692,000
(B)	Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in	

	accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article	11,561,000
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DEPARTMENT OF AGRICULTURE

LA11	OFFICE OF THE SECRETARY (Statewide)	
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(A)	Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agriculture Article	21,851,000
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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

QP00	DIVISION OF PRETRIAL DETENTION AND SERVICES (Baltimore City)	
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(A)	New Youth Detention Center. Provide funds to construct and equip a new Youth Detention Center. A renovation of the Baltimore Pre–Release Unit and the Occupational Skills Training Center and the building of an addition to house the youth charged as adult population	3,880,000
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RA01	STATE DEPARTMENT OF EDUCATION	
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(A)	State Library Resource Center. Provide funds to construct the State Library Resource Center at the Central Branch of Baltimore City’s Enoch Pratt Free Library System. (Baltimore City)	23,200,000
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UNIVERSITY SYSTEM OF MARYLAND

RB21	UNIVERSITY OF MARYLAND, BALTIMORE (Baltimore City)	
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(A)	Health Sciences Research Facility III and Surge Building. Provide funds to construct and equip a new research facility for the School of Medicine subject to the requirement that the University of Maryland, Baltimore provide a matching fund for this purpose	70,500,000
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RB22	UNIVERSITY OF MARYLAND, COLLEGE PARK (Prince George’s County)	
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until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2023. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2023, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.]

[SECTION 14. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2017 in total principal amount of \$119,062,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A)	Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article	59,434,000
(1)	Program Open Space – State Side – Prior Funds Replacement	29,700,000

(2) Program Open Space – Local –
 Prior Funds Replacement 29,734,000

(B) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural Resources Article 11,793,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
 (Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agriculture Article 22,635,000

RA01 STATE DEPARTMENT OF EDUCATION

(A) State Library Resource Center. Provide funds to construct the State Library Resource Center at the Central Branch of Baltimore City’s Enoch Pratt Free Library System. (Baltimore City) 23,200,000

UNIVERSITY SYSTEM OF MARYLAND

RB21 UNIVERSITY OF MARYLAND, BALTIMORE
 (Baltimore City)

(A) Health Sciences Research Facility III and Surge Building. Provide funds to construct and equip a new research facility for the School of Medicine subject to the requirement that the University of Maryland, Baltimore provide a matching fund for this purpose 2,000,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2024. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2024, the amount of the unencumbered or unexpended authorization shall be canceled and be of no

further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.]

[SECTION 15. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2018 in total principal amount of \$74,499,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION (Statewide)

(A)	Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5–905 through 5–906 of the Natural Resources Article	47,505,000
	(1) Program Open Space – State Side – Prior Funds Replacement	24,200,000
	(2) Program Open Space – Local – Prior Funds Replacement	23,305,000
(B)	Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5–9A–01 through 5–9A–09 of the Natural	

Resources Article 9,268,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY (Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2–501 through 2–519 of the Agriculture Article 17,726,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2025. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2025, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.]

[SECTION 16. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2019 in total principal amount of \$37,965,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION (Statewide)

- (A) Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisition of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5-905 through 5-906 of the Natural Resources Article 24,252,000
(1) Program Open Space – State Side – Prior Funds Replacement 12,379,000
(2) Program Open Space – Local – Prior Funds Replacement 11,873,000
(B) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5-9A-01 through 5-9A-09 of the Natural Resources Article 4,683,000

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY (Statewide)

- (A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements on agricultural land. The funds appropriated for this purpose shall be administered in accordance with §§ 2-501 through 2-519 of the Agriculture Article 9,030,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2026. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2026, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8-129 of the State Finance and Procurement Article.]

SECTION 3. AND BE IT FURTHER ENACTED, That the General Assembly declares that it is the public policy of this State to manage State general obligation bond debt in a manner that will maintain Maryland's AAA bond rating. The General Assembly further declares that legislative oversight, control, and review of all forms of State obligations are essential to maintenance of the State's existing bond rating and protection of the fiscal integrity of the State.

SECTION 4. AND BE IT FURTHER ENACTED, That, before work may commence pursuant to any supplement to any appropriation contained in this Act, satisfactory evidence must be given to the Board of Public Works that the project can be completed with the aggregate of the funds in this Act and previously appropriated for the stated purpose.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(1) with the approval of the Department of Budget and Management, any appropriation for design provided in this Act may be used to fund construction if the amount of the appropriation exceeds the amount required for design expenses, including allowances for contingencies; and

(2) with the approval of the Department of Budget and Management, any appropriation for construction provided in this Act may be used to purchase capital equipment if the amount of the appropriation exceeds the amount required for construction expenses, including allowances for contingencies.

SECTION 6. AND BE IT FURTHER ENACTED, That, except as otherwise provided in this Act, before a State agency or institution named in this Act as responsible for an individual item may begin work with funds appropriated by this Act, the agency or institution shall provide satisfactory evidence to the Board of Public Works that the work described in the individual item can be completed with the funds specified for that item.

SECTION 7. AND BE IT FURTHER ENACTED, That, with the approval of the Department of Budget and Management, any appropriation under the provisions of this Act that is in excess of the amount needed for a project may be credited to the Construction Contingency Fund under § 3–609 of the State Finance and Procurement Article.

SECTION 8. AND BE IT FURTHER ENACTED, That, if federal funds are available to help accomplish any project identified in this Act, the State agency or institution responsible for the project shall make efforts through proper administrative procedures to obtain these federal funds. Before spending any funds appropriated by this Act, the agency or institution shall certify its efforts to the Board of Public Works and state the reason for any failure to obtain federal funds. If federal funds are obtained, they shall be used to defray the costs of the project described in this Act and not to expand its scope.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(1) for any appropriation for the planning of a State-owned project provided in this Act, if a program required by § 3–602(d) of the State Finance and Procurement Article has not been submitted, the State agency or institution responsible for the project shall submit a program to the Department of Budget and Management for approval before funds may be expended from the appropriation; and

(2) for any appropriation for the construction of a State-owned project provided in this Act, if preliminary plans and outline specifications required by § 3–602(f)(2)(i) of the State Finance and Procurement Article have not been prepared, the State agency or institution responsible for the project shall submit preliminary plans and outline specifications to the Department of Budget and Management for approval before funds may be expended from the appropriation.

SECTION 10. AND BE IT FURTHER ENACTED, That no portion of the proceeds of a loan or any of the matching funds provided for a project funded under this Act may be used for the furtherance of sectarian religious instruction, or in connection with the design, acquisition, construction, or equipping of any building used or to be used as a place of sectarian religious worship or instruction, or in connection with any program or department of divinity for any religious denomination. Upon the request of the Board of Public Works, a recipient of the proceeds of a loan under this Act shall submit evidence satisfactory to the Board that none of the proceeds of the loan or any matching funds has been or is being used for a purpose prohibited by this Act.

SECTION 11. AND BE IT FURTHER ENACTED, That the Comptroller may advance funds to any loan funds account established pursuant to a general obligation bond loan enabling Act for any expenditure authorized by that Act, provided that if general obligation bonds have not been issued under the authority of that Act, the next ensuing sale of general obligation bonds shall include the issuance of bonds under the authority of that Act in an amount at least equivalent to the amount of the funds so advanced.

SECTION 12. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2016 in total principal amount of ~~\$340,956,000~~ ~~\$351,223,000~~ \$378,723,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the

bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

DE02.01

BOARD OF PUBLIC WORKS

STATE GOVERNMENT CENTER – BALTIMORE
(Baltimore City)

(A) Saratoga State Center – Garage Improvements. Provide funds to construct garage improvements at the Saratoga State Center 2,225,000

DH01.04

MILITARY DEPARTMENT

(A) Havre de Grace Combined Support Maintenance Shop Automotive Maintenance Facility. Provide funds to complete design and continue to construct a new Maryland Army National Guard automotive maintenance facility within the existing combined support maintenance shop complex at the Havre de Grace Readiness Center, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Harford County) 1,650,000

(B) Easton Readiness Center. Provide funds to continue construction of a new Maryland Army National Guard Readiness Center in Easton (Talbot County) 2,000,000

(C) Havre de Grace Readiness Center. Provide funds to complete construction of a new readiness center at the Havre de Grace Military Reservation (Harford County) ~~2,350,000~~
4,100,000

DEPARTMENT OF NATURAL RESOURCES

KA05

CAPITAL GRANTS AND LOANS ADMINISTRATION

(A) Natural Resources Development Fund. Provide funds to design, construct, and equip capital development projects on Department of Natural Resources property in accordance with Section 5–903(g) of the Natural Resources Article. Funds may be spent only on the projects listed below or on projects authorized under the Natural Resources Development Fund or Department of Natural Resources Capital Development projects 1,000,000

(1)	<u>Bloede Dam Removal (Howard County).....</u>	<u>1,000,000</u>
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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES

<u>QS02.08</u>	<u>EASTERN CORRECTIONAL INSTITUTION</u> (Somerset County)
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(A)	<u>Hot Water and Steam System Improvements. Provide funds to design and construct a replacement high temperature hot water system, mechanical room renovations, and other hot water and steam improvements at the Eastern Correctional Institution</u>	<u>2,000,000</u>
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QT03.02	DIVISION OF PRETRIAL RELEASE SERVICES (Baltimore City)
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(A)	New Youth Detention Center. Provide funds to complete construction of a new Youth Detention Center to house youth charged as adults by demolishing the Baltimore Pre-Release Unit, partially renovating the Occupational Skills Training Center, and constructing an addition	3,300,000
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RA01	STATE DEPARTMENT OF EDUCATION (Baltimore City)
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(A)	State Library Resource Center. Provide funds to continue renovation of the Central Branch of Baltimore City's Enoch Pratt Free Library System (Baltimore City)	23,200,000
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UNIVERSITY SYSTEM OF MARYLAND

RB21	UNIVERSITY OF MARYLAND, BALTIMORE (Baltimore City)
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(A)	Health Sciences Research Facility III. Provide funds to continue construction of a new research facility for the Schools of Medicine, Pharmacy, and Dentistry at the University of Maryland, Baltimore	70,500,000
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RB22	UNIVERSITY OF MARYLAND, COLLEGE PARK (Prince George's County)
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(A)	Edward St. John Learning and Teaching Center. Provide funds to complete partial demolition and renovation of existing buildings, and complete construction of the new Edward St. John Learning and Teaching Center	500,000
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(B)	New Bioengineering Building. Provide funds to continue construction of a new bioengineering building	45,350,000
<u>(C)</u>	<u>Brendan Iribe Center for Computer Science and Innovation. Provide funds to design, construct, and equip a new facility for the Department of Computer Science and the University of Maryland Institute for Advanced Computer Studies</u>	<u>27,000,000</u>
RB23	BOWIE STATE UNIVERSITY (Prince George's County)	
(A)	New Natural Sciences Center. Provide funds to complete construction of a new academic and research facility for natural sciences, nursing, and mathematics	28,250,000
<u>RB27</u>	<u>COPPIN STATE UNIVERSITY</u> <u>(Baltimore City)</u>	
<u>(A)</u>	<u>Percy Julian Science Building. Provide funds to design renovations and an addition to the Percy Juilian Science Building to house the School of Business and School of Graduate Studies programs (Baltimore City)</u>	<u>3,400,000</u>
RB36	UNIVERSITY SYSTEM OF MARYLAND OFFICE (Montgomery County)	
(A)	Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Provide funds to continue construction of an academic facility at Shady Grove Educational Center	72,000,000
RI00	MARYLAND HIGHER EDUCATION COMMISSION (Statewide)	
(A)	Community College Facilities Grant Program. Provide funds to assist the subdivisions in the continued construction of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11–105(j) of the Education Article	46,648,000 <u>50,945,000</u>
(1)	Garrett College – Science, Technology, Engineering, and Mathematics Building Renovation and Addition	3,623,000

Assembly	14,058,000
(1) Eastern Correctional Institution – Wastewater Treatment Plant (Somerset County)	8,943,000
(2) Eastern Correctional Institution – Co-Generation Plant Upgrades (Somerset County)	2,000,000
(3) Maryland Correctional Institution – Hagerstown – Wastewater Treatment Plant Upgrade (Washington County)	2,000,000
(4) Southern Pre-Release Unit – Wastewater Treatment Plant Improvements (Charles County) ...	285,000
(5) Western Correctional Institution – Wastewater Pump Station Improvements (Allegany County) ..	830,000

ZA00

MISCELLANEOUS GRANT PROGRAMS

(A) <u>Angel’s Watch Shelter. Provide a grant to Catholic Charities Archdiocese of Washington to assist in funding the design, construction, repair, renovation, reconstruction, and capital equipping of the Angel’s Watch Shelter (Charles County)</u>	<u>500,000</u>
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(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2023. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2023, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8-129 of the State Finance and Procurement Article.

SECTION 13. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland

Consolidated Capital Bond Loan Preauthorization Act of 2017 in total principal amount of ~~\$159,504,000~~ ~~\$203,504,000~~ \$271,004,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

DH01.04

MILITARY DEPARTMENT

- (A) Combined Support Maintenance Shop Automotive Maintenance Facility. Provide funds to complete construction of a new Maryland Army National Guard automotive maintenance facility within the existing combined support maintenance shop complex at the Havre de Grace Readiness Center (Harford County) 1,000,000
- (B) Easton Readiness Center. Provide funds to complete construction of a new Maryland Army National Guard Readiness Center in Easton (Talbot County) 1,500,000

RA01

STATE DEPARTMENT OF EDUCATION
(Baltimore City)

- (A) State Library Resource Center. Provide funds to continue renovation of the Central Branch of Baltimore City’s Enoch Pratt Free Library System 23,200,000

UNIVERSITY SYSTEM OF MARYLAND

RB21

UNIVERSITY OF MARYLAND, BALTIMORE
(Baltimore City)

- (A) Health Sciences Research Facility III. Provide funds to complete construction of a new research facility for the Schools of Medicine, Pharmacy, and Dentistry at the University of Maryland, Baltimore 2,000,000

RB22	UNIVERSITY OF MARYLAND, COLLEGE PARK (Prince George’s County)	
(A)	New Bioengineering Building. Provide funds to complete construction of a new bioengineering building	63,100,000 <u>54,100,000</u>
<u>(B)</u>	<u><i>Brendan Iribe Center for Computer Science and Innovation. Provide funds to design, construct, and equip a new facility for the Department of Computer Science and the University of Maryland Institute for Advanced Computer Studies</i></u>	<u>67,500,000</u>
<u>RB31</u>	<u>UNIVERSITY OF MARYLAND BALTIMORE COUNTY</u> (Baltimore County)	
<u>(A)</u>	<u>Interdisciplinary Life Sciences Building. Provide funds to construct a new academic facility for interdisciplinary life sciences</u>	<u>53,000,000</u>
RB36	UNIVERSITY SYSTEM OF MARYLAND OFFICE (Montgomery County)	
(A)	Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Provide funds to complete construction of an academic facility at Shady Grove Educational Center (Montgomery County)	56,050,000
RI00	MARYLAND HIGHER EDUCATION COMMISSION (Statewide)	
(A)	Community College Facilities Grant Program. Provide funds to assist the subdivisions in the continued construction of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11–105(j) of the Education Article	8,288,000
	(1) Prince George’s Community College – Queen Anne Academic Center Renovation and Addition	8,288,000
UB00	MARYLAND ENVIRONMENTAL SERVICE	
(A)	Infrastructure Improvement Fund. Provide funds to design, construct and equip water and wastewater facility improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below	

by more than 7.5% without General Assembly notification. Funds may only be spent on the projects listed below or on prior or future authorized projects. Expenditure of any part of this appropriation for a prior or future authorized project shall also require notification to the General Assembly 4,366,000

(1) Eastern Correctional Institution – Wastewater Treatment Plant (Somerset County) 2,772,000

(2) Eastern Correctional Institution – Co-Generation Plant Upgrades (Somerset County) 1,594,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2024. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2024, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

SECTION 14. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2018 in total principal amount of ~~\$14,953,000~~ \$57,953,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

RA01	STATE DEPARTMENT OF EDUCATION (Baltimore City)	
(A)	State Library Resource Center. Provide funds to complete renovation of the Central Branch of Baltimore City’s Enoch Pratt Free Library System	14,550,000
<u>RB31</u>	<u>UNIVERSITY OF MARYLAND BALTIMORE COUNTY</u> (Baltimore County)	
(A)	<u>Interdisciplinary Life Sciences Building. Provide funds to construct a new academic facility for interdisciplinary life sciences</u>	<u>43,000,000</u>
UB00	MARYLAND ENVIRONMENTAL SERVICE	
(A)	Infrastructure Improvement Fund. Provide funds to design, construct and equip water and wastewater facility improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without General Assembly notification. Funds may only be spent on the projects listed below or on prior or future authorized projects. Expenditure of any part of this appropriation for a prior or future authorized project shall also require notification to the General Assembly	403,000
	(1) Eastern Correctional Institution – Wastewater Treatment Plant (Somerset County)	403,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2025. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2025, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

~~SECTION 15. AND BE IT FURTHER ENACTED, That:~~

~~(1) Notwithstanding § 8–125(e) of the State Finance and Procurement Article, \$30,000,000 in premiums from the sale of State bonds in fiscal year 2016 may remain in~~

~~the State and Local Facilities Loan Fund or be transferred from the Annuity Bond Fund to the State and Local Facilities Loan Fund and, on approval by the Board of Public Works, may be expended by the Comptroller only for the following purposes:~~

ZA02

LOCAL HOUSE OF DELEGATES INITIATIVES

(Statewide)

- (A) ~~Broadneck High School Field House. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Bruin Athletic Boosters Club, Inc. and the Anne Arundel County Board of Education for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Broadneck High School Field House, including site improvements and an addition to the Broadneck High School Field House, located in Anne Arundel County (Anne Arundel County)~~ 150,000
- (B) ~~Chesapeake Arts Center. Provide a grant of \$75,000 to the Board of Directors of the Chesapeake Arts Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Arts Center, located in Anne Arundel County (Anne Arundel County)~~ 75,000
- (C) ~~Glen Burnie Masonic Lodge 213. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the 213 Masonic Temple Holding Corp. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Glen Burnie Masonic Lodge 213, including repairs to the HVAC, electrical systems, plumbing, external brick, and roof and site improvements to the lodge and its grounds, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County)~~ 75,000
- (D) ~~Harambee House Community Outreach Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mount Olive Community Development Corporation and the Board of Trustees of the Mount Olive African Methodist Episcopal Church, Annapolis, MD for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Harambee House Community Outreach Center, located in Anne Arundel County. Notwithstanding~~

	Section 1(5) of this Act, the matching fund may consist of real property (Anne Arundel County)	75,000
(E)	Pasadena Baseball Club. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pasadena Baseball Club, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Pasadena Baseball Club field, including site improvements to the parking lot and baseball diamond and the installation and construction of field lights, fencing, a batting cage and dugout, and a playground area, located in Anne Arundel County (Anne Arundel County)	50,000
(F)	Alpha Phi Alpha Corporate Headquarters. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Alpha Phi Alpha Fraternity, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Alpha Phi Alpha Corporate Headquarters, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)	100,000
(G)	Banner Neighborhoods Community Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Banner Neighborhoods Community Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Banner Neighborhoods Community Center project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)	75,000
(H)	Economic Empowerment Community Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Economic Empowerment Coalition, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Economic Empowerment Community Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds	

~~expended prior to the effective date of this Act (Baltimore City) 50,000~~

~~(I) Elder Abuse Shelter and Office. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Associated Jewish Charities of Baltimore for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Elder Abuse Shelter and Office building, including site improvements to the building and its parking lot and sidewalks, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City) 50,000~~

~~(J) Habitat for Humanity of the Chesapeake. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Habitat for Humanity of the Chesapeake, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Habitat for Humanity of the Chesapeake homes, located in Baltimore City (Baltimore City) 50,000~~

~~(K) Men and Families Center. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Men and Families Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Men and Families Center, including the installation of energy efficient systems, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City) 150,000~~

~~(L) Moveable Feast. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Moveable Feast, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Moveable Feast facility, located in Baltimore City (Baltimore City) 100,000~~

~~(M) New City of Hope Community Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Positive Youth Expressions, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital~~

- ~~equipping of the New City of Hope Community Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City).....~~ 100,000
- (N) ~~Orianda Mansion Preservation. Provide a grant equal to the lesser of (i) \$160,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Baltimore Chesapeake Bay Outward Bound Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Orianda Mansion, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City).....~~ 160,000
- (O) ~~St. Elizabeth School Indoor Playground. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the St. Elizabeth School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the St. Elizabeth School Indoor Playground project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City).....~~ 125,000
- (P) ~~Angel Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Angel Park, including the acquisition and installation of playground equipment, located in Baltimore County (Baltimore County)...~~ 100,000
- (Q) ~~Gilead House Renovation. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Vestry of St. Mark's on the Hill for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Gilead House, located in Baltimore County (Baltimore County).....~~ 40,000
- (R) ~~Good Shepherd Boys Unit Renovation. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the House of the Good Shepherd of the City of Baltimore for the acquisition, planning, design, construction, repair, renovation, reconstruction, and~~

~~capital equipping of the Good Shepherd Boys Unit at the Good Shepherd facility, located in Baltimore County (Baltimore County).....~~ 25,000

~~(S) Greenspring Montessori Method Training Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Greenspring Montessori School for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Greenspring Montessori Method Training Center, located in Baltimore County (Baltimore County).....~~ 75,000

~~(T) Lake Roland Education Center. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Lake Roland Education Center, located in Baltimore County (Baltimore County).....~~ 125,000

~~(U) Pikesville Volunteer Fire Company Building. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pikesville Volunteer Fire Company, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, repurposing, and capital equipping of the Pikesville Volunteer Fire Company Building, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore County).....~~ 200,000

~~(V) The Arc of Carroll County Building Renovation. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Arc of Carroll County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Arc of Carroll County building, located in Carroll County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Carroll County).....~~ 75,000

~~(W) Cecil County Farm Museum. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cecil County Farm Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Cecil~~

	County Farm Museum, including site improvements to the museum grounds, located in Cecil County (Cecil County)	25,000
(X)	Benedict Volunteer Fire Department and Rescue Squad and Auxiliary Facility. Provide a grant of \$150,000 to the Board of Directors of the Benedict Volunteer Fire Department & Rescue Squad & Auxiliary, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Benedict Volunteer Fire Department and Rescue Squad and Auxiliary facility, located in Charles County (Charles County)	150,000
(Y)	Southern Maryland Carousel. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Southern Maryland Carousel Group, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Southern Maryland Carousel project, located in Charles County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Charles County)	150,000
(Z)	Chesapeake Grove Senior Housing and Intergenerational Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Delmarva Community Services, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Grove Senior Housing and Intergenerational Center, located in Dorchester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Dorchester County)	50,000
(AA)	Culler Lake Stormwater Management Project. Provide a grant equal to the lesser of (i) \$60,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of Frederick County and the Board of Directors of the Friends of Baker Park, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of projects at Culler Lake, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Frederick County)..	60,000
(AB)	Weinberg Center for the Arts. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Mayor and Board of Aldermen of the City of Frederick for the acquisition, planning, design, construction,	

~~repair, renovation, reconstruction, and capital equipping of the Weinberg Center for the Arts, including the installation of an HVAC system, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Frederick County) 40,000~~

~~(AC) Ladew Topiary Gardens. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Trustees of the Ladew Topiary Gardens, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Ladew Topiary Gardens, including construction of a maintenance hub, site improvement of the parking lot, and construction of a series of access roads, located in Harford County (Harford County)..... 100,000~~

~~(AD) Regional Fire and Rescue Boat. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Havre de Grace and the Board of Directors of the Susquehanna Hose Company, Inc. for the Lower Susquehanna River and Upper Chesapeake Bay and their tributaries, including site improvements to and construction, repair, and renovation of a boat dock and boat launch, located in Harford County and Cecil County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Harford County) 100,000~~

~~(AE) Community Action Council Food Bank Facility. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Community Action Council of Howard County, Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Action Council Food Bank Facility, located in Howard County (Howard County) 200,000~~

~~(AF) Environmental Education Center Renovation and Expansion. Provide a grant equal to the lesser of (i) \$71,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Howard County Conservancy, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, expansion, and capital equipping of the Environmental Education Center, located in Howard County. Notwithstanding Section 1(5) of this Act, the matching fund~~

	may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Howard County)	71,000
(AG)	Bethesda Graceful Growing Together Community Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Graceful Growing Together, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Bethesda Graceful Growing Together Community Center, located in Montgomery County (Montgomery County)	50,000
(AH)	Brooke Grove Rehabilitation and Nursing Center. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Brooke Grove Foundation, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a new addition to the Brooke Grove Rehabilitation and Nursing Center, located in Montgomery County (Montgomery County)	150,000
(AI)	Cornerstone Montgomery and Interfaith Works Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cornerstone Montgomery, Inc. and the Board of Directors of the Interfaith Works, Inc. for the relocation of Cornerstone Montgomery and Interfaith Works facilities, located in Montgomery County (Montgomery County)	50,000
(AJ)	Damascus Volunteer Fire Department. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Damascus Volunteer Fire Department, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Damascus Volunteer Fire Department building, located in Montgomery County (Montgomery County)	50,000
(AK)	Early Literacy Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Friends of the Library, Silver Spring Maryland Chapter, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Early Literacy Center project, located in Montgomery County (Montgomery County)	100,000

~~(AL) F. Scott Fitzgerald Theatre and Social Hall. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Rockville for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the F. Scott Fitzgerald Theatre and Social Hall facility, including site improvements to facility parking lots, sidewalks, and driveways, located in Montgomery County (Montgomery County) 100,000~~

~~(AM) Inter-Generational Center Expansion. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Easter Seals Greater Washington-Baltimore Region, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Inter-Generational Center, located in Montgomery County (Montgomery County) 100,000~~

~~(AN) Jewish Foundation for Group Homes Renovations. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Jewish Foundation for Group Homes, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of multiple group homes within the Jewish Foundation for Group Homes, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County) 75,000~~

~~(AO) Josiah Henson Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Maryland National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Josiah Henson Park, including site improvements and landscaping, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County) 100,000~~

~~(AP) Jubilee Association of Maryland Community Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Jubilee Association of Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Jubilee Association~~

	of Maryland Community Center project, located in Montgomery County (Montgomery County)	100,000
(AQ)	Potomac Community Resources Home. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Potomac Community Resources, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Potomac Community Resources Home, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County)	50,000
(AR)	The Writer's Center. Provide a grant equal to the lesser of (i) \$60,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Writer's Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Writer's Center facility, located in Montgomery County (Montgomery County)	60,000
(AS)	Bowie Senior Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Bowie for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Bowie Senior Center, located in Prince George's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Prince George's County).....	100,000
(AT)	Family Life and Wellness Intergenerational Center. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Richard Allen Community Development Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Family Life and Wellness Intergenerational Center, located in Prince George's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George's County).....	200,000
(AU)	Greenbelt Lake Dam Repair. Provide a grant of \$135,000 to the Mayor and City Council of the City of Greenbelt for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Greenbelt Lake Dam, located in Prince George's County, subject to a requirement that the grantee provide and expend a matching	

~~fund of \$70,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Prince George's County).....~~ 135,000

~~(AV) Knights of St. John Hall. Provide a grant of \$109,000 to the Board of Trustees of the Knights of St. John, Ascension Commandery 283, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Knights of St. John Hall, located in Prince George's County (Prince George's County).....~~ 109,000

~~(AW) Park Berkshire Neighborhood Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Maryland National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of concession stands, storage facilities, and restroom buildings at Park Berkshire Neighborhood Park, located in Prince George's County (Prince George's County).....~~ 100,000

~~(AX) Town of Capitol Heights Public Works Modular Home. Provide a grant of \$100,000 to the Mayor and Town Council of the Town of Capitol Heights for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Town of Capitol Heights Public Works Modular Home, located in Prince George's County, subject to a requirement that the grantee provide and expend a matching fund of \$50,000 (Prince George's County).....~~ 100,000

~~(AY) Phillips Wharf Aquaculture Jobs Training Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Phillips Wharf Environmental Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Phillips Wharf Aquaculture Jobs Training Center, located in Talbot County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Talbot County).....~~ 50,000

~~(AZ) Cushwa Basin Area. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the National Park Service, U.S. Department of the Interior for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the improvements in the Cushwa Basin around the C&O Canal in Williamsport, including site improvements to parking lots and a boat dock, a rail trail, and open space, located in Washington County.~~

~~Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Washington County) 50,000~~

~~(BA) Maryland Theatre. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Maryland Theatre Association, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Theatre, located in Washington County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Washington County) 50,000~~

~~(BB) Tri-County Council Multi-Purpose Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Tri-County Council for the Lower Eastern Shore of Maryland for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Tri-County Council Multi-Purpose Center, located in Wicomico County (Wicomico County)..... 50,000~~

~~(BC) Delmarva Discovery Center and Museum. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Pocomoke for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Delmarva Discovery Center and Museum, located in Worcester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Worcester County) 100,000~~

ZA03 SENATE INITIATIVES
(Statewide)

~~(B) Legislative Initiatives. Provide funds for projects of political subdivisions and nonprofit organizations in the Senate 5,000,000~~

~~(A) Allegany County Animal Shelter Adoption and Care Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Allegany County Animal Shelter Management Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Allegany County Animal Shelter Adoption and Care Center, located in Allegany County. Notwithstanding~~

~~Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Allegany County).....~~ 50,000

~~(B) Broadneck High School Field House. Provide a grant equal to the lesser of (i) \$60,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Bruin Athletic Boosters Club, Inc. and the Anne Arundel County Board of Education for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Broadneck High School Field House, including site improvements and an addition to the Broadneck High School Field House, located in Anne Arundel County (Anne Arundel County).....~~ 60,000

~~(C) Chesapeake Arts Center. Provide a grant of \$75,000 to the Board of Directors of the Chesapeake Arts Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Arts Center, located in Anne Arundel County (Anne Arundel County).....~~ 75,000

~~(D) Glen Burnie Masonic Lodge 213. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the 213 Masonic Temple Holding Corp. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Glen Burnie Masonic Lodge 213, including repairs to the HVAC, electrical systems, plumbing, external brick, and roof and site improvements to the lodge and its grounds, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County).....~~ 75,000

~~(E) Harambee House Community Outreach Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mount Olive Community Development Corporation and the Board of Trustees of the Mount Olive African Methodist Episcopal Church, Annapolis, MD for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Harambee House Community Outreach Center, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Anne Arundel County).....~~ 50,000

~~(F) Samaritan House. Provide a grant equal to the lesser of (i)~~

- ~~*\$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Samaritan Houses, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Samaritan House project, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County).....*~~ 100,000
- ~~*(G) Southern High School Athletic Improvements. Provide a grant equal to the lesser of (i) \$20,000 or (ii) the amount of the matching fund provided, to the Board of Education of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of athletic facilities at Southern High School, including site improvements and the installation and construction of sports related facilities, located in Anne Arundel County (Anne Arundel County).....*~~ 20,000
- ~~*(H) Blessed Sacrament Supportive Housing. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Marian House, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Blessed Sacrament Supportive Housing project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City).....*~~ 75,000
- ~~*(I) Cherry Hill Early Head Start. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mayor and City Council of Baltimore City for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Cherry Hill Early Head Start building, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City).....*~~ 50,000
- ~~*(J) Economic Empowerment Community Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Economic Empowerment Coalition, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Economic*~~

~~Empowerment Community Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)..~~ 50,000

~~(K) Garrett Jacobs Mansion Safety and Access Project. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Garrett Jacobs Mansion Endowment Fund, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Garrett Jacobs Mansion, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City).....~~ 25,000

~~(L) Habitat for Humanity of the Chesapeake. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Habitat for Humanity of the Chesapeake, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Habitat for Humanity of the Chesapeake homes, located in Baltimore City (Baltimore City)..~~ 50,000

~~(M) In For Of Building Renovation. Provide a grant of \$50,000 to the Board of Directors of In For Of, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the In For Of Building, located in Baltimore City (Baltimore City).....~~ 50,000

~~(N) League for People with Disabilities Building Expansion. Provide a grant of \$100,000 to the Board of Directors of The League for People with Disabilities, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the League for People with Disabilities building, located in Baltimore City (Baltimore City).....~~ 100,000

~~(O) Liberty Elementary Early Childhood Center. Provide a grant equal to the lesser of (i) \$45,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Baltimore for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Liberty Elementary Early Childhood Center project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date~~

	of this Act (Baltimore City).....	45,000
(P)	Men and Families Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Men and Families Center Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Men and Families Center, including the installation of energy efficient systems, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)	100,000
(Q)	Moveable Feast. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Moveable Feast, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Moveable Feast facility, located in Baltimore City (Baltimore City)	75,000
(R)	Orianda Mansion Preservation. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Baltimore Chesapeake Bay Outward Bound Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Orianda Mansion, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City)	40,000
(S)	Pigtown Facade Restoration. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pigtown Main Street, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Pigtown Facade Restoration project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City)	25,000
(T)	TuTTie's Place. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the TuT's, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the TuTTie's Place facility, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of	

	<i>this Act (Baltimore City).....</i>	<i>40,000</i>
<i>(U)</i>	<i>Angel Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Angel Park, including the acquisition and installation of playground equipment, located in Baltimore County (Baltimore County)....</i>	<i>100,000</i>
<i>(V)</i>	<i>Gilead House Renovation. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Vestry of St. Mark's on the Hill for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Gilead House, located in Baltimore County (Baltimore County).....</i>	<i>25,000</i>
<i>(W)</i>	<i>Good Shepherd Boys Unit Renovation. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the House of the Good Shepherd of the City of Baltimore for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Good Shepherd Boys Unit at the Good Shepherd facility, located in Baltimore County (Baltimore County).....</i>	<i>75,000</i>
<i>(X)</i>	<i>Lake Roland Education Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Lake Roland Education Center, located in Baltimore County (Baltimore County).....</i>	<i>75,000</i>
<i>(Y)</i>	<i>Lutherville Volunteer Fire Company Station Expansion. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Lutherville Volunteer Fire Company, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Lutherville Volunteer Fire Company Station, located in Baltimore County (Baltimore County).....</i>	<i>125,000</i>
<i>(Z)</i>	<i>National Center on Institutions and Alternatives Expansion Project. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Center on Institutions and</i>	

- ~~*Alternatives, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, capital equipping, and expansion of the National Center on Institutions and Alternatives, located in Baltimore County (Baltimore County).....*~~ 100,000
- (AA) ~~*Pikesville Volunteer Fire Company Building. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Pikesville Volunteer Fire Company, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, repurposing, and capital equipping of the Pikesville Volunteer Fire Company Building, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore County).....*~~ 50,000
- (AB) ~~*White Marsh Volunteer Fire Company. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the White Marsh Volunteer Fire Company, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the White Marsh Volunteer Fire Company building, located in Baltimore County (Baltimore County).....*~~ 150,000
- (AC) ~~*Town of North Beach Flood Mitigation Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of North Beach for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of site improvements and flood controls for flood mitigation at the 7th and 9th Street outfalls, located in Calvert County (Calvert County).....*~~ 50,000
- (AD) ~~*The Arc of Carroll County Building Renovation. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Arc of Carroll County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Arc of Carroll County building, located in Carroll County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Carroll County).....*~~ 75,000
- (AE) ~~*Benedict Volunteer Fire Department and Rescue Squad and Auxiliary Facility. Provide a grant of \$150,000 to the Board of Directors of the Benedict Volunteer Fire Department & Rescue*~~

- ~~*Squad & Auxiliary, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Benedict Volunteer Fire Department and Rescue Squad and Auxiliary facility, located in Charles County (Charles County).....*~~ ~~150,000~~
- ~~*(AF) Lions Camp Merrick Septic System. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Lions Camp Merrick, Inc. and the Board of Directors of the Waldorf Lions Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the septic system at Lions Camp Merrick, located in Charles County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Charles County)...*~~ ~~150,000~~
- ~~*(AG) Chesapeake Grove Senior Housing and Intergenerational Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Delmarva Community Services, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Grove Senior Housing and Intergenerational Center, located in Dorchester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Dorchester County).*~~ ~~50,000~~
- ~~*(AH) Culler Lake Stormwater Management Project. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of Frederick County and the Board of Directors of the Friends of Baker Park, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of projects at Culler Lake, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Frederick County)...*~~ ~~40,000~~
- ~~*(AI) Northwest Trek Conservation and Education Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Global Wildlife Trust, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Northwest Trek Conservation and Education Center, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Frederick County).....*~~ ~~50,000~~

- ~~(AJ) Weinberg Center for the Arts. Provide a grant equal to the lesser of (i) \$60,000 or (ii) the amount of the matching fund provided, to the Mayor and Board of Aldermen of the City of Frederick for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Weinberg Center for the Arts, including the installation of an HVAC system, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Frederick County) 60,000~~
- ~~(AK) Emergency Operations Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of Garrett County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Emergency Operations Center, located in Garrett County (Garrett County)..... 50,000~~
- ~~(AL) Agricultural Research and Exposition Foundation. Provide a grant of \$100,000 to the Board of Directors of the Agricultural Research & Exposition Foundation, Inc. for the site preparation and site improvements of property, located in Harford County (Harford County)..... 100,000~~
- ~~(AM) Community Action Council Food Bank Facility. Provide a grant equal to the lesser of (i) \$90,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Community Action Council of Howard County, Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Action Council Food Bank Facility, located in Howard County (Howard County)..... 90,000~~
- ~~(AN) Environmental Education Center Renovation and Expansion. Provide a grant equal to the lesser of (i) \$179,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Howard County Conservancy, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, expansion, and capital equipping of the Environmental Education Center, located in Howard County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Howard County).. 179,000~~
- ~~(AO) Howard County Historical Society. Provide a grant equal to the lesser of (i) \$35,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Howard County~~

~~Historical Society, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Howard County Historical Society facility, including repair of the roof, located in Howard County (Howard County).....~~ 25,000

~~(AP) Anne L. Bronfman Center and Misler Adult Day Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Jewish Council for the Aging of Greater Washington, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Anne L. Bronfman Center and Misler Adult Day Center, including site improvements to the center, located in Montgomery County (Montgomery County).....~~ 75,000

~~(AQ) Bethesda Graceful Growing Together Community Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Graceful Growing Together, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Bethesda Graceful Growing Together Community Center, located in Montgomery County (Montgomery County).....~~ 100,000

~~(AR) Blair Regional Park Scoreboards. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Montgomery Blair Athletic Association, Inc. and the Maryland National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Blair Regional Park, including installation of scoreboards, located in Montgomery County (Montgomery County).....~~ 25,000

~~(AS) Cornerstone Montgomery and Interfaith Works Project. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cornerstone Montgomery, Inc. and the Board of Directors of the Interfaith Works, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the #2 Taft Court facility and for the relocation of Cornerstone Montgomery and Interfaith Works facilities, located in Montgomery County (Montgomery County).....~~ 150,000

~~(AT) Damascus Volunteer Fire Department. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund~~

	<i>provided, to the Board of Directors of The Damascus Volunteer Fire Department, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Damascus Volunteer Fire Department building, located in Montgomery County (Montgomery County).</i>	<u>50,000</u>
(AU)	<i>F. Scott Fitzgerald Theatre and Social Hall. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Rockville for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the F. Scott Fitzgerald Theatre and Social Hall facility, including site improvements to facility parking lots, sidewalks, and driveways, located in Montgomery County (Montgomery County).....</i>	<u>75,000</u>
(AV)	<i>Four Corners Community Outreach Site. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Silver Spring United Methodist Church for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Four Corners Community Outreach Site project, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Montgomery County).....</i>	<u>100,000</u>
(AW)	<i>Jewish Foundation for Group Homes Renovations. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Jewish Foundation for Group Homes, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of multiple group homes within the Jewish Foundation for Group Homes, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County).....</i>	<u>25,000</u>
(AX)	<i>Jubilee Association of Maryland Community Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Jubilee Association of Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Jubilee Association of Maryland Community Center project, located in Montgomery County (Montgomery County).....</i>	<u>100,000</u>

- ~~(AY) *Melvin J. Berman Hebrew Academy. Provide a grant of \$25,000, to the Board of Directors of the Melvin J. Berman Hebrew Academy for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the academy's kitchen, located in Montgomery County, subject to a requirement that the grantee provide and expend a matching fund of \$6,250. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County).....*~~ ~~25,000~~
- ~~(AZ) *Olney Manor Dog Park. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Maryland National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Olney Manor Dog Park, including site improvements to the park, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Montgomery County).....*~~ ~~50,000~~
- ~~(BA) *Potomac Community Resources Home. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Potomac Community Resources, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Potomac Community Resources Home, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County).....*~~ ~~100,000~~
- ~~(BB) *Silver Spring Learning Center Expansion. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Silver Spring Jewish Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Silver Spring Learning Center, located in Montgomery County (Montgomery County).....*~~ ~~100,000~~
- ~~(BC) *Bladensburg Road Economic Development Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of Colmar Manor for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of commercial property in the Bladensburg Road Economic Development corridor, located in Prince George's*~~

	County (Prince George's County).....	50,000
(BD)	Champ House. Provide a grant of \$100,000 to the Board of Directors of the Champ House Recovery, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Champ House facilities, located in Prince George's County (Prince George's County).....	100,000
(BE)	Crosland High School. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Education of Prince George's County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Crosland High School, located in Prince George's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Prince George's County).....	75,000
(BF)	Elizabeth Seton High School Library Renovation. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Elizabeth Seton High School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Elizabeth Seton High School Library, located in Prince George's County (Prince George's County).....	25,000
(BG)	Greenbelt Lake Dam Repair. Provide a grant of \$150,000 to the Mayor and City Council of the City of Greenbelt for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Greenbelt Lake Dam, located in Prince George's County, subject to a requirement that the grantee provide and expend a matching fund of \$70,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Prince George's County).....	150,000
(BH)	Knights of St. John Hall. Provide a grant of \$26,000 to the Board of Trustees of the Knights of St. John, Ascension Commandery 283, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, expansion, and capital equipping of the Knights of St. John Hall, located in Prince George's County (Prince George's County).....	26,000
(BI)	Landover Hills Town Hall. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of Landover Hills	

~~for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Landover Hills Town Hall, located in Prince George's County (Prince George's County).....~~ 50,000

~~(BJ) Park Berkshire Neighborhood Park. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Maryland National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of concession stands, storage facilities, and restroom buildings at Park Berkshire Neighborhood Park, located in Prince George's County (Prince George's County).....~~ 150,000

~~(BK) Susan D. Mona Center. Provide a grant of \$100,000 to the Board of Directors of the Catholic Charities of the Archdiocese of Washington, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Susan D. Mona Center, located in Prince George's County (Prince George's County).....~~ 100,000

~~(BL) The New Beginnings Community Development Computer Lab Project. Provide a grant of \$15,000, to the Board of Trustees of The New Beginnings Community Development & Empowerment Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The New Beginnings Community Development computer lab project, located in Prince George's County, subject to a requirement that the grantee provide and expend a matching fund of \$5,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Prince George's County).....~~ 15,000

~~(BM) Chesapeake Bay Maritime Museum. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Governors of the Chesapeake Bay Maritime Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Bay Maritime Museum, located in Talbot County (Talbot County).....~~ 50,000

~~(BN) Cushman Basin Area. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the National Park Service, U.S. Department of the Interior for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of improvements in the~~

- ~~*Cushwa Basin around the C&O Canal in Williamsport, including site improvements to parking lots and a boat dock, a rail trail, and open space, located in Washington County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Washington County).....*~~ 50,000
- ~~*(BO) Maryland Theatre. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Maryland Theatre Association, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Theatre, located in Washington County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Washington County).....*~~ 125,000
- ~~*(BP) Tri-County Council Multi-Purpose Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Tri-County Council for the Lower Eastern Shore of Maryland for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Tri-County Council Multi-Purpose Center, located in Wicomico County (Wicomico County).....*~~ 50,000
- ~~*(BQ) Delmarva Discovery Center and Museum. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Pocomoke for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Delmarva Discovery Center and Museum, located in Worcester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Worcester County).....*~~ 75,000
- ~~DE02.02~~ PUBLIC SCHOOL CONSTRUCTION
(Regional)
- ~~*(A) Capital Grant Program for Local School Systems with Significant Enrollment Growth or Relocatable Classrooms. Provide funds to construct public school buildings and public school capital improvements in accordance with the provisions established in HB 923 or SB 490, provided that this appropriation is contingent on the enactment of HB 923 or SB 490 establishing the Capital Grant Program for Local School Systems with Significant Enrollment Growth or Relocatable Classrooms.....*~~ 20,000,000

~~(2) The Comptroller shall make any transfers or accounting adjustments and reconciliations necessary to implement the provisions of this Section.~~

SECTION 15. AND BE IT FURTHER ENACTED, That:

(1) Notwithstanding §§ 8-125(e) and 8-132 of the State Finance and Procurement Article, \$48,393,337 in premiums from the sale of State bonds in fiscal years 2015 and 2016 shall remain in the State and Local Facilities Loan Fund or Annuity Bond Fund and, on approval by the Board of Public Works, may be expended by the Comptroller only for the following purposes:

DEPARTMENT OF NATURAL RESOURCES

KA05 CAPITAL GRANTS AND LOANS ADMINISTRATION
(Statewide)

(A) Program Open Space. Provide funds for the purchase of conservation easements and acquisition of land, and to make grants to local jurisdictions for the purchase of conservation easements and acquisitions of land, and development of recreational facilities. Funds appropriated for local grants shall be administered in accordance with §§ 5-905 and 5-906 of the Natural Resources Article 21,978,337

(1) Program Open Space – Stateside – Land Acquisition..... 21,602,750

(2) Program Open Space – Local – Acquisition and Development Projects 375,587

(B) Rural Legacy Program. Provide funds for the purchase of conservation easements and the acquisition of land. The funds appropriated for this purpose shall be administered in accordance with §§ 5-9A-01 through 5-9A-09 of the Natural Resources Article 9,370,500

DEPARTMENT OF AGRICULTURE

LA11 OFFICE OF THE SECRETARY
(Statewide)

(A) Maryland Agricultural Land Preservation Program. Provide funds for the acquisition of conservation easements in agricultural land. The funds appropriated for this purpose shall

be administered in accordance with §§ 2-501 through 2-519 of the Agriculture Article 17,044,500

(2) The Comptroller shall make any transfers or accounting adjustments and reconciliations necessary to implement the provisions of this Section.

SECTION ~~15~~ 16. AND BE IT FURTHER ENACTED, That the net new debt to be authorized by legislation in fiscal year 2016 may not exceed ~~\$1,059,571,867~~ ~~\$1,045,000,000~~ ~~\$1,041,787,087~~ \$1,045,000,000 as evidenced by the following:

FY 2016 debt to be authorized by this Act	1,068,545,000 1,063,670,134 1,060,457,221 <u>1,063,670,134</u>
Subtotal	1,068,545,000 1,063,670,134 1,060,457,221 <u>1,063,670,134</u>
Reductions in previously authorized State Debt made in this bill	8,973,133 <u>18,670,134</u>
Net new debt to be authorized in FY 2016	1,059,571,867 1,045,000,000 1,041,787,087 <u>1,045,000,000</u>

SECTION ~~16~~ 17. AND BE IT FURTHER ENACTED, That Section 12 of this Act shall take effect June 1, 2016.

SECTION ~~17~~ 18. AND BE IT FURTHER ENACTED, That Section 13 of this Act shall take effect June 1, 2017.

SECTION ~~18~~ 19. AND BE IT FURTHER ENACTED, That Section 14 of this Act shall take effect June 1, 2018.

SECTION ~~19~~ 20. AND BE IT FURTHER ENACTED, That, except as provided in Sections ~~16, 17, and 18~~ 17, 18, and 19 of this Act, this Act shall take effect June 1, 2015.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 31, 2015.

This bill was passed during the 2015 Regular Session of the General Assembly and was enacted under Article II, § 17(c) of the Maryland Constitution without the Governor’s signature on May 31, 2015, as Chapter 495 of the Acts of 2015. Utilizing the power contained in Article II, § 17(e) of the Maryland Constitution, to disapprove any item in a bill making

appropriations of money embracing distinct items, the Governor on May 31, 2015, expressly disapproved and vetoed one item in the bill. That item, ZA00(I), was for a \$2,000,000 grant to the Board of Directors of Maryland Hall for the Creative Arts, Inc., to assist in funding the design, construction, and equipping of renovations to its facility to improve Maryland Hall for the Creative Arts gallery and theater spaces (Anne Arundel County). Under Article II, § 17(d) of the Maryland Constitution, which requires that bills vetoed after adjournment of the Legislature must be returned by the Governor to the next regular or special session of the General Assembly, the vetoed item was returned at the 2016 Regular Session. The item was repassed over the objection of the Governor in the House of Delegates on January 20, 2016, and in the Senate of Maryland on January 21, 2016. Under the provisions of the Maryland Constitution the item becomes effective on February 20, 2016. The entire bill is reprinted in the Session Laws of 2016 as Chapter 2 of the Acts of 2016.

Chapter 3

(Senate Bill 190 of the 2015 Regular Session)

AN ACT concerning

Sales and Use Tax – Taxable Price – Accommodations

FOR the purpose of clarifying the definition of “taxable price” for the State sales and use tax as it applies to the sale or use of an accommodation facilitated by an accommodations intermediary; altering the definition of “vendor” under the State sales and use tax to include an accommodations intermediary; defining certain terms; making a conforming change; and generally relating to clarifying the taxable price for an accommodation under the State sales and use tax.

BY repealing and reenacting, without amendments,
 Article – Tax – General
 Section 11–101(a) and (l)(1)
 Annotated Code of Maryland
 (2010 Replacement Volume and 2014 Supplement)

BY adding to
 Article – Tax – General
 Section 11–101(a–1), (a–2), (a–3), ~~(a–4)~~, and (l)(5) and (6)
 Annotated Code of Maryland
 (2010 Replacement Volume and 2014 Supplement)

BY repealing and reenacting, with amendments,
 Article – Tax – General
 Section 11–101(k)(1) and (o)(1)
 Annotated Code of Maryland
 (2010 Replacement Volume and 2014 Supplement)

Preamble

WHEREAS, The clear intent of the State's existing sales and use tax law is to impose the tax on all consideration paid by transient guests in furtherance of the rental of sleeping accommodations; and

WHEREAS, The purpose of this Act is to affirm that intent by clarifying the scope of certain terms used in the sales and use tax law, thereby facilitating the full and proper collection of the tax as originally intended; now, therefore,

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

Article – Tax – General

11–101.

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

(A–1) “ACCOMMODATION” MEANS A RIGHT TO OCCUPY A ROOM OR LODGINGS AS A TRANSIENT GUEST.

~~**(A–2) (1) “ACCOMMODATION FEE” MEANS A FEE CHARGED BY AN ACCOMMODATIONS INTERMEDIARY TO A BUYER OF AN ACCOMMODATION FOR FACILITATING THE SALE OR USE OF THE ACCOMMODATION.**~~

~~**(2) “ACCOMMODATION FEE” DOES NOT INCLUDE A COMMISSION PAID BY AN ACCOMMODATIONS PROVIDER TO A PERSON AFTER FACILITATING THE SALE OR USE OF AN ACCOMMODATION.**~~

~~**(A–3)**~~ **(A–2) (1) “ACCOMMODATIONS INTERMEDIARY” MEANS A PERSON, OTHER THAN AN ACCOMMODATIONS PROVIDER, WHO FACILITATES THE SALE OR USE OF AN ACCOMMODATION AND CHARGES A BUYER THE TAXABLE PRICE FOR THE ACCOMMODATION.**

(2) FOR PURPOSES OF THIS SUBSECTION, A PERSON SHALL BE CONSIDERED TO FACILITATE THE SALE OR USE OF AN ACCOMMODATION IF THE PERSON BROKERS, COORDINATES, OR IN ANY OTHER WAY ARRANGES FOR THE SALE OR USE OF AN ACCOMMODATION BY A BUYER.

~~**(A–4)**~~ **(A–3) “ACCOMMODATIONS PROVIDER” MEANS A PERSON THAT OWNS, OPERATES, OR MANAGES AN ACCOMMODATION AND MAKES THE ACCOMMODATION AVAILABLE FOR SALE OR USE TO A BUYER.**

(k) (1) “Tangible personal property” means:

(i) corporeal personal property of any nature; or

(ii) [a right to occupy a room or lodgings as a transient guest] **AN ACCOMMODATION.**

(l) (1) “Taxable price” means the value, in money, of the consideration of any kind that is paid, delivered, payable, or deliverable by a buyer to a vendor in the consummation and complete performance of a sale without deduction for any expense or cost, including the cost of:

(i) any labor or service rendered;

(ii) any material used; or

(iii) any property sold.

(5) “TAXABLE PRICE” INCLUDES, FOR THE SALE OR USE OF AN ACCOMMODATION FACILITATED BY AN ACCOMMODATIONS INTERMEDIARY, THE FULL AMOUNT OF THE CONSIDERATION PAID BY A BUYER FOR THE SALE OR USE OF AN ACCOMMODATION, ~~INCLUDING ANY ACCOMMODATION FEE~~, BUT NOT INCLUDING ANY TAX THAT IS REMITTED TO A TAXING AUTHORITY.

(6) “TAXABLE PRICE” DOES NOT INCLUDE, FOR THE SALE OR USE OF AN ACCOMMODATION FACILITATED BY AN ACCOMMODATIONS INTERMEDIARY, A COMMISSION PAID BY AN ACCOMMODATIONS PROVIDER TO A PERSON AFTER FACILITATING THE SALE OR USE OF AN ACCOMMODATION.

(o) (1) “Vendor” means a person who:

(i) engages in the business of an out-of-state vendor, as defined in § 11-701 of this title;

(ii) engages in the business of a retail vendor, as defined in § 11-701 of this title; [or]

(iii) holds a special license issued under § 11-707 of this title; **OR**

(IV) IS AN ACCOMMODATIONS INTERMEDIARY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2015.

Gubernatorial Veto Override, January 21, 2016.

Chapter 4

(Senate Bill 517 of the 2015 Regular Session)

AN ACT concerning

Criminal Law – Use and Possession of Marijuana and Drug Paraphernalia

FOR the purpose of ~~repealing a certain criminal prohibition on the use or possession of marijuana; establishing that certain civil penalties apply to the use or possession of any quantity of marijuana; establishing a civil penalty for the smoking of marijuana in a public place; requiring a court to dismiss a certain use or possession of marijuana charge if the court finds that the person used or possessed marijuana because of a certain medical necessity; providing that the provisions of this Act may not be construed to authorize certain activities; establishing that certain procedures regarding the issuance of a citation for the use or possession of marijuana apply to all amounts and not just certain amounts of marijuana; establishing that a certain criminal prohibition on the use or possession of drug paraphernalia does not apply to the use or possession of drug paraphernalia involving the use or possession of marijuana; repealing a certain affirmative defense regarding a certain medical necessity as it relates to a certain offense prohibiting the use and possession of drug paraphernalia; prohibiting the use of marijuana in a vehicle while on a highway; providing for certain penalties for a violation of this Act; providing for the application of certain provisions of this Act;~~ and generally relating to the use and possession of marijuana and drug paraphernalia.

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section ~~5-601, 5-601.1, 5-601(c)(1)~~ and 5-619

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

~~BY adding to~~

~~Article – Transportation~~

~~Section 21-903.1 and 27-116~~

~~Annotated Code of Maryland~~

~~(2012 Replacement Volume and 2014 Supplement)~~

BY adding to

Article – Criminal Law

Section 5-601(c)(4)

Annotated Code of Maryland

(2012 Replacement Volume and 2014 Supplement)

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

Article – Criminal Law

5–601.

(a) ~~Except as otherwise provided in this title, a person may not:~~

~~(1) possess or administer to another a controlled dangerous substance, unless obtained directly or by prescription or order from an authorized provider acting in the course of professional practice; or~~

~~(2) obtain or attempt to obtain a controlled dangerous substance, or procure or attempt to procure the administration of a controlled dangerous substance by:~~

~~(i) fraud, deceit, misrepresentation, or subterfuge;~~

~~(ii) the counterfeiting or alteration of a prescription or a written order;~~

~~(iii) the concealment of a material fact;~~

~~(iv) the use of a false name or address;~~

~~(v) falsely assuming the title of or representing to be a manufacturer, distributor, or authorized provider; or~~

~~(vi) making, issuing, or presenting a false or counterfeit prescription or written order.~~

~~(b) Information that is communicated to a physician in an effort to obtain a controlled dangerous substance in violation of this section is not a privileged communication.~~

(c) (1) Except as provided in paragraphs (2) ~~and (3), (3), AND (4)~~ of this subsection, a person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 4 years or a fine not exceeding \$25,000 or both.

~~(2) (i) Except as provided in subparagraph [(ii)] (III) of this paragraph, a [person whose] violation of this section [involves] INVOLVING the use or possession of marijuana is A CIVIL OFFENSE subject to [imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or both.];~~

~~[(ii)] 1. [A] FOR A first violation, [of this section involving the use or possession of less than 10 grams of marijuana is a civil offense punishable by] a fine not exceeding \$100[.];~~

~~2. [A] FOR A second violation, [of this section involving the use or possession of less than 10 grams of marijuana is a civil offense punishable by] a fine not exceeding \$250[.]; AND~~

~~3. [A] FOR A third or subsequent violation, [of this section involving the use or possession of less than 10 grams of marijuana is a civil offense punishable by] a fine not exceeding \$500.~~

~~[4. A.] (H) 1. In addition to a fine, a court shall order a person under the age of 21 years who commits a violation punishable under [subsubparagraph 1, 2, or 3 of this] subparagraph (I) OF THIS PARAGRAPH to attend a drug education program approved by the Department of Health and Mental Hygiene, refer the person to an assessment for substance abuse disorder, and refer the person to substance abuse treatment, if necessary.~~

~~[B.] 2. In addition to a fine, a court shall order a person at least 21 years old who commits a violation punishable under [subsubparagraph 3 of this] subparagraph (I) OF THIS PARAGRAPH to attend a drug education program approved by the Department of Health and Mental Hygiene, refer the person to an assessment for substance abuse disorder, and refer the person to substance abuse treatment, if necessary.~~

~~(H) (4) A VIOLATION OF THIS SECTION INVOLVING THE SMOKING OF MARIJUANA IN A PUBLIC PLACE IS A CIVIL OFFENSE PUNISHABLE BY A FINE NOT EXCEEDING \$1,000 \$500 .~~

~~(3) (i) 1. In this paragraph the following words have the meanings indicated.~~

~~2. “Bona fide physician-patient relationship” means a relationship in which the physician has ongoing responsibility for the assessment, care, and treatment of a patient’s medical condition.~~

~~3. “Caregiver” means an individual designated by a patient with a debilitating medical condition to provide physical or medical assistance to the patient, including assisting with the medical use of marijuana, who:~~

~~A. is a resident of the State;~~

~~B. is at least 21 years old;~~

~~C. is an immediate family member, a spouse, or a domestic partner of the patient;~~

~~D. has not been convicted of a crime of violence as defined in § 14-101 of this article;~~

~~E. has not been convicted of a violation of a State or federal controlled dangerous substances law;~~

~~F. has not been convicted of a crime of moral turpitude;~~

~~G. has been designated as caregiver by the patient in writing that has been placed in the patient's medical record prior to arrest;~~

~~H. is the only individual designated by the patient to serve as caregiver; and~~

~~I. is not serving as caregiver for any other patient.~~

~~4. "Debilitating medical condition" means a chronic or debilitating disease or medical condition or the treatment of a chronic or debilitating disease or medical condition that produces one or more of the following, as documented by a physician with whom the patient has a bona fide physician-patient relationship:~~

~~A. cachexia or wasting syndrome;~~

~~B. severe or chronic pain;~~

~~C. severe nausea;~~

~~D. seizures;~~

~~E. severe and persistent muscle spasms; or~~

~~F. any other condition that is severe and resistant to conventional medicine.~~

~~(ii) 1. In a prosecution for the use or possession of marijuana, the defendant may introduce and the court shall consider as a mitigating factor any evidence of medical necessity.~~

~~2. Notwithstanding paragraph (2) of this subsection, if the court finds that the person used or possessed marijuana because of medical necessity, [on conviction of a violation of this section, the maximum penalty that the court may impose on the person is a fine not exceeding \$100] THE COURT SHALL DISMISS THE CHARGE.~~

~~(iii) 1. In a prosecution for the use or possession of marijuana under this section, it is an affirmative defense that the defendant used or possessed marijuana because:~~

~~A. the defendant has a debilitating medical condition that has been diagnosed by a physician with whom the defendant has a bona fide physician-patient relationship;~~

~~B. the debilitating medical condition is severe and resistant to conventional medicine; and~~

~~C. marijuana is likely to provide the defendant with therapeutic or palliative relief from the debilitating medical condition.~~

~~2. A. In a prosecution for the possession of marijuana under this section, it is an affirmative defense that the defendant possessed marijuana because the marijuana was intended for medical use by an individual with a debilitating medical condition for whom the defendant is a caregiver.~~

~~B. A defendant may not assert the affirmative defense under this subsubparagraph unless the defendant notifies the State's Attorney of the defendant's intention to assert the affirmative defense and provides the State's Attorney with all documentation in support of the affirmative defense in accordance with the rules of discovery provided in Maryland Rules 4-262 and 4-263.~~

~~3. An affirmative defense under this subparagraph may not be used if the defendant was:~~

~~A. using marijuana in a public place or assisting the individual for whom the defendant is a caregiver in using the marijuana in a public place; or~~

~~B. in possession of more than 1 ounce of marijuana.~~

~~(d) The provisions of subsection [(c)(2)(ii)] **(C)(2)(I)** of this section making the possession of marijuana a civil offense may not be construed to:~~

~~(1) affect the laws relating to:~~

~~[(1)] (I) operating a vehicle or vessel while under the influence of or while impaired by a controlled dangerous substance; or~~

~~[(2)] (II) **SEARCH, seizure and forfeiture OF A VEHICLE, VESSEL, OR REAL PROPERTY; OR**~~

~~(2) **AUTHORIZE A PERSON TO ENGAGE IN:**~~

~~(I) **SMOKING MARIJUANA IN ANY PUBLIC PLACE;**~~

~~(II) **SMOKING MARIJUANA IN A MOTOR VEHICLE; OR**~~

~~(III) UNDERTAKING ANY TASK UNDER THE INFLUENCE OF MARIJUANA, WHEN DOING SO WOULD CONSTITUTE NEGLIGENCE OR PROFESSIONAL MALPRACTICE.~~

~~5-601.1.~~

~~(a) A police officer shall issue a citation to a person who the police officer has probable cause to believe has committed a violation of § 5-601 of this part involving the use or possession of [less than 10 grams of] marijuana.~~

~~(b) (1) A violation of § 5-601 of this part involving the use or possession of [less than 10 grams of] marijuana is a civil offense.~~

~~(2) Adjudication of a violation under § 5-601 of this part involving the use or possession of [less than 10 grams of] marijuana:~~

~~(i) is not a criminal conviction for any purpose; and~~

~~(ii) does not impose any of the civil disabilities that may result from a criminal conviction.~~

~~(c) (1) A citation issued for a violation of § 5-601 of this part involving the use or possession of [less than 10 grams of] marijuana shall be signed by the police officer who issues the citation and shall contain:~~

~~(i) the name and address of the person charged;~~

~~(ii) the date and time that the violation occurred;~~

~~(iii) the location at which the violation occurred;~~

~~(iv) the fine that may be imposed;~~

~~(v) a notice stating that prepayment of the fine is allowed, except as provided in paragraph (2) of this subsection; and~~

~~(vi) a notice in boldface type that states that the person shall:~~

~~1. pay the full amount of the preset fine; or~~

~~2. request a trial date at the date, time, and place established by the District Court by writ or trial notice.~~

~~(2) (i) If a citation for a violation of § 5-601 of this part involving the use or possession of [less than 10 grams of] marijuana is issued to a person under the age of 21 years, the court shall summon the person for trial.~~

~~(ii) If the court finds that a person at least 21 years old has committed a third or subsequent violation of § 5-601 of this part involving the use or possession of [less than 10 grams of] marijuana, the court shall summon the person for trial.~~

~~(d) The form of the citation shall be uniform throughout the State and shall be prescribed by the District Court.~~

~~(e) The Chief Judge of the District Court shall establish a schedule for the prepayment of the fine.~~

~~(f) A person issued a citation for a violation of § 5-601 of this part involving the use or possession of [less than 10 grams of] marijuana who is under the age of 18 years shall be subject to the procedures and dispositions provided in Title 3, Subtitle 8A of the Courts Article.~~

~~(g) A citation for a violation of § 5-601 of this part involving the use or possession of [less than 10 grams of] marijuana and the official record of a court regarding the citation are not subject to public inspection and may not be included on the public Web site maintained by the Maryland Judiciary.~~

5-619.

(a) To determine whether an object is drug paraphernalia, a court shall consider, among other logically relevant factors:

(1) any statement by an owner or a person in control of the object concerning its use;

(2) any prior conviction of an owner or a person in control of the object under a State or federal law relating to a controlled dangerous substance;

(3) the proximity of the object, in time and space, to a direct violation of this section or to a controlled dangerous substance;

(4) a residue of a controlled dangerous substance on the object;

(5) direct or circumstantial evidence of the intent of an owner or a person in control of the object to deliver it to another who, the owner or the person knows or should reasonably know, intends to use the object to facilitate a violation of this section;

(6) any instructions, oral or written, provided with the object concerning its use;

(7) any descriptive materials accompanying the object that explain or depict its use;

(8) national and local advertising concerning use of the object;

(9) the manner in which the object is displayed for sale;

(10) whether the owner or a person in control of the object is a licensed distributor or dealer of tobacco products or other legitimate supplier of related items to the community;

(11) direct or circumstantial evidence of the ratio of sales of the object to the total sales of the business enterprise;

(12) the existence and scope of legitimate uses for the object in the community; and

(13) expert testimony concerning use of the object.

(b) The innocence of an owner or a person in control of the object as to a direct violation of this section does not prevent a finding that the object is intended for use or designed for use as drug paraphernalia.

(c) (1) **THIS SUBSECTION DOES NOT APPLY TO THE USE OR POSSESSION OF DRUG PARAPHERNALIA INVOLVING THE USE OR POSSESSION OF MARIJUANA.**

(2) Unless authorized under this title, a person may not use or possess with intent to use drug paraphernalia to:

(i) plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled dangerous substance; or

(ii) inject, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance.

[(2)] (3) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to:

(i) for a first violation, a fine not exceeding \$500; and

(ii) for each subsequent violation, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both.

[(3)] (4) A person who is convicted of violating this subsection for the first time and who previously has been convicted of violating subsection (d)(4) of this section is subject to the penalty specified under paragraph [(2)(ii)] (3)(II) of this subsection.

[(4) (i) 1. In this paragraph the following words have the meanings indicated.

2. “Bona fide physician–patient relationship” means a relationship in which the physician has ongoing responsibility for the assessment, care, and treatment of a patient’s medical condition.

3. “Caregiver” means an individual designated by a patient with a debilitating medical condition to provide physical or medical assistance to the patient, including assisting with the medical use of marijuana, who:

- A. is a resident of the State;
- B. is at least 21 years old;
- C. is an immediate family member, a spouse, or a domestic partner of the patient;
- D. has not been convicted of a crime of violence as defined in § 14–101 of this article;
- E. has not been convicted of a violation of a State or federal controlled dangerous substances law;
- F. has not been convicted of a crime of moral turpitude;
- G. has been designated as caregiver by the patient in writing that has been placed in the patient’s medical record prior to arrest;
- H. is the only individual designated by the patient to serve as caregiver; and
- I. is not serving as caregiver for any other patient.

4. “Debilitating medical condition” means a chronic or debilitating disease or medical condition or the treatment of a chronic or debilitating disease or medical condition that produces one or more of the following, as documented by a physician with whom the patient has a bona fide physician–patient relationship:

- A. cachexia or wasting syndrome;
- B. severe or chronic pain;
- C. severe nausea;
- D. seizures;

E. severe and persistent muscle spasms; or

F. any other condition that is severe and resistant to conventional medicine.

(ii) 1. In a prosecution under this subsection involving drug paraphernalia related to marijuana, the defendant may introduce and the court shall consider as a mitigating factor any evidence of medical necessity.

2. Notwithstanding paragraph (2) of this subsection, if the court finds that the person used or possessed drug paraphernalia related to marijuana because of medical necessity, on conviction of a violation of this subsection, the maximum penalty that the court may impose on the person is a fine not exceeding \$100.

(iii) 1. In a prosecution under this subsection involving drug paraphernalia related to marijuana, it is an affirmative defense that the defendant used or possessed drug paraphernalia related to marijuana because:

A. the defendant has a debilitating medical condition that has been diagnosed by a physician with whom the defendant has a bona fide physician–patient relationship;

B. the debilitating medical condition is severe and resistant to conventional medicine; and

C. marijuana is likely to provide the defendant with therapeutic or palliative relief from the debilitating medical condition.

2. A. In a prosecution under this subsection involving drug paraphernalia related to marijuana, it is an affirmative defense that the defendant possessed drug paraphernalia related to marijuana because the drug paraphernalia related to marijuana was intended for medical use by an individual with a debilitating medical condition for whom the defendant is a caregiver.

B. A defendant may not assert the affirmative defense under this subparagraph unless the defendant notifies the State’s Attorney of the defendant’s intention to assert the affirmative defense and provides the State’s Attorney with all documentation in support of the affirmative defense in accordance with the rules of discovery provided in Maryland Rules 4–262 and 4–263.

3. An affirmative defense under this subparagraph may not be used if the defendant was:

A. using marijuana in a public place or assisting the individual for whom the defendant is a caregiver in using the marijuana in a public place;
or

B. in possession of more than 1 ounce of marijuana.]

(d) (1) Unless authorized under this title, a person may not deliver or sell, or manufacture or possess with intent to deliver or sell, drug paraphernalia, knowing, or under circumstances where one reasonably should know, that the drug paraphernalia will be used to:

(i) plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled dangerous substance; or

(ii) inject, ingest, inhale, or otherwise introduce into the human body a controlled dangerous substance.

(2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to:

(i) for a first violation, a fine not exceeding \$500; and

(ii) for each subsequent violation, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both.

(3) A person who is convicted of violating this subsection for the first time and who previously has been convicted of violating paragraph (4) of this subsection is subject to imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both.

(4) If a person who is at least 18 years old violates paragraph (1) of this subsection by delivering drug paraphernalia to a minor who is at least 3 years younger than the person, the person is guilty of a separate misdemeanor and on conviction is subject to imprisonment not exceeding 8 years or a fine not exceeding \$15,000 or both.

(e) (1) A person may not advertise in a newspaper, magazine, handbill, poster, sign, mailing, or other writing or publication, or by sound truck, knowing, or under circumstances where one reasonably should know, that the purpose of the advertisement, wholly or partly, is to promote the sale or delivery of drug paraphernalia.

(2) A person who violates this subsection is guilty of a misdemeanor and on conviction is subject to:

(i) for a first violation, a fine not exceeding \$500; and

(ii) for each subsequent violation, imprisonment not exceeding 2 years or a fine not exceeding \$2,000 or both.

~~Article – Transportation~~

~~(A) THIS SECTION APPLIES TO A MOTOR VEHICLE THAT IS DRIVEN, STOPPED, STANDING, OR OTHERWISE LOCATED ON A HIGHWAY.~~

~~(B) A PERSON MAY NOT USE MARIJUANA IN A MOTOR VEHICLE ON A HIGHWAY.~~

~~(C) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE PROHIBITION CONTAINED IN THIS SECTION APPLIES THROUGHOUT THE STATE.~~

~~27-116.~~

~~ANY PERSON CONVICTED OF A VIOLATION OF § 21-903.1 OF THIS ARTICLE IS SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$1,000.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Gubernatorial Veto Override, January 21, 2016.

Chapter 5

(Senate Bill 528 of the 2015 Regular Session)

AN ACT concerning

Criminal Procedure – Seizure and Forfeiture

FOR the purpose of establishing a certain minimum amount of money that is subject to forfeiture in connection with a controlled dangerous substance violation *under certain circumstances*; repealing a certain presumption that certain money or weapons are forfeitable; altering a certain provision of law so as to provide that certain property may not be forfeited unless the State establishes by a preponderance of the evidence that a violation of a certain law was committed with the property owner's actual knowledge, rather than that the property may not be forfeited if the owner establishes by a preponderance of the evidence that the violation of law was committed without the owner's actual knowledge; *requiring a certain seizing authority to send certain information to the owner of certain property at a certain time*; prohibiting a certain seizing authority or prosecuting authority from directly or indirectly transferring seized property to a federal law enforcement authority or agency, with a certain ~~exception~~ *exceptions*; ~~providing that if the owner of seized property is not charged with a violation of a certain law in connection with the seizure of the property within a certain amount of time, the property shall be immediately returned to the owner~~; repealing a certain rebuttable presumption that

~~certain property is subject to forfeiture as proceeds; requiring a certain law enforcement agency to report, on an annual basis, certain information about each individual seizure and forfeiture completed by the agency under State or federal forfeiture law; authorizing the Maryland Statistical Analysis Center (MSAC) to require a law enforcement agency to provide relevant information not specified in this Act; requiring a certain law enforcement agency to file a certain report for the agency and the corresponding prosecutor's office with MSAC; requiring MSAC to develop a certain form, a process, and deadlines for certain data entry; requiring MSAC to compile certain submissions and issue a certain report; requiring MSAC to make certain reports available in a certain manner; requiring the Governor's Office of Crime Control and Prevention (GOCCP) to submit a certain report to the Governor, the General Assembly, and each law enforcement agency before a certain date each year; authorizing GOCCP to include in a certain report certain recommendations; requiring GOCCP to report information on law enforcement agencies not in compliance with this Act to the Police Training Commission; requiring the Police Training Commission to contact a certain law enforcement agency and request certain compliance; requiring GOCCP and the Police Training Commission to report certain noncompliance to the Governor and the Legislative Policy Committee of the General Assembly under certain circumstances; authorizing MSAC to recoup certain costs in a certain manner; authorizing a certain law enforcement agency to use forfeiture proceeds to pay the cost of compiling and reporting information required under this Act; defining certain terms; and generally relating to seizure and forfeiture.~~

BY repealing and reenacting, with amendments,
 Article – Criminal Procedure
 Section 12-102, 12-103(a), ~~12-301~~, and 12-312
 Annotated Code of Maryland
 (2008 Replacement Volume and 2014 Supplement)

BY adding to
 Article – Criminal Procedure
~~Section 12-211; and 13-601 to be under the new subtitle “Subtitle 6. Reporting”~~
Section 12-104 and 12-212
 Annotated Code of Maryland
 (2008 Replacement Volume and 2014 Supplement)

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

Article – Criminal Procedure

12-102.

(a) The following are subject to forfeiture:

(1) controlled dangerous substances manufactured, distributed, dispensed, acquired, or possessed in violation of the Controlled Dangerous Substances law;

(2) raw materials, products, and equipment used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting a controlled dangerous substance in violation of the Controlled Dangerous Substances law;

(3) property used or intended for use as a container for property described in item (1) or (2) of this subsection;

(4) except as provided in § 12–103 of this subtitle, conveyances, including aircraft, vehicles, or vessels used or intended to be used to transport, or facilitate the transportation, sale, receipt, possession, or concealment of property described in item (1) or (2) of this subsection;

(5) books, records, and research, including formulas, microfilm, tapes, and data used or intended for use in violation of the Controlled Dangerous Substances law;

(6) subject to subsection (b) of this section, money **OF MORE THAN \$300** or weapons used or intended to be used in connection with the unlawful manufacture, distribution, dispensing, or possession of a controlled dangerous substance or controlled paraphernalia;

(7) SUBJECT TO SUBSECTION (B) OF THIS SECTION, ANY AMOUNT OF MONEY THAT IS DIRECTLY CONNECTED TO THE UNLAWFUL DISTRIBUTION OF A CONTROLLED DANGEROUS SUBSTANCE;

(8) drug paraphernalia under § 5–619 of the Criminal Law Article;

~~(8)~~ **(9)** controlled paraphernalia under § 5–620 of the Criminal Law Article;

~~(9)~~ **(10)** except as provided in § 12–103 of this subtitle, the remaining balance of the proceeds of a sale by a holder of an installment sale agreement under § 12–626 of the Commercial Law Article of goods seized under this subtitle;

~~(10)~~ **(11)** except as provided in § 12–103 of this subtitle, real property; and

~~(11)~~ **(12)** everything of value furnished, or intended to be furnished, in exchange for a controlled dangerous substance in violation of the Controlled Dangerous Substances law, all proceeds traceable to the exchange, and all negotiable instruments and securities used, or intended to be used, to facilitate any violation of the Controlled Dangerous Substances law.

(b) (1) **(i)** Money or weapons that are found in close proximity to a contraband controlled dangerous substance, controlled paraphernalia, or forfeitable

records of the importation, manufacture, or distribution of controlled dangerous substances are contraband and presumed to be forfeitable.

(ii) A claimant of money or weapons has the burden to rebut the presumption.

(2)] All rights in, title to, and interest in the money or weapons immediately shall vest in:

(i) the State, if the seizing authority was a State unit;

(ii) the county in which the money or weapons were seized, if the seizing authority was a county law enforcement unit, including a sheriff's office; or

(iii) the municipal corporation in which the money or weapons were seized, if the seizing authority was a law enforcement unit of a municipal corporation.

[(3)] (2) The money or weapons may be returned to the claimant only as this title provides.

12-103.

(a) Property or an interest in property described in ~~§ 12-102(a)(4), (10), and (11)~~ **§ 12-102(A)(4), (11), AND (12)** of this subtitle may not be forfeited [if the owner] **UNLESS THE STATE** establishes by a preponderance of the evidence that the violation of the Controlled Dangerous Substances law was committed [without] **WITH** the owner's actual knowledge.

12-104.

(A) WITHIN 30 DAYS AFTER THE SEIZURE OF PROPERTY BY A SEIZING AUTHORITY, THE SEIZING AUTHORITY SHALL SEND BY FIRST-CLASS MAIL WRITTEN INFORMATION TO THE OWNER OF THE SEIZED PROPERTY, IF KNOWN, PROVIDING:

(1) THE LOCATION AND DESCRIPTION OF THE SEIZED PROPERTY; AND

(2) THE NAME AND CONTACT INFORMATION OF AN INDIVIDUAL OR OFFICE WITHIN THE SEIZING AUTHORITY THAT CAN PROVIDE FURTHER INFORMATION CONCERNING THE SEIZED PROPERTY, INCLUDING INFORMATION ON HOW THE PROPERTY MAY BE RETURNED TO THE OWNER.

(B) THE WRITTEN INFORMATION REQUIRED UNDER THIS SECTION SHALL STATE: "SEIZURE AND FORFEITURE OF PROPERTY IS A LEGAL MATTER. NOTHING IN THIS DOCUMENT MAY BE CONSTRUED AS LEGAL ADVICE. YOU MAY WISH TO CONSULT AN ATTORNEY CONCERNING THIS MATTER."

~~12-211. 12-212.~~

A SEIZING AUTHORITY OR PROSECUTING AUTHORITY MAY NOT DIRECTLY OR INDIRECTLY TRANSFER SEIZED PROPERTY TO A FEDERAL LAW ENFORCEMENT AUTHORITY OR AGENCY UNLESS ~~THE CASE:~~

(1) A CRIMINAL CASE RELATED TO THE SEIZURE IS PROSECUTED IN THE FEDERAL COURT SYSTEM UNDER FEDERAL LAW; OR

(2) THE OWNER OF THE PROPERTY CONSENTS TO THE FORFEITURE.

~~12-301.~~

~~(A) Except as provided in § 12-304(c) of this subtitle, if property is seized under § 12-202(a)(2)(iv) and (v) of this title because there is probable cause to believe that the property is directly or indirectly dangerous to health or safety and that the property was or will be used to violate this title, forfeiture proceedings under this subtitle shall be filed promptly.~~

~~(B) IF THE OWNER OF SEIZED PROPERTY IS NOT CHARGED WITH A VIOLATION OF THE CONTROLLED DANGEROUS SUBSTANCES LAW IN CONNECTION WITH THE SEIZURE OF THE PROPERTY WITHIN 90 180 DAYS, THE PROPERTY SHALL BE IMMEDIATELY RETURNED TO THE OWNER.~~

12-312.

(a) [(1)] Except as provided in subsection (b) of this section, [there is a rebuttable presumption that] property or part of a property in which a person has an ownership interest is subject to forfeiture as proceeds, if the State establishes by clear and convincing evidence that:

[(i)] (1) the person has violated §§ 5-602 through 5-609, §§ 5-612 through 5-614, § 5-617, § 5-618, or § 5-628 of the Criminal Law Article or has attempted or conspired to violate Title 5 of the Criminal Law Article;

[(ii)] (2) the property was acquired by the person during the violation or within a reasonable time after the violation; and

[(iii)] (3) there was no other likely source for the property.

[(2) A claimant of the property has the burden of proof to rebut the presumption in paragraph (1) of this subsection.]

(b) Real property used as the principal family residence may not be forfeited under this section unless:

- (1) an owner of the real property was convicted of a crime described under subsection (a)(1) of this section; or
- (2) the real property is covered by § 12–103(d)(2) of this title.

~~**SUBTITLE 6. REPORTING.**~~

~~**13–601.**~~

~~(A) (1) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.~~

~~(2) “GOCCP” MEANS THE GOVERNOR’S OFFICE OF CRIME CONTROL AND PREVENTION.~~

~~(3) “LAW ENFORCEMENT AGENCY” MEANS A POLICE FORCE, A MULTIJURISDICTIONAL TASK FORCE, A FIRE DEPARTMENT, OR ANY OTHER LOCAL, COUNTY, OR STATE AGENCY THAT HAS THE AUTHORITY UNDER STATE LAW OR OPERATES IN COOPERATION WITH A FEDERAL AGENCY UNDER FEDERAL LAW TO ENGAGE IN SEIZURE AND FORFEITURE.~~

~~(4) “MSAC” MEANS THE MARYLAND STATISTICAL ANALYSIS CENTER OF GOCCP.~~

~~(B) ON AN ANNUAL BASIS, EACH LAW ENFORCEMENT AGENCY SHALL REPORT THE FOLLOWING INFORMATION ABOUT EACH INDIVIDUAL SEIZURE AND FORFEITURE COMPLETED BY THE AGENCY UNDER STATE FORFEITURE LAW AND FEDERAL FORFEITURE LAW:~~

~~(1) DATA ON SEIZURES AND FORFEITURES, INCLUDING:~~

~~(I) THE DATE THAT CURRENCY, VEHICLES, HOUSES, OR OTHER TYPES OF PROPERTY WERE SEIZED;~~

~~(II) THE TYPE OF PROPERTY SEIZED, INCLUDING YEAR, MAKE, AND MODEL, AS APPLICABLE;~~

~~(III) THE TYPE OF ALLEGED CRIME ASSOCIATED WITH THE SEIZURE OF THE PROPERTY;~~

~~(IV) THE OUTCOME OF RELATED CRIMINAL ACTION, INCLUDING WHETHER CHARGES WERE BROUGHT, A PLEA BARGAIN WAS REACHED, A CONVICTION WAS OBTAINED, OR AN ACQUITTAL WAS ISSUED;~~

~~(V) WHETHER THE PROCEDURE WAS A CRIMINAL FORFEITURE OR CIVIL FORFEITURE;~~

~~(VI) IF THE PROCEDURE WAS A CIVIL FORFEITURE, WHETHER THE PROCEDURE WAS ADMINISTRATIVE, JUDICIAL, OR OTHER;~~

~~(VII) WHETHER THE VENUE OF THE FORFEITURE CASE WAS AN ADMINISTRATIVE AGENCY, A SMALL CLAIMS COURT, A CIVIL COURT, A CRIMINAL COURT, OR ANY OTHER VENUE;~~

~~(VIII) WHETHER THE PROPERTY OWNER WAS REPRESENTED BY AN ATTORNEY IN THE FORFEITURE CASE;~~

~~(IX) THE MARKET VALUE OF THE PROPERTY SEIZED;~~

~~(X) THE GROSS AMOUNT RECEIVED FROM THE FORFEITURE;~~

~~(XI) THE TOTAL ADMINISTRATIVE AND OTHER EXPENSES DEDUCTED AS PART OF THE FORFEITURE PROCESS;~~

~~(XII) THE NET AMOUNT RECEIVED FROM THE FORFEITURE;~~

~~(XIII) THE DISPOSITION OF THE PROPERTY FOLLOWING SEIZURE, INCLUDING WHETHER THE PROPERTY WAS:~~

~~1. RETURNED TO THE OWNER;~~

~~2. DESTROYED; OR~~

~~3. SOLD OR RETAINED AFTER FORFEITURE; AND~~

~~(XIV) THE DATE OF THE DISPOSITION OF PROPERTY; AND~~

~~(2) DATA ON EXPENDITURES OF FORFEITURE FUNDS BY THE LAW ENFORCEMENT AGENCY, INCLUDING FUNDS SPENT ON:~~

~~(I) CRIME, GANG, AND SUBSTANCE ABUSE PREVENTION PROGRAMS;~~

~~(II) WITNESS PROTECTION;~~

~~(III) VICTIM REPARATIONS;~~

~~(IV) INFORMANT FEES AND BUY MONEY;~~

~~(V) REGULAR TIME SALARIES, OVERTIME PAY, AND EMPLOYEE BENEFITS FOR PROSECUTORS;~~

~~(VI) REGULAR TIME SALARIES, OVERTIME PAY, AND EMPLOYEE BENEFITS FOR SWORN LAW ENFORCEMENT AGENCY PERSONNEL OTHER THAN PROSECUTORS;~~

~~(VII) REGULAR TIME SALARIES, OVERTIME PAY, AND EMPLOYEE BENEFITS FOR UNSWORN LAW ENFORCEMENT AGENCY PERSONNEL OTHER THAN PROSECUTORS;~~

~~(VIII) PROFESSIONAL OR OUTSIDE SERVICES, INCLUDING SERVICES RELATED TO AUDITING, COURT REPORTING, EXPERT WITNESSES, AND OTHER COURT COSTS;~~

~~(IX) TRAVEL AND MEALS;~~

~~(X) ENTERTAINMENT;~~

~~(XI) TRAINING;~~

~~(XII) CONFERENCES;~~

~~(XIII) VEHICLE PURCHASES;~~

~~(XIV) CANINES, FIREARMS, AND EQUIPMENT, INCLUDING TACTICAL GEAR;~~

~~(XV) CAPITAL EXPENDITURES, INCLUDING FURNITURE, COMPUTERS, AND OFFICE EQUIPMENT; AND~~

~~(XVI) OTHER USES.~~

~~(c) MSAC MAY REQUIRE A LAW ENFORCEMENT AGENCY TO PROVIDE RELEVANT INFORMATION NOT SPECIFIED IN SUBSECTION (b) OF THIS SECTION.~~

~~(d) (1) EACH LAW ENFORCEMENT AGENCY SHALL FILE WITH MSAC THE REPORT REQUIRED UNDER SUBSECTION (b) OF THIS SECTION FOR THE LAW ENFORCEMENT AGENCY AND THE CORRESPONDING PROSECUTOR'S OFFICE.~~

~~(2) THE LAW ENFORCEMENT AGENCY SHALL FILE SEPARATE REPORTS FOR FORFEITURES COMPLETED UNDER STATE FORFEITURE LAW AND FEDERAL FORFEITURE LAW.~~

~~(3) A NULL REPORT SHALL BE FILED BY A LAW ENFORCEMENT AGENCY THAT DID NOT ENGAGE IN SEIZURES OR FORFEITURES DURING THE REPORTING PERIOD.~~

~~(E) (1) MSAC SHALL DEVELOP A STANDARD FORM, A PROCESS, AND DEADLINES FOR ELECTRONIC DATA ENTRY FOR ANNUAL SUBMISSION OF FORFEITURE DATA BY LAW ENFORCEMENT AGENCIES.~~

~~(2) MSAC SHALL COMPILE THE SUBMISSIONS AND ISSUE AN AGGREGATE REPORT OF ALL FORFEITURES IN THE STATE.~~

~~(F) (1) BY MARCH 1 OF EACH YEAR, MSAC SHALL MAKE AVAILABLE ON MSAC'S WEB SITE THE REPORTS SUBMITTED BY LAW ENFORCEMENT AGENCIES AND MSAC'S AGGREGATE REPORT.~~

~~(2) GOCCP SHALL SUBMIT THE AGGREGATE REPORT TO THE GOVERNOR, THE GENERAL ASSEMBLY, AS PROVIDED IN § 2-1246 OF THE STATE GOVERNMENT ARTICLE, AND EACH LAW ENFORCEMENT AGENCY BEFORE SEPTEMBER 1 OF EACH YEAR.~~

~~(G) GOCCP MAY INCLUDE, WITH MSAC'S AGGREGATE REPORT, RECOMMENDATIONS TO THE LEGISLATURE TO IMPROVE FORFEITURE STATUTES TO BETTER ENSURE THAT FORFEITURE PROCEEDINGS ARE REPORTED AND HANDLED IN A MANNER THAT IS FAIR TO CRIME VICTIMS, INNOCENT PROPERTY OWNERS, SECURED INTEREST HOLDERS, CITIZENS, AND TAXPAYERS.~~

~~(H) (1) IF A LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE REPORTING PROVISIONS OF THIS SECTION, GOCCP SHALL REPORT THE NONCOMPLIANCE TO THE POLICE TRAINING COMMISSION.~~

~~(2) THE POLICE TRAINING COMMISSION SHALL CONTACT THE LAW ENFORCEMENT AGENCY AND REQUEST THAT THE AGENCY COMPLY WITH THE REQUIRED REPORTING PROVISIONS.~~

~~(3) IF THE LAW ENFORCEMENT AGENCY FAILS TO COMPLY WITH THE REQUIRED REPORTING PROVISIONS WITHIN 30 DAYS AFTER BEING CONTACTED BY THE POLICE TRAINING COMMISSION, GOCCP AND THE POLICE TRAINING COMMISSION JOINTLY SHALL REPORT THE NONCOMPLIANCE TO THE GOVERNOR AND THE LEGISLATIVE POLICY COMMITTEE OF THE GENERAL ASSEMBLY.~~

~~(1) (1) MSAC MAY RECOUP ITS COSTS BY CHARGING A FEE TO LAW ENFORCEMENT AGENCIES THAT ENGAGE IN SEIZURES OR FORFEITURES DURING THE REPORTING PERIOD.~~

~~(2) A LAW ENFORCEMENT AGENCY MAY USE FORFEITURE PROCEEDS TO PAY THE COST OF COMPILING AND REPORTING DATA UNDER THIS SUBTITLE, INCLUDING ANY FEE IMPOSED BY MSAC.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2015.

Gubernatorial Veto Override, January 21, 2016.

Chapter 6

(House Bill 980 of the 2015 Regular Session)

AN ACT concerning

Election Law – Voting Rights – Ex-Felons

FOR the purpose of altering certain qualifications for voter registration; providing that individuals discharged from incarceration are qualified to register to vote; ~~requiring certain State authorities to notify certain individuals of their right to vote on release from incarceration; specifying that the notice include certain information; requiring the State Administrator of Elections to make arrangements with the Department of Public Safety and Correctional Services to receive certain monthly reports concerning certain individuals with criminal convictions who are released from incarceration; requiring certain courts to notify certain defendants concerning their voting rights prior to accepting a guilty plea and before sentencing; making a conforming change;~~ and generally relating to voting rights and ex-felons.

BY repealing and reenacting, with amendments,
 Article – Election Law
 Section 3-102, ~~3-204~~, ~~3-504~~, and 16-202
 Annotated Code of Maryland
 (2010 Replacement Volume and 2014 Supplement)

~~BY adding to~~
~~Article – Criminal Procedure~~
~~Section 6-234~~
~~Annotated Code of Maryland~~
~~(2008 Replacement Volume and 2014 Supplement)~~

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

Article – Election Law

3–102.

(a) (1) Except as provided in subsection (b) of this section, an individual may become registered to vote if the individual:

- (i) is a citizen of the United States;
- (ii) is at least 16 years old;
- (iii) is a resident of the State as of the day the individual seeks to register; and
- (iv) registers pursuant to this title.

(2) Notwithstanding paragraph (1)(ii) of this subsection, an individual under the age of 18 years:

- (i) may vote in a primary election in which candidates are nominated for a general or special election that will occur when the individual is at least 18 years old; and
- (ii) may not vote in any other election.

(b) An individual is not qualified to be a registered voter if the individual:

- (1) has been convicted of a felony and is [actually] **CURRENTLY** serving a court-ordered sentence of imprisonment[, including any term of parole or probation,] for the conviction;
- (2) is under guardianship for mental disability and a court of competent jurisdiction has specifically found by clear and convincing evidence that the individual cannot communicate, with or without accommodations, a desire to participate in the voting process; or
- (3) has been convicted of buying or selling votes.

~~3–204.~~

~~(a) (1) The State Board shall designate public agencies and nongovernmental agencies as voter registration agencies where qualified individuals may apply to register to vote.~~

~~(2) The State Board shall designate the following offices as voter registration agencies:~~

~~(i) all offices in the State that provide public assistance;~~

~~(ii) all offices in the State that provide State funded programs primarily engaged in providing services to individuals with disabilities; [and]~~

~~(iii) all public institutions of higher education in the State; AND~~

~~(IV) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES;~~

~~(3) The State Board and the Secretary of Defense shall jointly develop and implement procedures for persons to apply to register to vote at recruitment offices of the armed forces of the United States, which shall be deemed voter registration agencies.~~

~~(b) Except for a public institution of higher education in the State, which institution shall comply with the requirements of subsection (c) of this section, AND THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES, WHICH SHALL COMPLY WITH SUBSECTION (I) OF THIS SECTION, each voter registration agency, as provided in subsection (a)(2) and (3) of this section, shall:~~

~~(1) distribute a voter registration application approved by the State Board or the Federal Election Commission with each application for service or assistance it renders and with each recertification, renewal, or change of address form relating to such service or assistance;~~

~~(2) provide a document to prospective registrants that includes:~~

~~(i) the question, "If you are not registered to vote where you live now, would you like to apply to register to vote here today?";~~

~~(ii) if the agency provides public assistance, the statement, "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.";~~

~~(iii) boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote together with the statement (in close proximity to the boxes and in prominent type), "If you do not check either box, you will be considered to have decided not to register to vote at this time.";~~

~~(iv) the statement, "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.";~~

~~(v) the statement, "If you believe that someone has interfered with your right to register or to decline to register to vote, your right to privacy in deciding whether to register or in applying to register to vote, or your right to choose your own political party or other political preference, you may file a complaint with the State Board of Elections."; and~~

~~(vi) the address and toll free telephone number of the State Board;~~

~~(3) provide each applicant who does not decline to register to vote and who accepts assistance the same degree of assistance with regard to completion of the registration application as is provided by the office with regard to the completion of its own applications, unless the applicant refuses such assistance; and~~

~~(4) accept the completed voter registration application for transmittal to the appropriate election board.~~

~~(e) At the time that an individual enrolls, registers, or pays for course work provided by a public institution of higher education in the State, the institution shall provide the individual with an opportunity to request a voter registration application. If the individual requests a voter registration application, the institution shall provide, or cause to be provided, an application to the individual.~~

~~(d) An applicant may mail the voter registration application to the appropriate State election official or return it to the voter registration agency for transmittal to the appropriate election official.~~

~~(e) Within 5 days from the acceptance of a voter registration application, the voter registration agency shall forward the application to the appropriate State election official.~~

~~(f) (1) An applicant registering to vote at a voter registration agency may affirmatively consent to the use of an electronic copy of the individual's signature that is on file with the voter registration agency as the individual's signature for the application being submitted.~~

~~(2) If an applicant signs a voter registration application as provided in paragraph (1) of this subsection, the voter registration agency shall transmit an electronic copy of the applicant's signature to the State Board within 5 days after the day on which the agency accepted the application.~~

~~(g) If a voter registration agency is an office described in subsection (a)(2)(ii) of this section, which provides services to an individual with a disability at the individual's home, the agency shall provide the services described in subsection (b) of this section at the individual's home.~~

~~(h) (1) An individual who provides any service described in subsection (b) of this section may not:~~

~~(i) seek to influence an applicant's political preference or party registration;~~

~~(ii) display any political preference or party allegiance; or~~

~~(iii) make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not to register has any bearing on the availability of services or benefits.~~

~~(2) No information relating to a declination to register to vote in connection with an application made at an office designated as a voter registration agency may be used for any purpose other than the maintenance of voter registration statistics.~~

~~(3) Notwithstanding § 3-501 of this title and § 4-401 of the General Provisions Article, the identity of a voter registration agency through which a particular voter has registered may not be disclosed to the public.~~

~~(I) THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES SHALL MEET THE REQUIREMENTS OF SUBSECTION (A)(2)(IV) OF THIS SECTION BY ESTABLISHING A PROGRAM THAT:~~

~~(1) AS PART OF THE RELEASE LEADING TO AN INDIVIDUAL'S DISCHARGE FROM A CORRECTIONAL FACILITY:~~

~~(I) NOTIFIES THE INDIVIDUAL IN WRITING THAT VOTING RIGHTS WILL BE RESTORED; AND~~

~~(II) PROVIDES THE INDIVIDUAL WITH A VOTER REGISTRATION FORM AND A DOCUMENT THAT INCLUDES:~~

~~1. THE QUESTION, "WOULD YOU LIKE TO APPLY TO REGISTER TO VOTE HERE TODAY?";~~

~~2. BOXES FOR THE APPLICANT TO CHECK TO INDICATE WHETHER THE APPLICANT WOULD LIKE TO REGISTER OR DECLINES TO REGISTER TO VOTE TOGETHER WITH THE STATEMENT (IN CLOSE PROXIMITY TO THE BOXES AND IN PROMINENT TYPE), "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.";~~

~~3. THE STATEMENT, "IF YOU WOULD LIKE HELP IN FILLING OUT THE VOTER REGISTRATION APPLICATION FORM, WE WILL HELP YOU. THE DECISION WHETHER TO SEEK OR ACCEPT HELP IS YOURS. YOU MAY FILL OUT THE APPLICATION FORM IN PRIVATE.";~~

~~4. THE STATEMENT, "IF YOU BELIEVE THAT SOMEONE HAS INTERFERED WITH YOUR RIGHT TO REGISTER OR TO DECLINE TO REGISTER TO VOTE, YOUR RIGHT TO PRIVACY IN DECIDING WHETHER TO REGISTER OR IN APPLYING TO REGISTER TO VOTE, OR YOUR RIGHT TO CHOOSE YOUR OWN POLITICAL PARTY OR OTHER POLITICAL PREFERENCE, YOU MAY FILE A COMPLAINT WITH THE STATE BOARD OF ELECTIONS.;" AND~~

~~5. THE ADDRESS AND TOLL FREE TELEPHONE NUMBER OF THE STATE BOARD;~~

~~(2) (I) NOTIFIES EACH INDIVIDUAL DISCHARGED FROM A CORRECTIONAL FACILITY BEFORE OCTOBER 1, 2015 AND WHO REMAINS UNDER THE DEPARTMENT'S SUPERVISION, THAT THE INDIVIDUAL IS ELIGIBLE TO HAVE VOTING RIGHTS RESTORED; AND~~

~~(H) PROVIDES THE INDIVIDUAL DESCRIBED UNDER ITEM (I) OF THIS ITEM WITH A VOTER REGISTRATION FORM AND THE DOCUMENT DESCRIBED IN SUBSECTION (B)(2) OF THIS SECTION AND OFFERS THE INDIVIDUAL ASSISTANCE IN FILLING OUT THE APPROPRIATE FORM; AND~~

~~(3) PERMITS INCARCERATED INDIVIDUALS TO PARTICIPATE IN EDUCATIONAL PROGRAMS INFORMING THEM OF THEIR RIGHTS UNDER THIS SECTION BEFORE THEIR RELEASE FROM INCARCERATION.~~

~~[(i)] (J) Regulations necessary to carry out the requirements of this section and § 3-203 of this subtitle, including provisions for training the employees of voter registration agencies and the Motor Vehicle Administration, shall be adopted by the State Board in cooperation with each agency.~~

~~§ 504.~~

~~(a) (1) (i) Information from the agencies specified in this paragraph shall be reported to the State Administrator in a format and at times prescribed by the State Board.~~

~~(ii) The Department of Health and Mental Hygiene shall report the names and residence addresses (if known) of all individuals at least 16 years of age reported deceased within the State since the date of the last report.~~

~~(iii) The clerk of the circuit court for each county and the administrative clerk for each District Court shall report the names and addresses of all individuals convicted, in the respective court, of a felony since the date of the last report.~~

~~(iv) The clerk of the circuit court for each county shall report the former and present names and residence addresses (if known) of all individuals whose names have been changed by decree or order of the court since the date of the last report.~~

~~(2) The State Administrator shall make arrangements with the clerk of the United States District Court for the District of Maryland to receive reports of names and addresses, if available, of individuals convicted of a felony in that court.~~

~~(3) The State Administrator shall make arrangements with the United States Social Security Administration or an entity that receives information from the Social Security Administration and is approved by the State Administrator to receive reports of names and addresses, if available, of all Maryland residents at least 16 years of age who are reported deceased.~~

~~(4) THE STATE ADMINISTRATOR SHALL MAKE ARRANGEMENTS WITH THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES TO RECEIVE MONTHLY REPORTS CONTAINING THE FOLLOWING INFORMATION ABOUT INDIVIDUALS WITH CRIMINAL CONVICTIONS WHO HAVE BECOME ELIGIBLE TO VOTE BECAUSE OF THEIR DISCHARGE FROM INCARCERATION:~~

~~(I) NAME;~~

~~(II) DATE OF BIRTH;~~

~~(III) DATE OF JUDGMENT OF CONVICTION;~~

~~(IV) DATE OF DISCHARGE FROM INCARCERATION; AND~~

~~(V) ANY ADDITIONAL IDENTIFYING INFORMATION.~~

~~(b) (1) The State Administrator shall transmit to the appropriate local board information gathered pursuant to subsection (a) of this section.~~

~~(2) Every agency or instrumentality of any county which acquires or condemns or razes or causes to be condemned or razed any building used as a residence within the county shall promptly report this fact and the location of the building to the local board in the county or city.~~

~~(3) Registration cancellation information provided by an applicant on any voter registration application shall be provided to the appropriate local board by the State Administrator or another local board.~~

~~(4) A local board may:~~

~~(i) make arrangements to receive change of address information from an entity approved by the State Board; and~~

~~(ii) pay a reasonable fee to the entity for the information.~~

~~(e) (1) (i) Except as provided in paragraph (2) of this subsection, whenever a local board becomes aware of an obituary or any other reliable report of the death of a registered voter, the election director shall mail a notice to the registered voter, as prescribed by the State Board, to verify whether the voter is in fact deceased.~~

~~(ii) On receipt of a verification of the death of a voter, provided in accordance with the notice mailed under subparagraph (i) of this paragraph, the election director may remove the voter from the statewide voter registration list under § 3-501 of this subtitle.~~

~~(2) (i) Whenever a local board receives a report obtained by the State Administrator under subsection (a)(3) of this section that includes a registered voter, the election director shall mail to the address shown on the statewide voter registration list, by regular U.S. mail, a notice that:~~

~~1. states that the registered voter has been reported by the Social Security Administration to have died; and~~

~~2. notifies the registered voter or a person attending the affairs of a deceased voter that the voter will be removed from the statewide voter registration list unless, within 2 weeks after the date of the letter, the registered voter or a representative:~~

~~A. objects to the removal; and~~

~~B. shows cause why the removal should not proceed.~~

~~(ii) If the registered voter or a representative timely objects and shows cause why the removal should not proceed, the election director may:~~

~~1. terminate the removal process and retain the registered voter on the statewide voter registration list; or~~

~~2. refer the matter to the local board for a hearing to determine the registered voter's status.~~

~~(iii) If the registered voter or a representative fails to timely object and show cause why the removal should not proceed, the registration shall be canceled and the registered voter removed from the statewide voter registration list.~~

16-202.

(a) A person who has been convicted of a felony and is [actually] CURRENTLY serving a court-ordered sentence of imprisonment[, including any term of parole or

probation,] for the conviction, and has been rendered ineligible to vote pursuant to § 3–102(b) of this article, may not vote or attempt to vote during the time that the person is rendered ineligible to vote.

(b) A person who violates this section is guilty of a felony and is subject to imprisonment for not less than 1 year nor more than 5 years.

~~Article – Criminal Procedure~~

~~6–234.~~

~~(A) BEFORE IMPOSING A SENTENCE OF INCARCERATION FOR A FELONY CONVICTION, THE COURT SHALL ADVISE THE DEFENDANT ON THE RECORD THAT CONVICTION WILL RESULT IN THE LOSS OF THE RIGHT TO VOTE WHILE THE INDIVIDUAL IS SERVING A FELONY SENTENCE IN A CORRECTIONAL FACILITY.~~

~~(B) BEFORE ACCEPTING A DEFENDANT’S PLEA OF GUILTY TO A COUNT OR COUNTS OF AN INDICTMENT CHARGING A FELONY OFFENSE WHICH WILL IMPOSE A SENTENCE OF INCARCERATION, THE COURT SHALL ADVISE THE DEFENDANT ON THE RECORD THAT CONVICTION WILL RESULT IN LOSS OF THE RIGHT TO VOTE WHILE THE INDIVIDUAL IS SERVING A FELONY SENTENCE IN A CORRECTIONAL FACILITY.~~

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2015.

Gubernatorial Veto Override, February 9, 2016.

Chapter 7

(House Bill 204)

AN ACT concerning

Montgomery County – Elections – Early Voting Centers

MC 14–16

FOR the purpose of requiring Montgomery County to have a certain number of early voting centers; providing for the application and interpretation of this Act; providing for the termination of this Act; making this Act an emergency measure; and generally relating to early voting centers in Montgomery County.

BY repealing and reenacting, with amendments,
Article – Election Law

Section 10–301.1
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

Article – Election Law

10–301.1.

(a) Except as provided under Title 9, Subtitle 3 of this article, during any regularly scheduled primary or general election a voter may vote:

(1) in the voter’s assigned precinct on election day; or

(2) at an early voting center in the voter’s county of residence on any early voting day in accordance with this section.

(b) (1) Each county shall have at least one early voting center established in the county as prescribed in this subsection.

(2) A county with fewer than 125,000 registered voters shall have one early voting center established in the county.

(3) A county with more than 125,000 registered voters but fewer than 300,000 registered voters shall have three early voting centers established in the county.

(4) A county with more than 300,000 registered voters but fewer than 450,000 registered voters shall have five early voting centers established in the county.

(5) **[A] EXCEPT AS PROVIDED IN PARAGRAPH (7) OF THIS SUBSECTION,** A county with more than 450,000 registered voters shall have eight early voting centers.

(6) In addition to the early voting centers required in this subsection, each county may establish one additional early voting center if the State Board, in collaboration with the local board, and the governing body of the county agree to establish an additional early voting center.

(7) MONTGOMERY COUNTY SHALL HAVE 10 EARLY VOTING CENTERS.

(c) No later than 6 months before a primary election, the State Board, in collaboration with the local board in each county, shall designate each early voting center in that county.

(d) Each early voting center shall be open for voting as follows:

(1) beginning the second Thursday before a primary or general election through the Thursday before the election; and

(2) during the following hours:

(i) in a presidential general election, during the hours between 8 a.m. and 8 p.m. each early voting day; and

(ii) in all other elections, during the hours between 10 a.m. and 8 p.m. each early voting day.

(e) Each early voting center shall satisfy the requirements of § 10–101 of this title.

(f) Beginning 30 days prior to each early voting period the State Board and each local board shall undertake steps to inform the public about early voting and the location of early voting centers in each county, including:

(1) a series of public service media announcements;

(2) mailings to all registered voters in each county; and

(3) other measures as appropriate.

(g) Except as expressly provided in this section, any provision of this article that applies to voting on election day also applies to early voting.

(h) The State Board shall adopt regulations and guidelines in accordance with the requirements of this section for the conduct of early voting.

SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding the deadline established in § 10–301.1(c) of the Election Law Article, this Act shall be applied to and interpreted to require that Montgomery County have 10 early voting centers for the 2016 election cycle and that the tenth early voting center be located at the Potomac Community Recreation Center, if available, or, if not, at another facility that serves the Potomac area community.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three–fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. It shall remain effective through December 31, 2016, and, at the end of December 31, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Approved by the Governor, March 14, 2016.

Chapter 8**(Senate Bill 506)**

AN ACT concerning

Annual Corrective Bill

FOR the purpose of correcting certain errors or omissions in certain articles of the Annotated Code and in certain uncodified laws; clarifying language; correcting certain obsolete references; reorganizing certain sections of the Annotated Code; ratifying certain corrections made by the publishers of the Annotated Code; providing that this Act is not intended to affect any law other than to correct technical errors; providing for the correction of certain errors and obsolete provisions by the publishers of the Annotated Code; providing for the effect and construction of certain provisions of this Act; and making this Act an emergency measure.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–513(b)(2)(vi), 5–210.5(b)(3), and 9–403
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Business Occupations and Professions
Section 4–306(b)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)
(As enacted by Chapter 262 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, with amendments,
Article – Business Regulation
Section 2–105(c)(1), 5–710(b)(4)(i)1., and 12–306(c)
Annotated Code of Maryland
(2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 3–408, 3–8A–15(f), 4–401(10)(xii) and (xiii), 5–522(a)(5), and 5–603(b)(4)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing
Article – Courts and Judicial Proceedings
Section 4–401(10)(xi)
Annotated Code of Maryland

(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Law
Section 7–103(e)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 1–210(b) and (c), 10–305, and 11–601(d)(1)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–458(b) and 10–499(a)(1) and (2)
Annotated Code of Maryland
(2008 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 4–306.2(f)(4)(iii), (n)(5), (o), and (v), 11–207(b) and (c), and 18–601(g)(3)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–119(e)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)
(As enacted by Chapter 459 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, with amendments,
Article – Education
Section 7–4A–03(a)(7)(ii)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)
(As enacted by Chapter 417 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 5–1002(b)(2)(ii), 5–1003(b)(4)(ii), 5–1004(c)(5)(ii), 13–210(b), and 13–247
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Environment

Section 3–401(c)(5)(ii), 4–202.1(e)(2)(ii)2., 9–345(a), and 9–349(c)
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Family Law

Section 5–545(d), 5–564(f), and 10–301(aa)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – General Provisions

Section 8–104(b)(6)
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 5–804(g), 5–806, 7–903(b)(2), 7–909(e)(3), 7.5–303(a)(1)(iii), 10–608, 10–613, 10–614, 10–615, 10–616(a)(1), 10–617(a), 10–618(b) and (c), 10–619, 10–903(a)(1) and (c), 10–904(b), 10–920, 10–922(1), 10–923(d), 10–1101, 15–102.1(b)(10), 15–701(h)(2)(iii) and (4), 15–901(b)(1)(ii) and (iv), 15–904(e)(1)(iii)2. and 4., 18–218, 18–220, 19–1B–01(g), 19–361(a), 21–259(1), 21–260(a), and 21–2A–06(d)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 13–3003(h)(2)
Annotated Code of Maryland
(2015 Replacement Volume)
(As enacted by Chapters 498 and 499 of the Acts of the General Assembly of 2011)

BY repealing

Article – Health – General

Section 15–701(h)(3), 15–901(b)(1)(iii), and 15–904(e)(1)(iii)3.
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Health – General

Section 21–2A–07(b)(1)
Annotated Code of Maryland
(2015 Replacement Volume)
(As enacted by Chapter 651 of the Acts of the General Assembly of 2014)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 8–6C–02(b)(12), 8–6C–10(b), (c), (d), and (g), and 8–6C–11(e)(3)(i)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

(As enacted by Chapter 393 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, with amendments,

Article – Health Occupations

Section 12–403(c)(22)(i)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Housing and Community Development

Section 4–1207(a)(2)(i), 6–305(b)(1), and 6–308(a)(3)

Annotated Code of Maryland

(2006 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 5–304(a)(4)

Annotated Code of Maryland

(2007 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Insurance

Section 3–302(a)(9)(ii) and (iii), 5–306(e)(1)(ii)1.B. and (iii)1.B., 15–1408(4),
20–201(d)(3)(i), and 31–101(c–1) and (c–2)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Labor and Employment

Section 3–415(b)(2) and 11–405(a)(2), (5), and (10)

Annotated Code of Maryland

(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Land Use

Section 5–301(a)(1) and 25–212

Annotated Code of Maryland

(2012 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Natural Resources

Section 4-713(i)(2)(iii), 4-715(e)(2)(ii), 4-11A-07(e)(1), 5-212.1(g)(2)(ii),
5-421(a)(1)(i), 8-2103(b), and 10-412(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 3-201(d)(2)(ii) and (iii) and (e)(3)(iii)2. and 3.
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 10-406(a)(1)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 7-106(e), 8-402(b)(3)(i), 10-506(b)(4), 10-507(a)(2), 11-122, 11-135(g),
12-105(a), and 14-127(a)(4), (c)(2), and (d)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 3A-506(c)(3), 5A-330(h)(2), 11-203(a)(1)(vi)3., 14-103(a)(1), and
14-302(a)(4)(ii)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 14-603(a)
Annotated Code of Maryland
(2015 Replacement Volume)
(As enacted by Chapter 3 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, with amendments,
Article – State Government
Section 20-702(a)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 11-113(a), 12-201(a)(2)(i), and 21-309(b)(2)

Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to

Article – Tax – General
Section 10–207(q)(1)(ii) and 10–702(a)(4)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – General
Section 10–207(q)(1)(ii) and 10–702(a)(4)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing

Article – Tax – General
Section 10–207(q)(1)(iii) and 10–702(a)(3)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Tax – Property
Section 7–211.3(a)(2), 9–304(f)(7), and 14–833(a)(1)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation
Section 16–122(d)(2)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

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

Article – Agriculture

2–513.

(b) (2) Except as provided in paragraphs (3) and (7) of this subsection, on written application, the Foundation shall release free of easement restrictions only for the landowner who originally sold an easement, 1 acre or less for the purpose of constructing a dwelling house for the use only of that landowner or child of the landowner, up to a maximum of three lots, subject to the following conditions:

(vi) After certifying that the landowner or child of the landowner has met the conditions provided in subparagraphs (i) through (v) of this paragraph, the Foundation shall issue a preliminary release which shall:

1. Become final when the Foundation receives and certifies a nontransferable building permit in the name of the landowner or child of the landowner for construction of a dwelling house; [or]

2. Become void upon the death of the person for whose benefit the release was intended if the Foundation has not yet received a building permit as provided in this subparagraph; or

3. Unless extended by a majority vote of the Foundation Board of Trustees, become void if a nontransferable building permit in the name of the landowner or child of the landowner is not received by the Foundation within 3 years of the date of recordation of the preliminary release.

DRAFTER'S NOTE:

Error: Extraneous conjunction in § 2–513(b)(2)(vi) of the Agriculture Article.

Occurred: As a result of Ch. 35, Acts of 2012.

5–210.5.

(b) (3) A cyclodiene termiticide applied by a licensee shall [only] be applied **ONLY** by:

(i) A certified pesticide applicator; or

(ii) A registered employee who has completed a course in termiticide application that is approved by the Department and is making the application under the direct supervision of a certified pesticide applicator.

DRAFTER'S NOTE:

Error: Grammatical error in § 5–210.5(b)(3) of the Agriculture Article.

Occurred: Ch. 693, Acts of 1987.

9–403.

After an agreement between the Secretary and the county is executed, the Secretary and the county may conduct surveys to determine the location and amount of infestation of a noxious weed or other plant species within the county. Both parties may provide technical assistance to landowners in a cooperative control or eradication program, and may effect a program of mowing, spraying, or other control or eradication practices on any road

right-of-way, drainage ditch bank, park, playground, and any other public or private land. The agreement between the Secretary and county may be terminated by either party on 30 [days] **DAYS'** written notice.

DRAFTER'S NOTE:

Error: Stylistic error in § 9–403 of the Agriculture Article.

Occurred: Ch. 6, Acts of the First Special Session of 1973.

Article – Business Occupations and Professions

4–306.

(b) The Board may grant a waiver under this section only if:

(1) the applicant pays the application fee set by the Board under § 4–206 **OF THIS TITLE** and any applicable examination fee required under § 4–303 of this subtitle for any examination requirement that is not waived by the Board;

DRAFTER'S NOTE:

Error: Stylistic error in § 4–306(b)(1) of the Business Occupations and Professions Article.

Occurred: Ch. 262, Acts of 2015. Correction by the publisher of the Annotated Code in the 2015 Supplement of the Business Occupations and Professions Article is ratified by this Act.

Article – Business Regulation

2–105.

(c) (1) [Except as provided in subsection (d) of this section, the] **THE** Secretary may approve any proposed regulation.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 2–105(c)(1) of the Business Regulation Article.

Occurred: As a result of Chs. 501 and 502, Acts of 2007.

5–710.

(b) (4) (i) A seller of preneed goods or preneed services that sells its business, files a petition in bankruptcy, or ceases to operate shall provide written notice within 15 days:

1. to the Director, detailing the changes and the arrangements the seller has made for carrying out the preneed burial contracts and the disbursement of any [moneys] **MONEY** held in an escrow or trust account; and

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5–710(b)(4)(i)1 of the Business Regulation Article.

Occurred: Ch. 675, Acts of 1997.

12–306.

(c) A dealer who refuses to allow access or to produce [records,] **RECORDS OR** precious metal objects for inspection on request, shall be subject to the provisions of § 12–209 of this title and, in addition, may be assessed a civil penalty as provided in subsection (d) of this section.

DRAFTER'S NOTE:

Error: Extraneous comma and omitted word in § 12–306(c) of the Business Regulation Article.

Occurred: Ch. 227, Acts of 1997.

Article – Courts and Judicial Proceedings

3–408.

Any person interested as or through a personal representative, trustee, guardian or other fiduciary, creditor, devisee, legatee, heir, next of kin, or beneficiary of a trust, in the administration of a trust, or of the estate of a decedent, a minor, **A** disabled person, or **AN** insolvent, may have a declaration of rights or legal relations in respect to the trust or the estate of [a] **THE** decedent, **MINOR, DISABLED PERSON, OR INSOLVENT** in order to:

(1) Ascertain any class of creditors, devisees, legatees, heirs, next of kin, or others;

(2) Direct the personal representative, guardian, or other fiduciary or trustees to do or abstain from doing any particular act in their fiduciary capacity; or

(3) Determine any question arising in the administration of the estate or trust, including questions of construction of wills and other writings.

DRAFTER'S NOTE:

Error: Omitted words and stylistic errors in § 3–408 of the Courts and Judicial Proceedings Article.

Occurred: Ch. 2, Acts of the Special Session of 1973.

3–8A–15.

(f) **(1)** Shelter care may only be continued beyond emergency shelter care if the court has found that:

[(1)] (I) Continuation of the child in the child’s home is contrary to the welfare of the child; and

[(2) (i)] (II) 1. Removal of the child from the child’s home is necessary due to an alleged emergency situation and in order to provide for the safety of the child; or

[(ii)] 2. Reasonable but unsuccessful efforts were made to prevent or eliminate the need for removal of the child from the home.

[(3)] (2) (i) If the court continues shelter care on the basis of an alleged emergency, the court shall assess whether the absence of efforts to prevent removal was reasonable.

(ii) If the court finds that the absence of efforts to prevent removal was not reasonable, the court shall make a written determination so stating.

[(4)] (3) The court shall make a determination as to whether reasonable efforts are being made to make it possible to return the child to the child’s home or whether the absence of such efforts is reasonable.

DRAFTER’S NOTE:

Error: Tabulation error in § 3–8A–15(f) of the Courts and Judicial Proceedings Article.

Occurred: Ch. 173, Acts of 1992.

4–401.

Except as provided in § 4–402 of this subtitle, and subject to the venue provisions of Title 6 of this article, the District Court has exclusive original civil jurisdiction in:

(10) A proceeding for adjudication of:

[(xi) A subdivision violation for which a civil penalty has been provided in accordance with § 9–1607 of the Land Use Article;]

[(xii)] **(XI)** A violation under Title 10, Subtitle 1, Part III of the Criminal Law Article; or

[(xiii)] **(XII)** A civil infraction relating to the storage or distribution of tobacco products under Title 1, Subtitle 12 of the Local Government Article;

DRAFTER’S NOTE:

Error: Obsolete language in § 4–401(10)(xi) of the Courts and Judicial Proceedings Article.

Occurred: As a result of Ch. 439, Acts of 2015, which repealed former § 9–1607 of the Land Use Article.

5–522.

(a) Immunity of the State is not waived under § 12–104 of the State Government Article for:

(5) A claim by an individual arising from a single incident or occurrence that exceeds **[\$200,000] THE AMOUNT SPECIFIED IN § 12–104 OF THE STATE GOVERNMENT ARTICLE**; or

DRAFTER’S NOTE:

Error: Incorrect word usage in § 5–522(a)(5) of the Courts and Judicial Proceedings Article.

Occurred: As a result of Ch. 132, Acts of 2015, which increased, from \$200,000 to \$400,000, the limit on liability of the State and its units under the Maryland Tort Claims Act for injuries to a claimant arising from an incident or occurrence.

5–603.

(b) Subsection (a) of this section applies to the following:

(4) A corporation when its fire department personnel are immune under [paragraph] **ITEM (2)** of this subsection.

DRAFTER’S NOTE:

Error: Stylistic error in § 5–603(b)(4) of the Courts and Judicial Proceedings Article.

Occurred: Ch. 775, Acts of 1982.

Article – Criminal Law

7–103.

(e) (1) For the purposes of determining whether a theft violation subject to either § 7–104(g)(1) or (2) of this subtitle has been committed, when it cannot be determined whether the value of the property or service is more or less than ~~[\$500]~~ **\$1,000** under the standards of this section, the value is deemed to be less than ~~[\$500]~~ **\$1,000**.

DRAFTER'S NOTE:

Error: Erroneous reference in § 7–103(e)(1) of the Criminal Law Article.

Occurred: As a result of Ch. 655, Acts of 2009.

Article – Criminal Procedure

1–210.

(b) A person who, in good faith, seeks, provides, or assists with the provision of medical assistance for a person reasonably believed to be experiencing a medical emergency after ingesting or using alcohol or drugs shall be immune from criminal arrest, charge, or prosecution for a violation of ~~[\§§ 5–601, 5–619, 5–620, 10–114, 10–116, and 10–117]~~ **§ 5–601, § 5–619, § 5–620, § 10–114, § 10–116, OR § 10–117** of the Criminal Law Article if the evidence for the criminal arrest, charge, or prosecution was obtained solely as a result of the person's seeking, providing, or assisting with the provision of medical assistance.

(c) A person who reasonably believes that the person is experiencing a medical emergency after ingesting or using alcohol or drugs shall be immune from criminal arrest, charge, or prosecution for a violation of ~~[\§§ 5–601, 5–619, 5–620, 10–114, 10–116, and 10–117]~~ **§ 5–601, § 5–619, § 5–620, § 10–114, § 10–116, OR § 10–117** of the Criminal Law Article if the evidence for the criminal arrest, charge, or prosecution was obtained solely as a result of the person seeking or receiving medical assistance.

DRAFTER'S NOTE:

Error: Erroneous conjunctions in § 1–210(b) and (c) of the Criminal Procedure Article.

Occurred: Ch. 401, Acts of 2014.

10–305.

A conviction that has been shielded under this subtitle may not be considered a conviction for purposes of [§ 10–105(e)(4)(ii)1] **§ 10–105(E)(4)(I)** of this title.

DRAFTER’S NOTE:

Error: Erroneous cross–reference in § 10–305 of the Criminal Procedure Article.

Occurred: As a result of Ch. 314, Acts of 2015.

11–601.

(d) (1) “Crime” means an act committed by a person in the State that is a crime under:

(i) common law;

(ii) § 109 of the Code of Public Local Laws of Caroline County;

(iii) [§ 4–103 of the Code of Public Local Laws of Carroll County;

(iv)] § 8A–1 of the Code of Public Local Laws of Talbot County; or

[(v)] **(IV)** except as provided in paragraph (2) of this subsection, the Annotated Code.

DRAFTER’S NOTE:

Error: Obsolete reference in § 11–601(d)(1) of the Criminal Procedure Article.

Occurred: As a result of Ch. 147, Acts of 2011, which repealed § 4–103 of the Code of Public Local Laws of Carroll County.

Article – Economic Development

10–458.

(b) The grant funding in subsection (a) **OF THIS SECTION** shall be awarded:

(1) to support pre–commercial research on intellectual property to increase the likelihood of commercializing the intellectual property;

(2) to defray costs of evaluating the feasibility of a technology becoming commercialized through a start–up company;

(3) to defray the direct costs of developing early stage technology through a start–up entity;

(4) to assess intellectual property issues, including licensing and patents;
or

(5) for any other costs that the Initiative's participating members determine are appropriate to promote technology transfer and commercialization in the State.

DRAFTER'S NOTE:

Error: Omitted words in § 10–458(b) of the Economic Development Article.

Occurred: Ch. 450, Acts of 2012.

10–499.

(a) (1) [In accordance with § 2.5–109 of this article, the] **THE** Corporation shall submit a report on the implementation of the Program.

(2) [In addition to the requirements under § 2.5–109(c) of this article, the] **THE** report required under this section shall be submitted to the Senate Budget and Taxation Committee and the House Ways and Means Committee.

DRAFTER'S NOTE:

Error: Obsolete cross-reference in § 10–499(a)(1) and (2) of the Economic Development Article.

Occurred: As a result of Ch. 141, Acts of 2015, which transferred reporting responsibilities from the Department of Business and Economic Development to the Maryland Technology Development Corporation.

Article – Education

4–306.2.

(f) The resolution of the board or the trust agreement relating to the bonds may contain provisions that:

(4) Protect and enforce the rights and remedies of the bondholders that are reasonable and proper and not in violation of the law, including covenants that shall include:

(iii) The custody, safeguarding, and application of all [moneys]
MONEY; and

(n) The bonds of any issue shall be payable from and secured solely by:

(5) Any [moneys] **MONEY** which may lawfully be applied to the payment of the bonds, including without limitation any appropriation by the State or Baltimore City made lawfully available for such purpose; or

(o) Prior to and during construction and for 1 year after completion of construction of any public school facility for which bonds have been issued, the interest on the bonds may be paid out of the proceeds of the bonds or out of other [moneys] **MONEY** allocated for that purpose.

(v) Upon the issuance of bonds, the State Comptroller shall withhold from any installment due the board from the general State school fund [moneys] **MONEY** for deposit to the credit of a sinking fund maintained to pay the principal and interest on the bonds. Such [moneys] **MONEY** shall be withheld until the bonds are no longer outstanding and unpaid and shall be withheld in installments. The amount of each installment shall be determined at the time the bonds are issued and shall be provided in writing by the board to the State Comptroller, provided that the frequency and amount of such installments shall allow for the timely payment of the principal and interest on the bonds.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 4–306.2(f)(4)(iii), (n)(5), (o), and (v) of the Education Article.

Occurred: Ch. 559, Acts of 2000.

5–119.

(e) The Board shall post in a timely manner on the searchable Web site the payment [date] **DATA** required under this section.

DRAFTER'S NOTE:

Error: Misspelling in § 5–119(e) of the Education Article.

Occurred: Ch. 459, Acts of 2015. Correction by the publisher of the Annotated Code in the 2015 Supplement of the Education Article is ratified by this Act.

7–4A–03.

(a) The Council consists of the following 15 voting members and 6 ex officio members:

(7) The following 15 members, appointed by the Governor:

(ii) Three representatives of school–based health centers, nominated by the Maryland Assembly on School–Based Health [care] **CARE**:

1. From a diverse array of sponsoring organizations; and
2. For at least one of the representatives, from a nursing background;

DRAFTER’S NOTE:

Error: Capitalization error in § 7–4A–03(a)(7)(ii) of the Education Article.

Occurred: Ch. 417, Acts of 2015. Correction by the publisher of the Annotated Code in the 2015 Supplement of the Education Article is ratified by this Act.

11–207.

(b) The Commission, in collaboration with the public institutions of higher education, shall develop and implement a statewide transfer agreement whereby at least 60 credits of general education, elective, and major courses that a student earns at any community college in the State toward an [associate’s] **ASSOCIATE** of [art] **ARTS** or [associate’s] **ASSOCIATE** of science degree shall be [transferrable] **TRANSFERABLE** to any public senior higher education institution in the State for credit toward a bachelor’s degree by July 1, 2016.

(c) The Commission, in collaboration with the public institutions of higher education, shall develop and implement a statewide reverse transfer agreement whereby at least 30 credits that a student earns at any public senior higher education institution in the State toward a bachelor’s degree are [transferrable] **TRANSFERABLE** to any community college in the State for credit toward an associate’s degree by July 1, 2016.

DRAFTER’S NOTE:

Error: Misnomer and misspelling in § 11–207(b) and (c) of the Education Article.

Occurred: Ch. 533, Acts of 2013.

18–601.

(g) (3) An award provided under subsection [(d)(3)(vi)] **(D)(3)(VII)** of this section may not exceed the amount specified in subsection (e)(2) of this section when combined with any other scholarship received by a student based on the student’s status as a child or spouse of a victim of the September 11, 2001, terrorist attacks.

DRAFTER’S NOTE:

Error: Erroneous cross-reference in § 18–601(g)(3) of the Education Article.

Occurred: As a result of Ch. 123, Acts of 2012, which added § 18–601(d)(3)(vi) to the Education Article and renumbered item (vi) to be item (vii).

Article – Election Law

5–1002.

(b) (2) (ii) The successor nominee designated by the State central committee under [subparagraph] ITEM (i) of this paragraph shall file a certificate of candidacy with the State Board.

DRAFTER’S NOTE:

Error: Stylistic error in § 5–1002(b)(2)(ii) of the Election Law Article.

Occurred: Ch. 291, Acts of 2002.

5–1003.

(b) (4) Following the death, declination, or disqualification of the nominee, by the 60th day before the general election:

(ii) the successor nominee designated by the State central committee under [subparagraph] ITEM (i) of this paragraph shall file a certificate of candidacy with the State Board.

DRAFTER’S NOTE:

Error: Stylistic error in § 5–1003(b)(4)(ii) of the Election Law Article.

Occurred: Ch. 291, Acts of 2002.

5–1004.

(c) (5) By the deadline prescribed in subsection (b) of this section:

(ii) the successor nominee designated by the applicable central committee under [subparagraph] ITEM (i) of this paragraph shall file a certificate of candidacy with the applicable board.

DRAFTER’S NOTE:

Error: Stylistic error in § 5–1004(c)(5)(ii) of the Election Law Article.

Occurred: Ch. 291, Acts of 2002.

13–210.

(b) A lobbyist, or person acting on behalf of a lobbyist, may be subject to the limitations on campaign finance activity prescribed in the [State Government Article] **GENERAL PROVISIONS ARTICLE**.

DRAFTER’S NOTE:

Error: Erroneous cross–reference in § 13–210(b) of the Election Law Article.

Occurred: As a result of Ch. 94, Acts of 2014, which transferred the provisions of the State Government Article relating to lobbying to the General Provisions Article.

13–247.

After all campaign expenditures have been made and before filing a final campaign finance report under Subtitle 3 of this title, any remaining balance in the account of a campaign finance entity shall be returned pro rata to the contributors or paid to:

(1) if the campaign finance entity is [a personal treasurer or] a political committee formed to support a candidate or act for a political party:

(i) the State central committee of the political party:

1. of which the candidate is a member; or

2. for which the political committee is acting;

(ii) the local central committee of the political party:

1. of which the candidate is a member in a county in which the candidate resides or which the candidate seeks to represent; or

2. for which the political committee is acting;

(iii) the board of education of a county in which the candidate resides or which the candidate seeks to represent;

(2) a nonprofit organization that provides services or funds for the benefit of pupils or teachers;

(3) a charitable organization registered or exempt from registration under the Maryland Charitable Solicitations Act;

(4) the Fair Campaign Financing Fund established under § 15–103 of this article; or

(5) a public or private institution of higher education in the State if:

(i) that institution possesses a certificate of approval from the Maryland Higher Education Commission; and

(ii) the payment is designated for use by the institution solely to award scholarships, grants, or loans to students attending the institution.

DRAFTER'S NOTE:

Error: Obsolete reference in § 13–247 of the Election Law Article.

Occurred: As a result of Ch. 510, Acts of 2006, which abolished the “personal treasurer” type of campaign finance entity. Correction suggested by the Attorney General in the Bill Review Letter for H.B. 485 (Ch. 312) of 2015 (footnote 3), dated May 5, 2015.

Article – Environment

3–401.

(e) (5) (ii) This paragraph does not apply in Allegany **COUNTY**, Anne Arundel **COUNTY**, Baltimore City, Calvert **COUNTY**, Charles **COUNTY**, Garrett **COUNTY**, Howard **COUNTY**, Montgomery **COUNTY**, St. Mary's **COUNTY**, and Washington [counties] **COUNTY**.

DRAFTER'S NOTE:

Error: Stylistic error in § 3–401(c)(5)(ii) of the Environment Article.

Occurred: Ch. 338, Acts of 1983.

4–202.1.

(e) (2) (ii) 2. A county or municipality may not charge a stormwater remediation fee to property specifically covered by a current national pollutant discharge elimination system **PHASE I** municipal separate storm sewer system permit or industrial stormwater permit held by the State or a unit of State government.

DRAFTER'S NOTE:

Error: Omitted word in § 4–202.1(e)(2)(ii)2 of the Environment Article.

Occurred: Ch. 124, Acts of 2015.

9–345.

(a) There is a Water Pollution Control Fund consisting of [moneys] **MONEY** made available under water quality loan authorizations or by funds appropriated in the State budget.

DRAFTER'S NOTE:

Error: Stylistic error in § 9–345(a) of the Environment Article.

Occurred: Ch. 795, Acts of 1984.

9–349.

(c) For any loan assistance exceeding \$2,500, the Secretary of Commerce shall require the granting to the State of an appropriate security interest in any equipment, structures, or similar items purchased with State [moneys] **MONEY**.

DRAFTER'S NOTE:

Error: Stylistic error in § 9–349(c) of the Environment Article.

Occurred: Ch. 795, Acts of 1984.

Article – Family Law

5–545.

(d) (1) If the local board finds under subsection [(c)(7)] **(C)(9)** of this section that a child's current living arrangement is not appropriate and the child is not placed in the jurisdiction of origin, the local board shall explain why the arrangement is inappropriate, including whether:

- (i) resources are not available to meet the child's service needs;
- (ii) family treatment services are not accessible;
- (iii) distance is a barrier to family visitation; or
- (iv) the local school system is not meeting the child's educational

needs.

(2) If the local board disagrees under subsection [(c)(7)] **(C)(9)** of this section with the local department's placement plan and the child would be placed outside the jurisdiction of origin, the local board shall explain why the plan is inappropriate, including whether:

- (i) resources are not available to meet the child's service needs;

- (ii) family treatment services are not accessible;
- (iii) distance is a barrier to family visitation; or
- (iv) the local school system is not meeting the child's educational needs.

DRAFTER'S NOTE:

Error: Erroneous internal reference in § 5–545(d)(1) and (2) of the Family Law Article.

Occurred: As a result of Ch. 630, Acts of 2009, which renumbered the paragraphs in § 5–545(c) of the Family Law Article.

5–564.

(f) Information obtained from the Department under this Part VI of this subtitle shall be maintained in a manner to [~~insure~~] **ENSURE** the security of the information.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5–564(f) of the Family Law Article.

Occurred: Ch. 481, Acts of 1994.

10–301.

(aa) (1) “State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin [~~Islands~~] **ISLANDS**, or any territory or insular possession under the jurisdiction of the United States.

DRAFTER'S NOTE:

Error: Omitted comma in § 10–301(aa)(1).

Occurred: Ch. 609, Acts of 1997.

Article – General Provisions

8–104.

(b) (6) Limitations imposed by the court under paragraph (5) of this subsection may include:

- testify;
- (i) a limitation on the number of witnesses the person may call to testify;
- (ii) a limitation on the length of the testimony of witnesses called by the person;
- (iii) a limitation on the person's cross-examination of witnesses; **[or]**
- AND**
- (iv) a limitation on the participation of the person in the litigation.

DRAFTER'S NOTE:

Error: Incorrect conjunction in § 8–104(b)(6) of the General Provisions Article.

Occurred: Ch. 165, Acts of 2015.

Article – Health – General

5–804.

(g) The Secretary shall select a **[chairperson]** **CHAIR** from among the members of the Committee.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5–804(g) of the Health – General Article.

Occurred: Ch. 470, Acts of 2000.

5–806.

Upon request of the **[chairman]** **CHAIR** of the Committee or subcommittee, and as necessary to carry out the purpose of the Committee, the following shall immediately provide the Committee or subcommittee with access to information and records regarding an individual whose death is being reviewed:

- (1) A provider of medical care, including dental and mental health care;
- (2) A State or local government agency; and
- (3) A provider of residential or other services.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5–806 of the Health – General Article.

Occurred: Ch. 470, Acts of 2000.

7–903.

(b) (2) Upon a showing by the Deputy Secretary that the licensed, certified, or accredited person is out of compliance with licensing regulations adopted by the [Secretary] **SECRETARY**, the Deputy Secretary may revoke the waiver.

DRAFTER'S NOTE:

Error: Omitted comma in § 7–903(b)(2) of the Health – General Article.

Occurred: Ch. 473, Acts of 1989.

7–909.

(e) (3) The regulations shall define and address:

(i) The procedures and timelines that providers must follow when reporting serious reportable incidents and deaths to the Department;

(ii) The Department's protocol to determine the necessity to investigate a serious reportable incident that takes into account:

1. The severity of the incident;

2. The quality of the licensee's internal investigation; and

3. The number and frequency of serious reportable incidents reported by the licensee to the Department;

(iii) The specific roles and responsibilities of each governmental unit involved in any follow-up investigations that may occur due to a licensee's report of a serious reportable incident or death;

(iv) Methods of investigations, including on-site investigations;

(v) [Time lines] **TIMELINES** for response to serious reportable incidents and deaths and investigation of serious reportable incidents and deaths;

(vi) [Time lines] **TIMELINES** for issuing specified reports, including corrective action plans, to the Department, licensee, Mortality and Quality Review Committee, Medicaid Fraud Unit, individuals receiving services from the licensee involved in the incident and their guardians or family members, and others; and

(vii) Follow-up protocols for the Department to ensure that corrective action has been implemented by the licensee.

DRAFTER'S NOTE:

Error: Misspellings in § 7-909(e)(3) of the Health – General Article.

Occurred: Ch. 389, Acts of 2005.

7.5-303.

(a) (1) The Council consists of the following members:

(iii) Five representatives of the Department, including:

1. The Secretary, or the Secretary's designee;
2. The Deputy Secretary for Behavioral Health [and Disabilities], or the Deputy Secretary's designee;
3. The Director of the Behavioral Health Administration, or the Director's designee;
4. The Executive Director of the Maryland Health Benefit Exchange, or the Executive Director's designee; and
5. The Deputy Secretary for Health Care Financing, or the Deputy Secretary's designee;

DRAFTER'S NOTE:

Error: Incorrect word usage in § 7.5-303(a)(1)(iii) of the Health – General Article.

Occurred: Ch. 328, Acts of 2015.

10-608.

A veteran may be admitted voluntarily to a Veterans' Administration hospital without regard to [Part II of this subtitle] **THIS PART**.

DRAFTER'S NOTE:

Error: Stylistic error in § 10-608 of the Health – General Article.

Occurred: Ch. 21, Acts of 1982.

10-613.

In [Part III of this subtitle] **THIS PART**, “involuntary admission” includes every admission of a minor to a State facility unless the admission is a voluntary admission authorized under Part II of this subtitle.

DRAFTER’S NOTE:

Error: Stylistic error in § 10–613 of the Health – General Article.

Occurred: Ch. 21, Acts of 1982.

10–614.

(a) Except as provided in subsection (b) of this section, application for involuntary admission of an individual to a facility or Veterans’ Administration hospital may be made under [Part III of this subtitle] **THIS PART** by any person who has a legitimate interest in the welfare of the individual.

(b) If the Administration agrees to pay the appropriate expenses, application for involuntary admission to a facility of an inmate in an institution under the Division of Correction or the Patuxent Institution may be made under [Part III of this subtitle] **THIS PART** by the Division or the Patuxent Institution.

DRAFTER’S NOTE:

Error: Stylistic error in § 10–614 of the Health – General Article.

Occurred: Ch. 21, Acts of 1982.

10–615.

Each application for involuntary admission to a facility or Veterans’ Administration hospital under [Part III of this subtitle] **THIS PART** shall:

- (1) Be in writing;
- (2) Be dated;
- (3) Be on the form required by:
 - (i) The Administration, in the case of a facility; or
 - (ii) The Veterans’ Administration hospital, in the case of a Veterans’ Administration hospital;

- (4) State the relationship of the applicant to the individual for whom admission is sought;
- (5) Be signed by the applicant;
- (6) Be accompanied by the certificates of:
 - (i) 1 physician and 1 psychologist;
 - (ii) 2 physicians; or
 - (iii) 1 physician and 1 psychiatric nurse practitioner; and
- (7) Contain any other information that the Administration requires.

DRAFTER'S NOTE:

Error: Stylistic error in § 10–615 of the Health – General Article.

Occurred: Ch. 21, Acts of 1982.

10–616.

- (a) (1) A certificate for involuntary admission of an individual under [Part III of this subtitle] **THIS PART** shall:
 - (i) Be based on the personal examination of the physician, psychologist, or psychiatric nurse practitioner who signs the certificate; and
 - (ii) Be in the form that the Secretary adopts, by rule or regulation.

DRAFTER'S NOTE:

Error: Stylistic error in § 10–616(a)(1) of the Health – General Article.

Occurred: Ch. 21, Acts of 1982.

10–617.

- (a) A facility or Veterans' Administration hospital may not admit the individual under [Part III of this subtitle] **THIS PART** unless:
 - (1) The individual has a mental disorder;
 - (2) The individual needs inpatient care or treatment;

- (3) The individual presents a danger to the life or safety of the individual or of others;
- (4) The individual is unable or unwilling to be admitted voluntarily; and
- (5) There is no available, less restrictive form of intervention that is consistent with the welfare and safety of the individual.

DRAFTER'S NOTE:

Error: Stylistic error in § 10–617(a) of the Health – General Article.

Occurred: Ch. 21, Acts of 1982.

10–618.

(b) A facility or Veterans' Administration hospital that acts in compliance with the provisions of [Part III of this subtitle] **THIS PART** shall have the immunity from liability described under § 5–623(c) of the Courts and Judicial Proceedings Article.

(c) An agent or employee of a facility or Veterans' Administration hospital who acts in compliance with the provisions of [Part III of this subtitle] **THIS PART** shall have the immunity from liability described under § 5–623(d) of the Courts and Judicial Proceedings Article.

DRAFTER'S NOTE:

Error: Stylistic error in § 10–618(b) and (c) of the Health – General Article.

Occurred: Ch. 459, Acts of 1982.

10–619.

Within 12 hours of notification by a physician or licensed psychologist who has certified an individual under [Part III of this subtitle] **THIS PART**, a facility operated by the Department of Health and Mental Hygiene shall receive and evaluate the individual certified for involuntary admission if:

- (1) The individual's involuntary admission is not limited by § 10–617 of this subtitle;
- (2) An application for admission has been completed;
- (3) A certifying physician or psychologist is unable to place the individual in a facility not operated by the Department; and

(4) The Department is unable to provide for the placement of the person other than in a facility operated by the Department.

DRAFTER'S NOTE:

Error: Stylistic error in § 10–619 of the Health – General Article.

Occurred: Ch. 525, Acts of 1982.

10–903.

(a) (1) The governing body of any county may apply for assistance to establish a mental health program under [Part I of this subtitle] **THIS PART**.

(c) A community mental health services program is not eligible for assistance under [Part I of this subtitle] **THIS PART** unless:

(1) Its plan and budget conform to the State plan for mental health services and the priorities set under it; and

(2) The qualifications of its professional staff meet the standards that the Secretary sets.

DRAFTER'S NOTE:

Error: Stylistic error in § 10–903(a)(1) and (c) of the Health – General Article.

Occurred: Ch. 21, Acts of 1982.

10–904.

(b) The health officer for a county shall:

(1) With the advice of the regional mental health director, revise annually the county plan for providing or contracting for services, including aftercare, and facilities and for any other matters necessary or desirable to carry out [Part I of this subtitle] **THIS PART**;

(2) Prepare annually a budget for carrying out the plan;

(3) Assure that the staff and professional services meet the standards that the Secretary adopts;

(4) Submit to the mental health advisory committee and the governing body for the county an annual report on the county program, including an account of expenditures and an estimate of anticipated needs for the next year;

(5) Facilitate the work of the county or intercounty mental health advisory committee; and

(6) Perform any other duty necessary to carry out [Part I of this subtitle] **THIS PART**.

DRAFTER'S NOTE:

Error: Stylistic error in § 10–904(b) of the Health – General Article.

Occurred: Ch. 21, Acts of 1982.

10–920.

In [Part IV of this subtitle] **THIS PART**, “private therapeutic group home” means a small private group home as defined in § 10–514(e) of this title that provides residential child care, as well as access to a range of diagnostic and therapeutic mental health services, to be identified under the requirements of § 10–924 of this subtitle, for children and adolescents who are in need of such treatments.

DRAFTER'S NOTE:

Error: Stylistic error in § 10–920 of the Health – General Article.

Occurred: Ch. 477, Acts of 1984.

10–922.

The Secretary shall adopt rules and regulations that:

(1) Ensure that a private therapeutic group home provides mental health care and treatment in accordance with [Part IV of this subtitle] **THIS PART**; and

DRAFTER'S NOTE:

Error: Stylistic error in § 10–922(1) of the Health – General Article.

Occurred: Ch. 477, Acts of 1984.

10–923.

(d) **(1)** Within 60 days after the Director receives an application for placement of a child or adolescent in a private therapeutic group home, the Director or the county health officer [shall:

(1) Determine] **SHALL DETERMINE** whether the child or adolescent meets the requirements for placement under this [section; and] **SECTION**.

(2) If [so] **THE DIRECTOR OR COUNTY HEALTH OFFICER DETERMINES THAT THE CHILD OR ADOLESCENT MEETS THE REQUIREMENTS UNDER THIS SECTION, THE DIRECTOR OR COUNTY HEALTH OFFICER SHALL:**

(i) Approve the application for placement in a private therapeutic group home; and

(ii) Determine the date of placement in a private therapeutic group home in accordance with the plan submitted under § 10–925 of this subtitle.

DRAFTER’S NOTE:

Error: Stylistic error in § 10–923(d) of the Health – General Article.

Occurred: Ch. 477, Acts of 1984.

10–1101.

This title may be cited as the [“Maryland Mental Health Law”] **MARYLAND MENTAL HEALTH LAW**.

DRAFTER’S NOTE:

Error: Extraneous quotation marks in § 10–1101 of the Health – General Article.

Occurred: Ch. 21, Acts of 1982.

13–3003.

(h) (2) Any investment earnings of the Fund shall **BE** paid into the Fund.

DRAFTER’S NOTE:

Error: Omitted word in § 13–3003(h)(2) of the Health – General Article.

Occurred: Chs. 498 and 499, Acts of 2011. Correction by the publisher of the Annotated Code in the 2015 Replacement Volume of the Health – General Article is ratified by this Act.

15–102.1.

(b) The Department shall, to the extent permitted, subject to the limitations of the State budget:

(10) Encourage the Program and Maryland’s health care regulatory system to work to cooperatively promote the development of an appropriate mix of health care providers, limit cost increases for the delivery of health care to Program recipients, and [insure] **ENSURE** the delivery of quality health care to Program recipients;

DRAFTER’S NOTE:

Error: Incorrect word usage in § 15–102.1(b)(10) of the Health – General Article.

Occurred: Ch. 614, Acts of 1989.

15–701.

(h) The Fund may be used only for expenses associated with:

(2) Expanding Medicaid eligibility and benefits for individuals:

(iii) Who are not enrolled in the federal Medicare program, as enacted by Title XVIII of the Social Security Act; **AND**

[(3) Providing and administering health benefit plan premium subsidies under Title 15, Subtitle 12A of the Insurance Article; and]

[(4) (3) Supporting the provision of health care services in Prince George’s County in accordance with subsection (i) of this section.

DRAFTER’S NOTE:

Error: Obsolete language in § 15–701(h)(3) of the Health – General Article.

Occurred: As a result of Ch. 274, Acts of 2015, which repealed the Small Employer Health Benefit Plan Premium Subsidy Program and Title 15, Subtitle 12A of the Insurance Article.

15–901.

(b) “Independent home care provider” means an individual who:

(1) Provides home care services that are directly reimbursed by the State or a fiscal intermediary functioning on behalf of the State, and not by an agency or business that employs employees or refers independent contractors as home care providers, under:

(ii) The Medicaid Personal Care Program under the State Medical Assistance Program, or any successor program; **AND**

[(iii) The Living at Home Waiver Program under Subtitle 8 of this title, or any successor program; and]

[(iv)] **(III)** The In–Home Aide Service Program administered by the Department of Human Resources, or any successor program;

DRAFTER’S NOTE:

Error: Obsolete language in § 15–901(b)(1)(iii) of the Health – General Article.

Occurred: As a result of Ch. 413, Acts of 2014, which repealed the Living at Home Waiver Program.

15–904.

(e) (1) (iii) The representatives of the State may only agree to a service fee provision if the service fee provision would require nonmembers to pay service fees on a sliding scale in approximate proportion to the amount each nonmember receives in reimbursement through:

2. The Medicaid Personal Care Program under the State Medical Assistance Program, or any successor program; **AND**

[3. The Living at Home Waiver Program under Subtitle 8 of this title, or any successor program; and]

[4.] **3.** The In–Home Aide Service Program administered by the Department of Human Resources, or any successor program.

DRAFTER’S NOTE:

Error: Obsolete language in § 15–904(e)(1)(iii)3 of the Health – General Article.

Occurred: As a result of Ch. 413, Acts of 2014, which repealed the Living at Home Waiver Program.

18–218.

In [Part IV of this subtitle] **THIS PART**, “animal” means any nonhuman living creature, whether native to Maryland or not, which is:

(1) Wild by nature; and

(2) [Is endowed] **ENDOWED** with sensation and power of voluntary motion.

DRAFTER'S NOTE:

Error: Stylistic error and extraneous word in § 18–218 of the Health – General Article.

Occurred: Ch. 805, Acts of 1986.

18–220.

Nothing in [Part IV of this subtitle] **THIS PART** prevents or prohibits any county, municipal corporation, or Baltimore City from imposing stricter possession requirements or banning possession of certain animals.

DRAFTER'S NOTE:

Error: Stylistic error in § 18–220 of the Health – General Article.

Occurred: Ch. 805, Acts of 1986.

19–1B–01.

(g) “Patient centered medical home” [has the meaning stated in § 19–1A–01 of this title] **MEANS A PRIMARY CARE PRACTICE ORGANIZED TO PROVIDE A FIRST, COORDINATED, ONGOING, AND COMPREHENSIVE SOURCE OF CARE TO PATIENTS TO:**

(1) FOSTER A PARTNERSHIP WITH A QUALIFYING INDIVIDUAL;

(2) COORDINATE HEALTH CARE SERVICES FOR A QUALIFYING INDIVIDUAL; AND

(3) EXCHANGE MEDICAL INFORMATION WITH CARRIERS, OTHER PROVIDERS, AND QUALIFYING INDIVIDUALS.

DRAFTER'S NOTE:

Error: Obsolete cross–reference in § 19–1B–01(g) of the Health – General Article.

Occurred: As a result of the termination of Chs. 5 and 6, Acts of 2010, which added § 19–1A–01 of the Health – General Article.

19–361.

(a) In [Part VIII of this subtitle] **THIS PART** the following words have the meanings indicated.

DRAFTER'S NOTE:

Error: Stylistic error in § 19–361(a) of the Health – General Article.

Occurred: Ch. 639, Acts of 1984.

21–259.

A person may not:

(1) Make a written report that falsely certifies the results of any inspection, examination, or test that is made to determine if there is a violation of any provision of [Part VI of this subtitle] **THIS PART**;

DRAFTER’S NOTE:

Error: Stylistic error in § 21–259(1) of the Health – General Article.

Occurred: Ch. 240, Acts of 1982.

21–260.

(a) Except as to an alleged violation that is enumerated under subsection (b)(2) of this section, a person may not be convicted of any violation of [Part VI of this subtitle] **THIS PART**, if, with respect to the alleged violation, the person establishes by a preponderance of evidence that the person did not commit the alleged violation purposely, knowingly, recklessly, or negligently.

DRAFTER’S NOTE:

Error: Stylistic error in § 21–260(a) of the Health – General Article.

Occurred: Ch. 240, Acts of 1982.

21–2A–06.

(d) (1) Before the Program discloses information under subsection (b)(3), [(4), (5), (7), or (8)] **(5), (6), (8), OR (9)** of this section, the technical advisory committee shall:

(i) Review the requests for information;

(ii) Provide clinical guidance and interpretation of the information requested to the Secretary to assist in the Secretary’s decision on how to respond to a judicial subpoena, administrative subpoena, or other request; and

(iii) Provide clinical guidance and interpretation of the information requested to the authorized recipient of the information.

(2) Notwithstanding paragraph (1) of this subsection, the Program may disclose information to the authorized administrator of another state's prescription drug monitoring program for disclosure to the persons listed in subsection (b)(1), (2), and [(6)] **(7)** of this section without the review, clinical guidance, and interpretation of the technical advisory committee.

DRAFTER'S NOTE:

Error: Erroneous internal references in § 21-2A-06(d) of the Health – General Article.

Occurred: As a result of Ch. 381, Acts of 2015, which renumbered the items in § 21-2A-06(b) of the Health – General Article.

21-2A-07.

(b) The purpose of the technical advisory committee is to:

(1) Review requests for information from the Program under [§ 21-2A-06(b)(3), (4), (5), (7), and (8)] **§ 21-2A-06(B)(3), (5), (6), (8), AND (9)** of this subtitle; and

DRAFTER'S NOTE:

Error: Erroneous cross-references in § 21-2A-07(b)(1) of the Health – General Article.

Occurred: As a result of Ch. 381, Acts of 2015, which renumbered the items in § 21-2A-06(b) of the Health – General Article. Correction by the publisher of the Annotated Code in the 2015 Replacement Volume of the Health – General Article is ratified by this Act.

Article – Health Occupations

8-6C-02.

(b) The practice of direct-entry midwifery also includes:

(12) Participating in peer review as required under [§ 8-6C-18(e)(1)(ii)] **§ 8-6C-18(E)(2)** of this subtitle;

DRAFTER'S NOTE:

Error: Erroneous cross-reference in § 8-6C-02(b)(12) of the Health Occupations Article.

Occurred: Ch. 393, Acts of 2015. Correction by the publisher of the Annotated Code in the 2015 Supplement of the Health Occupations Article is ratified by this Act. Correction suggested by the Attorney General in the Bill Review Letter for H.B. 9 (Ch. 393) of 2015, dated May 5, 2015.

8–6C–10.

(b) The Board shall send a written notice of noncompliance to each licensee who fails to meet the reporting requirements under subsection (a) **OF** this section.

(c) A licensed direct–entry midwife who fails to comply with the reporting requirements under this section shall be prohibited from license renewal until the information required under subsection (a) **OF** this section is reported.

(d) The Committee shall maintain the confidentiality of any report submitted under subsection (a) **OF** this section.

[(g)] (F) A licensed direct–entry midwife attending an out–of–hospital delivery shall:

(1) For any live birth, complete and submit a birth certificate in accordance with § 4–208 of the Health – General Article; and

(2) For any death, make all medical records available and communicate relevant circumstances of the death to the individual responsible for completing the certificate of death under § 4–212 or § 4–213 of the Health – General Article.

DRAFTER’S NOTE:

Error: Omitted words in § 8–6C–10(b), (c), and (d) and stylistic error in § 8–6C–10(f) of the Health Occupations Article.

Occurred: Ch. 393, Acts of 2015. Correction by the publisher of the Annotated Code in the 2015 Supplement of the Health Occupations Article is ratified by this Act.

8–6C–11.

(e) The consumer member of the Committee:

(3) May not have a household member who is:

(i) A licensed direct–entry midwife, a licensed nurse who is certified as a nurse–midwife, **OR** a health care practitioner who is directly involved with pregnancy or labor; or

Error: Omitted conjunction in § 8–6C–11(e)(3)(i) of the Health Occupations Article.

Occurred: Ch. 393, Acts of 2015. Correction by the publisher of the Annotated Code in the 2015 Supplement of the Health – Occupations Article is ratified by this Act.

12–403.

(c) Except as otherwise provided in this section, a pharmacy for which a pharmacy permit has been issued under this title:

(22) (i) [Subject to § 12–4A–02 of this title, may] **MAY** provide to an ophthalmologist for office use, without a patient–specific prescription:

1. Compound antibiotics for the emergency treatment of bacterial endophthalmitis or viral retinitis; and

2. Compound antivascular endothelial growth factor agents for the emergency treatment of neovascular glaucoma, wet macular degeneration, or macular edema; and

DRAFTER’S NOTE:

Error: Obsolete cross–reference in § 12–403(c)(22)(i) of the Health Occupations Article.

Occurred: As a result of Ch. 5, § 2, Acts of 2015, which repealed § 12–4A–02 of the Health Occupations Article.

Article – Housing and Community Development

4–1207.

(a) Except as provided in subsection (c) of this section, the Department may approve an application for a proposed partnership project only if:

(2) the political subdivision or housing authority:

(i) contributes from [nonstate] **NON–STATE** sources the land for the partnership rental housing;

DRAFTER’S NOTE:

Error: Stylistic error in § 4–1207(a)(2)(i) of the Housing and Community Development Article.

Occurred: Ch. 26, Acts of 2005.

6–305.

(b) An applicant may qualify for financial assistance for a project in a sustainable community or food desert if the application demonstrates that:

(1) except for a microenterprise project, the project has significant commitments for financing from other private and [nonstate] **NON–STATE** public sources that are sufficient to complete the project with the money from the Fund;

DRAFTER’S NOTE:

Error: Stylistic error in § 6–305(b)(1) of the Housing and Community Development Article.

Occurred: Ch. 26, Acts of 2005.

6–308.

(a) The Department shall:

(3) establish, for each category of financing described in § 6–306(c) of this subtitle, minimum percentages or amounts of private and [nonstate] **NON–STATE** public financing that an applicant for the Business Development Program must secure; and

DRAFTER’S NOTE:

Error: Stylistic error in § 6–308(a)(3) of the Housing and Community Development Article.

Occurred: Ch. 26, Acts of 2005.

Article – Human Services

5–304.

(a) (4) “Foster youth” means an individual who:

(i) is an adult in out-of-home care under the responsibility of the State; or

(ii) 1. is an adult under the age of 25 years; and

[(iii)] 2. was in out-of-home care under the responsibility of the State on the individual’s 18th birthday.

DRAFTER’S NOTE:

Error: Tabulation error in § 5–304(a)(4) of the Human Services Article.

Occurred: Ch. 385, Acts of 2009.

Article – Insurance

3–302.

(a) This subtitle does not apply to:

(9) insurance:

(ii) on cargo of the aircraft described in [subitem] ITEM (i) of this item; or

(iii) against liability arising out of the ownership, maintenance, or use of the aircraft described in [subitem] ITEM (i) of this item, other than workers' compensation or employer's liability; or

DRAFTER'S NOTE:

Error: Stylistic errors in § 3–302(a)(9)(ii) and (iii) of the Insurance Article.

Occurred: Ch. 36, Acts of 1995.

5–306.

(e) (1) (ii) “Plan Type A” means a plan type under which:

1. at any time the policyholder may withdraw funds only:

B. without the adjustment required by [subitem] ITEM A of this item but in installments over 5 years or more; or

(iii) “Plan Type B” means a plan type under which:

1. before the expiration of the interest rate guarantee:

B. the policyholder may withdraw funds without the adjustment required by [subitem] ITEM A of this item but in installments over 5 years or more; or

DRAFTER'S NOTE:

Error: Stylistic errors in § 5–306(e)(1)(ii)1B and (iii)1B of the Insurance Article.

Occurred: Ch. 36, Acts of 1995.

15–1408.

A carrier shall renew group health benefit plans at the option of the policyholder or plan sponsor, except in any of the following cases:

(4) where the policyholder or plan sponsor has failed to comply with a material plan provision relating **TO** the employer contributions or group participation rules;

DRAFTER’S NOTE:

Error: Omitted word in § 15–1408(4) of the Insurance Article.

Occurred: Ch. 294, Acts of 1997.

20–201.

(d) (3) The Fund is subject to:

(i) [Title 10, Subtitle 6, Part III of the State Government Article]

TITLE 4 OF THE GENERAL PROVISIONS ARTICLE;

DRAFTER’S NOTE:

Error: Erroneous cross–reference in § 20–201(d)(3)(i) of the Insurance Article.

Occurred: As a result of Ch. 94, Acts of 2014, which revised, restated, and recodified former Title 10, Subtitle 6, Part III of the State Government Article and certain other provisions of law to establish the new General Provisions Article.

31–101.

[(c–1)] **(B–1)** “Captive producer” means an insurance producer who:

(1) is licensed in the State and authorized by the Commissioner to sell, solicit, or negotiate health insurance;

(2) receives an authorization and meets the other requirements set forth in § 31–113(n)(2) of this title;

(3) has a current and exclusive appointment with a single carrier; and

(4) receives compensation as a captive producer only from that carrier.

[(c-2)] (C-1) “Consolidated Services Center” or “CSC” means the consumer assistance call center established in accordance with the requirement to operate a toll-free hotline under § 1311(d)(4) of the Affordable Care Act and § 31-108(b)(5) of this title.

DRAFTER’S NOTE:

Error: Stylistic error (failure to codify definitions in alphabetical order) in § 31-101(c-1) and (c-2) of the Insurance Article.

Occurred: Ch. 159, Acts of 2013.

Article – Labor and Employment

3-415.

(b) This section does not apply to an employer that is:

(2) a [not for profit] **NOT-FOR-PROFIT** concert promoter, legitimate theater, music festival, music pavilion, or theatrical show; or

DRAFTER’S NOTE:

Error: Omitted hyphens in § 3-415(b)(2) of the Labor and Employment Article.

Occurred: Ch. 8, Acts of 1991.

11-405.

(a) Subject to subsection (d) of this section, the duties of the Council, consistent with the approval of the Division of Labor and Industry, shall be to:

(2) encourage the establishment of local apprenticeship committees where [such] **THE** committees are needed and approve their programs;

(5) register standards of apprenticeship of [such] **THE** groups or employers [as] **THAT** elect to conform with the provisions of this subtitle;

(10) perform [such] other functions as the Governor or the Secretary may direct or as may come within the scope of the Council.

DRAFTER’S NOTE:

Error: Stylistic errors in § 11-405(a)(2), (5), and (10) of the Labor and Employment Article.

Occurred: Ch. 64, Acts of 1984.

Article – Land Use

5–301.

(a) (1) Except as otherwise provided in §§ 9–603, 9–806, 9–1004, 9–1605, **AND** 9–1606[, and 9–1607] of this article, an owner or agent of an owner of land located within a subdivision may not transfer, sell, or agree to sell land by reference to, exhibition of, or other use of a plat of a subdivision before the plat has been:

- (i) approved by the planning commission; and
- (ii) recorded or filed in the office of the appropriate county clerk.

DRAFTER’S NOTE:

Error: Obsolete cross–reference in § 5–301(a)(1) of the Land Use Article.

Occurred: As a result of Ch. 439, Acts of 2015, which repealed § 9–1607 of the Land Use Article.

25–212.

In Prince George’s County, a person may make a request to the district council for the review of a decision of the zoning hearing examiner or the **COUNTY** planning board only if:

- (1) the person is an aggrieved person that appeared at the hearing before the zoning hearing examiner or **COUNTY** planning board in person, by an attorney, or in writing; and
- (2) the review is expressly authorized under this division.

DRAFTER’S NOTE:

Error: Omitted words in § 25–212 of the Land Use Article.

Occurred: Ch. 365, Acts of 2015.

Article – Natural Resources

4–713.

- (i) (2) (iii) The Department, by regulation:

1. Shall establish procedures for the prior notification required under subparagraph [(2)(i) of this subsection] **(I) OF THIS PARAGRAPH**; and
2. May prohibit fishing for carp and catfish in certain areas as provided in subparagraph [(2)(ii) of this subsection] **(II) OF THIS PARAGRAPH**.

DRAFTER'S NOTE:

Error: Stylistic errors in § 4-713(i)(2)(iii) of the Natural Resources Article.

Occurred: Ch. 472, Acts of 1987.

4-715.

- (e) (2) (ii) The Department, by regulation:

1. Shall establish procedures for the prior notification required under subparagraph [(2)(i) of this subsection] **(I) OF THIS PARAGRAPH**; and
2. May prohibit fishing for carp and catfish in certain areas as provided in subparagraph [(2)(i) of this subsection] **(I) OF THIS PARAGRAPH**.

DRAFTER'S NOTE:

Error: Stylistic errors in § 4-715(e)(2)(ii) of the Natural Resources Article.

Occurred: Ch. 472, Acts of 1987.

4-11A-07.

- (e) (1) The Department may establish submerged land areas in the Atlantic Coastal Bays that:
- (i) Are preapproved for leasing;
 - (ii) May not be leased; **OR**
 - (iii) May be approved for leasing only on specific application and review by the Department.

DRAFTER'S NOTE:

Error: Omitted conjunction in § 4-11A-07(e)(1) of the Natural Resources Article.

Occurred: Ch. 174, Acts of 2009.

5–212.1.

(g) (2) (ii) For fiscal year 2015 only, the payments under subparagraph (i) of this [subsection] **PARAGRAPH** may not be made.

DRAFTER'S NOTE:

Error: Stylistic error in § 5–212.1(g)(2)(ii) of the Natural Resources Article.

Occurred: Ch. 397, Acts of 2011.

5–421.

(a) (1) The Department may permanently revoke or temporarily suspend the license of any licensed tree expert who:

(i) Is found guilty of any fraud or deceit in obtaining the license, or guilty of negligence [of] **OR** wrongful conduct in the practice of tree culture or care; or

DRAFTER'S NOTE:

Error: Incorrect word usage in § 5–421(a)(1)(i) of the Natural Resources Article.

Occurred: Ch. 119, Acts of 2008, which misrepresented the source law.

8–2103.

(b) The Department [of Natural Resources] shall ascertain on a per-acre basis the statewide extent of infestation of phragmites, when necessary data is available, and shall study and analyze the progress made in the management and control of the spread of phragmites on:

(1) Lands that the Department [of Natural Resources] owns or controls;
and

(2) Any real property on which the Department [of Natural Resources] assists landowners with the control of phragmites.

DRAFTER'S NOTE:

Error: Extraneous language in § 8–2103(b) of the Natural Resources Article.

Occurred: Ch. 557, Acts of 1994.

10–412.

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

(2) [“Baiting” means the placing, exposing, depositing, distributing, or scattering of shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed so as to constitute for birds a lure, attraction, or enticement to, on, or over any areas where persons are attempting to hunt them.

(3)] “Baited area” means any area where shelled, shucked, or unshucked corn, wheat or other grain, salt, or other feed capable of luring, attracting, or enticing birds is directly or indirectly placed, exposed, deposited, distributed, or scattered, and this area remains a baited area for 10 days following complete removal of all corn, wheat or other grain, salt, or other feed.

(3) “BAITING” MEANS THE PLACING, EXPOSING, DEPOSITING, DISTRIBUTING, OR SCATTERING OF SHELLED, SHUCKED, OR UNSHUCKED CORN, WHEAT OR OTHER GRAIN, SALT, OR OTHER FEED SO AS TO CONSTITUTE FOR BIRDS A LURE, ATTRACTION, OR ENTICEMENT TO, ON, OR OVER ANY AREAS WHERE PERSONS ARE ATTEMPTING TO HUNT THEM.

DRAFTER’S NOTE:

Error: Stylistic error (failure to codify definitions in alphabetic order) in § 10–412(a) of the Natural Resources Article.

Occurred: Ch. 145, Acts of 1990.

Article – Public Safety

3–201.

(d) (2) “Law enforcement agency” does not include members of the Maryland National Guard who:

(ii) are assigned to the military property designated as the [Glenn L.] Martin State Airport; and

(iii) are charged with exercising police powers in and for the [Glenn L.] Martin State Airport.

(e) (3) “Police officer” does not include:

(iii) a member of the Maryland National Guard who:

2. is assigned to the military property designated as the [Glenn L.] Martin State Airport; and

3. is charged with exercising police powers in and for the [Glenn L.] Martin State Airport.

DRAFTER'S NOTE:

Error: Misnomer in § 3–201(d)(2)(ii) and (iii) and (e)(3)(iii)2 and 3 of the Public Safety Article.

Occurred: As a result of the name change made under Executive Order 01.01.1985.04, February 19, 1985.

Article – Public Utilities

10–406.

(a) (1) In this section the following words have the [meaning] **MEANINGS** indicated.

DRAFTER'S NOTE:

Error: Grammatical error in § 10–406(a)(1) of the Public Utilities Article.

Occurred: Ch. 204, Acts of 2015.

Article – Real Property

7–106.

(e) If the holder of a lien on real property or his agent fails to provide the release within 30 days, the person responsible for the disbursement of funds in connection with the grant of title to the property, after having made demand therefor, may bring an action to enforce the provisions of this section in the circuit court for the county in which the property is located. In the action the lienholder, or his agent, or both, shall be liable for the delivery of the release and for all costs and expenses in connection with the bringing of the action, including reasonable [attorney] **ATTORNEY'S** fees.

DRAFTER'S NOTE:

Error: Incorrect word usage in § 7–106(e) of the Real Property Article.

Occurred: Ch. 497, Acts of 1984.

8–402.

(b) (3) (i) The provisions of this subsection shall apply to all cases of tenancies at the expiration of a stated term, tenancies from year to year, **AND** tenancies of the month and by the week. In case of tenancies from year to year (including tobacco farm

tenancies), notice in writing shall be given three months before the expiration of the current year of the tenancy, except that in case of all other farm tenancies, the notice shall be given six months before the expiration of the current year of the tenancy; and in monthly or weekly tenancies, a notice in writing of one month or one week, as the case may be, shall be so given.

DRAFTER'S NOTE:

Error: Omitted conjunction in § 8–402(b)(3)(i) of the Real Property Article.

Occurred: Ch. 700, Acts of 2001.

10–506.

(b) (4) If a custom home builder is unable to execute the certification under paragraph [(2)] (3) of this subsection truthfully, then another certification shall be substituted, which shall state:

“CERTIFICATION BY BUILDER

I (name of builder) hereby certify that, to the best of my knowledge, the information provided below includes all instances in which I or any business entity in which I had an ownership interest in excess of 51 percent have:

(1) Within the past 3 years been adjudged by a court of competent jurisdiction in Maryland to have failed to comply with any provision of the Custom Home Protection Act or the Consumer Protection Act as it applies to the construction of a new [home.] **HOME; AND**

(2) Been adjudged liable for a currently unsatisfied final judgment in connection with a custom home contract.

Adverse adjudication(s):

().

Unsatisfied judgment(s):

().”

DRAFTER'S NOTE:

Error: Erroneous internal reference, incorrect punctuation, and omitted conjunction in § 10–506(b)(4) of the Real Property Article.

Occurred: Ch. 853, Acts of 1986.

10–507.

(a) In addition to any other penalty provided elsewhere in the Annotated Code, any conduct that fails to comply with this subtitle, or any breach of any trust created by this subtitle, is:

(2) [Is subject] **SUBJECT** to all of the provisions of that title except § 13–411 of the Commercial Law Article.

DRAFTER’S NOTE:

Error: Extraneous word in § 10–507(a)(2) of the Real Property Article.

Occurred: Ch. 853, Acts of 1986.

11–122.

(a) The provisions of all laws, ordinances, and regulations concerning building codes or zoning shall have full force and effect to the extent that they apply to property which is subjected to a condominium regime and shall be construed and applied with reference to the overall nature and use of the property without regard to the form of ownership. A law, ordinance, or regulation concerning building codes or zoning may not establish any requirement or standard governing the use, location, [placement] **PLACEMENT**, or construction of any land and improvements which are submitted to the provisions of this title, unless the requirement or standard is uniformly applicable to all land and improvements of the same kind or character not submitted to the provisions of this title.

(b) Except as otherwise provided in this title, a county, city, or other jurisdiction may not enact any law, ordinance, or regulation which would impose a burden or restriction on a condominium that is not imposed on all other property of similar character not subjected to a condominium regime. Any such law, ordinance, or [regulation,] **REGULATION** is void. Except as otherwise expressly provided in §§ 11–130, 11–138, 11–139, and 11–140 of this title, the provisions of this title are statewide in their effect. Any law, ordinance, or regulation enacted by a county, city, or other jurisdiction is preempted by the subject and material of this title.

DRAFTER’S NOTE:

Error: Omitted punctuation in § 11–122(a) and extraneous punctuation in § 11–122(b) of the Real Property Article.

Occurred: Ch. 641, Acts of 1974.

11–135.

(g) (1) A notice given as required by subsection (a) of this section shall be sufficient for the purposes of this section if it is in substantially the following form:

“NOTICE

The seller is required by law to furnish to you not later than 15 days prior to closing certain information concerning the condominium which is described in § 11–135 of the Maryland Condominium Act. This information must include at least the following:

- (i) A copy of the declaration (other than the plats);
- (ii) A copy of the bylaws;
- (iii) A copy of the rules and regulations of the condominium;
- (iv) A certificate containing:
 - 1. A statement disclosing the effect on the proposed conveyance of any right of first refusal or other restraint on the free alienability of the unit, other than any restraint created by the unit owner;
 - 2. A statement of the amount of the monthly common expense assessment and any unpaid common expense or special assessment currently due and payable from the selling unit owner;
 - 3. A statement of any other fees payable by the unit owners to the council of unit owners;
 - 4. A statement of any capital expenditures approved by the council of unit owners or its authorized designee planned at the time of the conveyance which are not reflected in the current operating budget included in the certificate;
 - 5. The most recently prepared balance sheet and income and expense statement, if any, of the condominium;
 - 6. The current operating budget of the condominium, including details concerning the amount of the reserve fund for repair and replacement and its intended use, or a statement that there is no reserve fund;
 - 7. A statement of any judgments against the condominium and the existence of any pending suits to which the council of unit owners is a party;
 - 8. A statement generally describing any insurance policies provided for the benefit of the unit owners, a notice that the policies are available for inspection stating the location at which they are available, and a notice that the terms of the policy prevail over the general description;

9. A statement as to whether the council of unit owners has knowledge that any alteration or improvement to the unit or to the limited common elements assigned to the unit violates any provision of the declaration, bylaws, or rules or regulations;

10. A statement as to whether the council of unit owners has knowledge of any violation of the health or building codes with respect to the unit, the limited common elements assigned to the unit, or any other portion of the condominium;

11. A statement of the remaining term of any leasehold estate affecting the condominium and the provisions governing any extension or renewal of it; and

12. A description of any recreational or other facilities which are to be used by the unit owners or maintained by them or the council of unit owners, and a statement as to whether or not they are to be a part of the common elements; and

(v) A statement by the unit owner as to whether the unit owner has knowledge:

1. That any alteration to the unit or to the limited common elements assigned to the unit violates any provision of the declaration, bylaws, or rules and regulations.

2. Of any violation of the health or building codes with respect to the unit or the limited common elements assigned to the unit.

3. That the unit is subject to an extended lease under § 11–137 of this title or under local law, and if so, a copy of the lease must be provided.

You will have the right to cancel this contract without penalty, at any time within 7 days following delivery to you of all of this information. However, once the sale is closed, your right to cancel the contract is ~~[terminated.]~~ **TERMINATED.**

(2) A notice given as required by subsection (b) of this section shall be sufficient for the purposes of this section if it is in substantially the following form:

“NOTICE

The seller is required by law to furnish to you not later than 15 days prior to closing certain information concerning the condominium which is described in § 11–135 of the Maryland Condominium Act. This information must include at least the following:

- (1) A copy of the declaration (other than the plats);
- (2) A copy of the bylaws;
- (3) A copy of the rules and regulations of the condominium; and

(4) A statement by the seller of his expenses relating to the common elements during the preceding 12 months.

You will have the right to cancel this contract without penalty, at any time within 7 days following delivery to you of all of this information. However, once the sale is closed, your right to cancel the contract is [terminated.”] **TERMINATED.”**.

DRAFTER’S NOTE:

Error: Omitted punctuation in § 11–135(g)(1) and (2) of the Real Property Article.

Occurred: Ch. 836, Acts of 1982.

12–105.

(a) In this section, the phrase “the effective date of legislative authority for the acquisition of the [property,]” **PROPERTY”** means, with respect to a condemnor vested with continuing power of condemnation, the date of specific administrative determination to acquire the property.

DRAFTER’S NOTE:

Error: Extraneous punctuation in § 12–105(a) of the Real Property Article.

Occurred: Ch. 12, Acts of 1974.

14–127.

(a) (4) “Residential real estate transaction” means a transaction involving a federally related mortgage loan as defined in 12 U.S.C. § 2602 and [24 C.F.R. 3500.2] **12 C.F.R. § 1024.2**.

(c) (2) A person may not be considered to be in violation of paragraph (1) of this subsection solely because that person is a participant in an affiliated business arrangement, as defined in 12 U.S.C. § 2602, and receives consideration as a result of that participation as long as that person complies with 12 U.S.C. § 2607(c)(4), [24 C.F.R. 3500.15] **12 C.F.R. § 1024.15**, and Appendix D to [24 C.F.R. Part 3500] **12 C.F.R. PART 1024**.

(d) A person who offers settlement services in connection with residential real estate transactions involving land in the State shall comply with 12 U.S.C. § 2607(c)(4), [24 C.F.R. 3500.15] **12 C.F.R. § 1024.15**, and Appendix D to [24 C.F.R. Part 3500] **12 C.F.R. PART 1024**, as applicable, regarding disclosures of affiliated business arrangements, as defined in 12 U.S.C. § 2602.

DRAFTER'S NOTE:

Error: Erroneous citations in § 14–127(a)(4), (c)(2), and (d) of the Real Property Article.

Occurred: As a result of the transfer of authority to administer, enforce, and implement the Real Estate Settlement Procedures Act of 1974 from the U.S. Department of Housing and Urban Development to the Bureau of Consumer Financial Protection by the Dodd–Frank Wall Street Reform and Consumer Protection Act (P.L. 111–203).

Article – State Finance and Procurement

3A–506.

(c) (3) The surcharge to be collected under this section [only] applies **ONLY** to a communications service for which charges are billed by, or on behalf of, a communications company to a subscriber of the communications service.

DRAFTER'S NOTE:

Error: Stylistic error in § 3A–506(c)(3) of the State Finance and Procurement Article.

Occurred: Chs. 571 and 572, Acts of 2012.

5A–330.

(h) (2) The Secretary may [only] award a grant under the Program **ONLY** for an African American Heritage Preservation Project.

DRAFTER'S NOTE:

Error: Stylistic error in § 5A–330(h)(2) of the State Finance and Procurement Article.

Occurred: Ch. 371, Acts of 2015.

11–203.

(a) Except as provided in subsection (b) of this section, this Division II does not apply to:

(1) procurement by:

(vi) the Maryland Public Broadcasting Commission:

3. for procurement contracts needed to implement the repacking requirements of the [federal Spectrum Act] **FEDERAL SPECTRUM INCENTIVE ACT**;

DRAFTER'S NOTE:

Error: Misnomer in § 11–203(a)(1)(vi)3 of the State Finance and Procurement Article.

Occurred: Ch. 296, Acts of 2015.

14–103.

(a) A State or State aided or controlled entity shall buy supplies and services from:

(1) Maryland Correctional Enterprises, as provided in Title 3, Subtitle 5 of the Correctional Services Article, if [State Use Industries] **MARYLAND CORRECTIONAL ENTERPRISES** provides the supplies or services;

DRAFTER'S NOTE:

Error: Misnomer in § 14–103(a)(1) of the State Finance and Procurement Article.

Occurred: As a result of Ch. 124, Acts of 2005.

14–302.

(a) (4) Units may not use quotas or any project goal–setting process that:

(ii) fails to incorporate the analysis outlined in paragraph [(2)(ii)] **(3)(II)** of this subsection.

DRAFTER'S NOTE:

Error: Incorrect internal reference in § 14–302(a)(4)(ii) of the State Finance and Procurement Article.

Occurred: As a result of Ch. 201, Acts of 2013.

14–603.

(a) For procurements conducted by competitive sealed bidding, a unit shall award the contract to the responsible bidder that submits the responsive bid that:

(1) **(I)** has the lowest bid price;

[(2)] **(II)** has the lowest evaluated bid price; or

[(3)] (III) for procurements subject to § 11–202(3) of this article, is the bid most favorable to the State; and

[(4)] (2) meets or makes a good faith effort to meet any applicable goal established under this subtitle.

DRAFTER’S NOTE:

Error: Incorrect tabulation in § 14–603(a)(1) of the State Finance and Procurement Article.

Occurred: Ch. 3, Acts of 2015. Correction by the publisher of the Annotated Code in the 2015 Replacement Volume of the State Finance and Procurement Article is ratified by this Act.

Article – State Government

20–702.

(a) It is the policy of the State:

(2) to that end, to prohibit discriminatory practices with respect to residential housing by any person, in order to protect and [insure] **ENSURE** the peace, health, safety, prosperity, and general welfare of all.

DRAFTER’S NOTE:

Error: Incorrect word usage in § 20–702(a)(2) of the State Government Article.

Occurred: Ch. 120, Acts of 2009.

Article – State Personnel and Pensions

11–113.

(a) This section [only] applies **ONLY** to an employee:

(1) in the management service;

(2) in executive service; or

(3) under a special appointment described in § 6–405 of this article.

DRAFTER’S NOTE:

Error: Grammatical error in § 11–113(a) of the State Personnel and Pensions Article.

Occurred: Ch. 347, § 1, Acts of 1996.

12–201.

(a) (2) If a grievance is based on a performance rating of satisfactory or better:

(i) the grievant [only] may appeal the grievance **ONLY** at Steps One and Two of the grievance procedure; and

DRAFTER’S NOTE:

Error: Grammatical error in § 12–201(a)(2)(i) of the State Personnel and Pensions Article.

Occurred: Ch. 347, § 1, Acts of 1996.

21–309.

(b) Each year, the Board of Trustees shall certify to the chief fiscal officer of each participating governmental unit:

(2) any amount payable by the participating governmental unit for a magistrate under [§ 21–307(b)(2)] **§ 21–307(B)** of this subtitle.

DRAFTER’S NOTE:

Error: Erroneous cross–reference in § 21–309(b)(2) of the State Personnel and Pensions Article.

Occurred: As a result of Ch. 484, § 3, Acts of 2010.

Article – Tax – General

10–207.

(q) (1) **(II) “MILITARY RETIREMENT INCOME” MEANS RETIREMENT INCOME RECEIVED AS A RESULT OF MILITARY SERVICE.**

[(ii)] (III) “Military service” means:

1. induction into the armed forces of the United States for training and service under the Selective Training and Service Act of 1940 or a subsequent act of a similar nature;

2. membership in a reserve component of the armed forces of the United States;

- the United States;
3. membership in an active component of the armed forces of the United States;
 4. membership in the Maryland National Guard; or
 5. active duty with the commissioned corps of the Public Health Service, the National Oceanic and Atmospheric Administration, or the Coast and Geodetic Survey.

[(iii) “Military retirement income” means retirement income received as a result of military service.]

DRAFTER’S NOTE:

Error: Stylistic error (failure to codify definitions in alphabetical order) in § 10–207(q)(1)(ii) and (iii) of the Tax – General Article.

Occurred: Ch. 226, Acts of 2006.

10–702.

(a) [(3) (i) “Enterprise zone” has the meaning stated in § 5–701 of the Economic Development Article.

(ii) “Enterprise zone” includes a Regional Institution Strategic Enterprise zone established under Title 5, Subtitle 14 of the Economic Development Article.]

[(4) (3) “Economically disadvantaged individual” means an individual who is certified by provisions that the Department of Labor, Licensing, and Regulation adopts as an individual who, before becoming employed by a business entity in an enterprise zone:

(i) was both unemployed for at least 30 consecutive days and qualified to participate in training activities for the economically disadvantaged under the federal Workforce Investment Act or its successor; or

(ii) in the absence of an applicable federal act, met the criteria for an economically disadvantaged individual that the Secretary of Labor, Licensing, and Regulation sets.

(4) (I) “ENTERPRISE ZONE” HAS THE MEANING STATED IN § 5–701 OF THE ECONOMIC DEVELOPMENT ARTICLE.

(II) “ENTERPRISE ZONE” INCLUDES A REGIONAL INSTITUTION STRATEGIC ENTERPRISE ZONE ESTABLISHED UNDER TITLE 5, SUBTITLE 14 OF THE ECONOMIC DEVELOPMENT ARTICLE.

DRAFTER’S NOTE:

Error: Stylistic error (failure to codify definitions in alphabetical order) in § 10–702(a)(3) and (4) of the Tax – General Article.

Occurred: Ch. 2, Acts of 1988.

Article – Tax – Property

7–211.3.

(a) (2) **(I)** “Federal enclave property” means real property improvements or an interest in real property improvements:

[(i)] 1. that are located within the defined boundaries of federally owned land where:

[1.] A. the federal jurisdiction would preclude taxation by the State; and

[2.] B. the federal government has waived its immunity from State property taxation by law or other form of consent;

[(ii)] 2. that are either:

[1.] A. owned by a person other than the federal government; or

[2.] B. held by a person that is taxable under § 6–102(e) of this article; and

[(iii)] 3. that are not otherwise exempt under this title or any other provision of law.

[(iv)] (II) “Federal enclave property” does not include any property owned by the United States Department of Veterans Affairs that is leased to a person through an enhanced use lease.

DRAFTER’S NOTE:

Error: Tabulation error in § 7–211.3(a)(2) of the Tax – Property Article.

Occurred: Ch. 338, Acts of 2008.

9–304.

(f) (7) An ordinance of the Mayor and City Council **OF BALTIMORE CITY** authorizing tax credits in accordance with this subsection shall require:

(i) the development of a method, to be approved by the Board of Estimates, for analysis of the public costs and benefits of the tax credits; and

(ii) an annual report to the Board of Estimates and to the Mayor and City Council **OF BALTIMORE CITY** of the results and findings of that analysis.

DRAFTER'S NOTE:

Error: Omitted words in § 9–304(f)(7) of the Tax – Property Article.

Occurred: Ch. 543, Acts of 1995.

14–833.

(a) (1) Except as provided in paragraph (2) of this subsection and subsections [(a–1) and (e)] **(A–1), (E), (F), AND (G)** of this section, at any time after 6 months from the date of sale a holder of any certificate of sale may file a complaint to foreclose all rights of redemption of the property to which the certificate relates.

DRAFTER'S NOTE:

Error: Omitted cross–references in § 14–833(a)(1) of the Tax – Property Article.

Occurred: Ch. 114, Acts of 2015. Correction suggested by the Attorney General in the Bill Review Letter for H.B. 1035 (Ch. 114) of 2015 (footnote 9), dated April 13, 2015.

Article – Transportation

16–122.

(d) Each identification card, moped operator's permit, and license to drive issued or renewed in accordance with this section shall:

(2) Have a unique design or color indicator that clearly distinguishes it from the design or color of an identification card under § 12–301 of this article, a moped operator's permit under [§ 16–115] **§ 16–104.2** of this subtitle, or any license to drive under any other section of this subtitle; and

DRAFTER'S NOTE:

Error: Erroneous cross-reference in § 16-122(d)(2) of the Transportation Article.

Occurred: Ch. 390, Acts of 2009.

SECTION 2. AND BE IT FURTHER ENACTED, That the Drafter's Notes contained in this Act are not law and may not be considered to have been enacted as part of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That the provisions of this Act are intended solely to correct technical errors in the law and there is no intent to revive or otherwise affect law that is the subject of other acts, whether those acts were signed by the Governor prior to or after the signing of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That the publishers of the Annotated Code of Maryland, subject to the approval of the Department of Legislative Services, shall make any changes in the text of the Annotated Code necessary to effectuate any termination provision that was enacted by the General Assembly and has taken effect or will take effect prior to October 1, 2016. Any enactment of the 2016 Session of the General Assembly that negates or extends the effect of a previously enacted termination provision shall prevail over the provisions of this section.

SECTION 5. AND BE IT FURTHER ENACTED, That the publishers of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall make nonsubstantive corrections to codification, style, capitalization, punctuation, grammar, spelling, and any reference rendered incorrect or obsolete by an Act of the General Assembly, with no further action required by the General Assembly. The publishers shall adequately describe any such correction in an editor's note following the section affected.

SECTION 6. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, March 14, 2016.

Chapter 9

(Senate Bill 507)

AN ACT concerning

Annual Curative Bill

FOR the purpose of generally curing previous Acts of the General Assembly with possible title or other defects; establishing in Charles County an annual fee for providing live entertainment or outdoor table service by a holder of a Class D beer license, Class H beer and light wine license, Class D beer and light wine license, Class C beer, wine and liquor license, or Class D beer, wine and liquor license; authorizing the Montgomery County Board of License Commissioners by majority vote to approve an application for a Class B beer, wine and liquor license for a restaurant located in the City of Gaithersburg in Montgomery County that meets certain requirements, including a requirement concerning the distance of the restaurant from any church or other place of worship; providing that a certain prohibition on carrying or possessing a certain weapon on public school property does not apply in certain circumstances to a certain off-duty law enforcement officer who is authorized to carry a concealed handgun in the State; altering the circumstances under which a person is not entitled to a certain expungement of the person's records; authorizing the Prince George's County Board of Education and the Chief Executive Officer of the Prince George's County public school system to include minimum goals and incentives for maximizing certified county-based minority business participation in the goals and requirements established for a certain Certified County-Based Business Participation Program; altering certain provisions of law relating to the requirement that a certain county or municipality adopt and implement local laws or ordinances necessary to establish a watershed protection and restoration program; establishing the scope of practice of direct-entry midwifery; requiring a licensed direct-entry midwife to be assisted by a certain individual at the time of delivery; prohibiting the State Board of Nursing from renewing the license of certain direct-entry midwives until certain information is reported to the Direct-Entry Midwifery Advisory Committee; requiring a certain company, under certain circumstances, to comply with the minimum valuation standard prescribed by the Maryland Insurance Commissioner by regulation; altering the circumstances under which a certain loan secured by a first mortgage or deed of trust on certain real estate must provide for the amortization of principal over a certain maximum period with payments to be made at least annually in order to be included in the reserve investments of a life insurer; providing for the effect and construction of certain provisions of this Act; making this Act an emergency measure; and generally repealing and reenacting with or without amendments certain Acts of the General Assembly that may be subject to possible title or other defects in order to validate those Acts.

BY repealing and reenacting, without amendments,

Article 2B – Alcoholic Beverages

Section 3-401(j)(2), 5-202(f)(2), 5-401(j)(2), 6-301(j)(2)(ii), 6-401(j)(3), and 9-216(g)(1)

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Criminal Law

Section 4-102(a)(2)

Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 10–105(e)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 4–125.1(d)(2)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Environment
Section 4–202.1
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Health Occupations
Section 8–6C–02, 8–6C–05, and 8–6C–10(c)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 5–313(e)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)
(As enacted by Chapter 367 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 5–511(g)(1) and (2)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 4–701(j)(1)(v)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety
Section 7–303(b) and (c)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 1–101(pp) and (qq)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 14–108.1
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 141 of the Acts of the General Assembly of 2015
Section 1

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

Article 2B – Alcoholic Beverages

3–401.

(j) (2) In addition to the annual license fee, a license holder shall annually pay:

(i) \$200, if the license holder provides live entertainment; and

(ii) \$200, if the license holder provides outdoor table service.

5–202.

(f) (2) In addition to the annual license fee, a license holder shall annually pay:

(i) \$200, if the license holder provides live entertainment; and

(ii) \$200, if the license holder provides outdoor table service.

5–401.

(j) (2) In addition to the annual license fee, a license holder shall annually pay:

- (i) \$200, if the license holder provides live entertainment; and
- (ii) \$200, if the license holder provides outdoor table service.

6–301.

(j) (2) (ii) In addition to the annual license fee, a license holder shall annually pay:

- 1. \$200, if the license holder provides live entertainment;
- and
- 2. \$200, if the license holder provides outdoor table service.

6–401.

(j) (3) In addition to the annual license fee, a license holder shall annually pay:

- (i) \$200, if the license holder provides live entertainment; and
- (ii) \$200, if the license holder provides outdoor table service.

DRAFTER'S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 492 (House Bill 137) of the Acts of 2015.

9–216.

(g) (1) Notwithstanding the provisions of subsection (a) of this section, the Montgomery County Board of License Commissioners by majority vote may approve an application for a restaurant for a Class B beer, wine and liquor license if the following conditions are satisfied:

(i) The restaurant is located in a shopping center in the City of Gaithersburg in Montgomery County that is bordered by Maryland Route 355, Central Avenue, Poplarwood Place, and North Westland Drive;

(ii) The restaurant is located more than 275 feet from any place of worship; and

(iii) A prior owner or tenant at the site of the restaurant held an alcoholic beverages license.

DRAFTER’S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 66 (House Bill 95) of the Acts of 2015.

Article – Criminal Law

4–102.

(a) This section does not apply to:

(2) an off-duty law enforcement officer or a person who has retired as a law enforcement officer in good standing from a law enforcement agency of the United States, the State, or a local unit in the State who is a parent, guardian, or visitor of a student attending a school located on the public school property, provided that:

(i) the officer or retired officer is displaying the officer’s or retired officer’s badge or credential;

(ii) the weapon carried or possessed by the officer or retired officer is concealed; and

(iii) the officer or retired officer is authorized to carry a concealed handgun in the State;

DRAFTER’S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 293 (House Bill 1032) of the Acts of 2015.

Article – Criminal Procedure

10–105.

(e) (1) If the State’s Attorney files a timely objection to the petition, the court shall hold a hearing.

(2) If the court at the hearing finds that the person is entitled to expungement, the court shall order the expungement of all police records and court records about the charge.

(3) If the court finds that the person is not entitled to expungement, the court shall deny the petition.

(4) The person is not entitled to expungement if:

(i) the petition is based on the entry of probation before judgment, except a probation before judgment for a crime where the act on which the conviction is based is no longer a crime, and the person within 3 years of the entry of the probation before judgment has been convicted of a crime other than a minor traffic violation or a crime where the act on which the conviction is based is no longer a crime; or

(ii) the person is a defendant in a pending criminal proceeding.

DRAFTER'S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 314 (House Bill 304) of the Acts of 2015.

Article – Education

4–125.1.

(d) If the county board exercises the authority granted in subsection (c) of this section, the county board and the Chief Executive Officer shall:

(2) Establish goals and requirements for the Program that may include:

(i) Minimum percentages for certified county–based business participation;

(ii) Utilization of county–based small businesses;

(iii) Minimum goals and incentives for maximizing certified county–based minority business participation; and

(iv) The goals established under § 4–125(d) of this subtitle.

DRAFTER'S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 445 (House Bill 634) of the Acts of 2015.

Article – Environment

4–202.1.

(a) (1) Except as provided in paragraphs (2) and (3) of this subsection, this section applies to a county or municipality that is subject to a national pollutant discharge elimination system Phase I municipal separate storm sewer system permit.

(2) This section does not apply to a county or municipality that, on or before July 1, 2012, has enacted and implemented a system of charges under § 4–204 of this subtitle for the purpose of funding a watershed protection and restoration program, or similar program, in a manner consistent with the requirements of this section.

(3) Except as provided in subsection (j) of this section, this section does not apply in Montgomery County.

(b) A county or municipality shall adopt and implement local laws or ordinances necessary to establish a watershed protection and restoration program.

(c) (1) A watershed protection and restoration program established under this section:

(i) May include a stormwater remediation fee; and

(ii) Shall include a local watershed protection and restoration fund.

(2) (i) If a county or municipality established a stormwater remediation fee under this section on or before July 1, 2013, the county or municipality may repeal or reduce the fee before July 1, 2016, if:

1. The county or municipality identifies dedicated revenues, funds, or other sources of funds that will be:

A. Deposited into its local watershed protection and restoration fund; and

B. Utilized by the county or municipality to meet the requirements of its national pollutant discharge elimination system Phase I municipal separate storm sewer system permit;

2. Subject to subparagraph (iii) of this paragraph, the county or municipality has filed with the Department a financial assurance plan in accordance with subsection (j) of this section; and

3. The Department determines the financial assurance plan demonstrates good faith toward achieving sufficient funding in accordance with subsection (j)(4)(ii) of this subsection.

(ii) This paragraph may not be construed as prohibiting a county or municipality from repealing or reducing a fee on or after July 1, 2016.

(d) (1) A county or municipality shall maintain or administer a local watershed protection and restoration fund in accordance with this section.

(2) The purpose of a local watershed protection and restoration fund is to provide financial assistance for the implementation of local stormwater management plans through stormwater management practices and stream and wetland restoration activities.

(e) (1) (i) Except as provided in paragraph (2) of this subsection and subsection (f) of this section, a county or municipality may establish and annually collect a stormwater remediation fee from owners of property located within the county or municipality in accordance with this section.

(ii) Beginning fiscal year 2017, if a county funds the cost of stormwater remediation by using general revenues or through the issuance of bonds, the county shall meet with each municipality within its jurisdiction to mutually agree that the county will:

1. Assume responsibility for the municipality's stormwater remediation obligations;
2. For a municipality that has established a stormwater remediation fee under this section or § 4-204 of this subtitle, adjust the county property tax rate within the municipality to offset the stormwater remediation fee charged by the municipality; or
3. Negotiate a memorandum of understanding with the municipality to mutually agree upon any other action.

(2) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, property owned by the State, a unit of State government, a county, a municipality, a veterans' organization that is exempt from taxation under § 501(c)(4) or (19) of the Internal Revenue Code, or a regularly organized volunteer fire department that is used for public purposes may not be charged a stormwater remediation fee under this section.

(ii) 1. Except as provided in subparagraph 2 of this subparagraph, property owned by the State or a unit of State government may be charged a stormwater remediation fee by a county under this section if:

A. The State or a unit of State government and a county agree to the collection of an annual stormwater remediation fee from the State or a unit of State government that is based on the share of stormwater management services related to property of the State or a unit of State government located within the county;

B. The county agrees to appropriate into its own local watershed protection and restoration fund, on an annual basis, an amount of money that is based on the share of stormwater management services related to county property on an annual basis; and

C. The county demonstrates to the satisfaction of the State or a unit of State government that the fees collected under item A of this subparagraph and the money appropriated under item B of this subparagraph were deposited into the county's local watershed protection and restoration fund.

2. A county or municipality may not charge a stormwater remediation fee to property specifically covered by a current national pollutant discharge elimination system municipal separate storm sewer system permit or industrial stormwater permit held by the State or a unit of State government.

(iii) A county or municipality may charge a stormwater remediation fee to property owned by a veterans' organization that is exempt from taxation under § 501(c)(4) or (19) of the Internal Revenue Code or a regularly organized volunteer fire department if:

1. The county or municipality determines that the creation of a nondiscriminatory program for applying the stormwater remediation fee to federal properties under the federal facilities pollution control section of the Clean Water Act is necessary in order for the county or municipality to receive federal funding for stormwater remediation; and

2. A veterans' organization that is exempt from taxation under § 501(c)(4) or (19) of the Internal Revenue Code and a regularly organized volunteer fire department that is used for public purposes are provided with the opportunity to apply for an alternate compliance plan established under subsection (k)(3) of this section instead of paying a stormwater remediation fee charged by a county or municipality under item 1 of this subparagraph.

(3) (i) If a county or municipality establishes a stormwater remediation fee under this section, a county or municipality shall set a stormwater remediation fee for property in an amount that is based on the share of stormwater management services related to the property and provided by the county or municipality.

(ii) A county or municipality may set a stormwater remediation fee under this paragraph based on:

1. A flat rate;

2. An amount that is graduated, based on the amount of impervious surface on each property; or

3. Another method of calculation selected by the county or municipality.

(4) If a county or municipality establishes a stormwater remediation fee under this section, the stormwater remediation fee established under this section is separate from any charges that a county or municipality establishes related to stormwater management for new developments under § 4-204 of this subtitle, including fees for permitting, review of stormwater management plans, inspections, or monitoring.

(f) (1) If a county or municipality establishes a stormwater remediation fee under this section, the county or municipality shall establish policies and procedures, approved by the Department, to reduce any portion of a stormwater remediation fee established under subsection (e) of this section to account for on-site and off-site systems, facilities, services, or activities that reduce the quantity or improve the quality of stormwater discharged from the property.

(2) The policies and procedures established by a county or municipality under paragraph (1) of this subsection shall include:

(i) Guidelines for determining which on-site systems, facilities, services, or activities may be the basis for a fee reduction, including guidelines:

1. Relating to properties with existing advanced stormwater best management practices;

2. Relating to agricultural activities or facilities that are otherwise exempted from stormwater management requirements by the county or municipality; and

3. That account for the costs of, and the level of treatment provided by, stormwater management facilities that are funded and maintained by a property owner;

(ii) The method for calculating the amount of a fee reduction; and

(iii) Procedures for monitoring and verifying the effectiveness of the on-site systems, facilities, services, or activities in reducing the quantity or improving the quality of stormwater discharged from the property.

(3) For the purpose of monitoring and verifying the effectiveness of on-site systems, facilities, services, or activities under paragraph (2)(iii) of this subsection, a county or municipality may:

(i) Conduct on-site inspections;

(ii) Authorize a third party, certified by the Department, to conduct on-site inspections on behalf of the county or municipality; or

(iii) Require a property owner to hire a third party, certified by the Department, to conduct an on-site inspection and provide to the county or municipality the results of the inspection and any other information required by the county or municipality.

(g) (1) A property may not be assessed a stormwater remediation fee by both a county and a municipality.

(2) (i) Before a county may impose a stormwater remediation fee on a property located within a municipality, the county shall:

1. Notify the municipality of the county's intent to impose a stormwater remediation fee on property located within the municipality; and

2. Provide the municipality reasonable time to pass an ordinance authorizing the imposition of a municipal stormwater remediation fee instead of a county stormwater remediation fee.

(ii) If a county currently imposes a stormwater remediation fee on property located within a municipality and the municipality decides to implement its own stormwater remediation fee under this section or § 4-204 of this subtitle, the municipality shall:

1. Notify the county of the municipality's intent to impose its own stormwater remediation fee; and

2. Provide the county reasonable time to discontinue the collection of the county stormwater remediation fee within the municipality before the municipality's stormwater remediation fee becomes effective.

(3) A county or municipality shall establish a procedure for a property owner to appeal a stormwater remediation fee imposed under this section.

(h) (1) (i) If a county or municipality establishes a stormwater remediation fee under this section, the county or municipality shall determine the method, frequency, and enforcement of the collection of the stormwater remediation fee.

(ii) A county or municipality shall include the following statement on a bill or on an insert to a bill to collect a stormwater remediation fee: "This is a local government fee established in response to federal stormwater management requirements. The federal requirements are designed to prevent local sources of pollution from reaching local waterways."

(2) A county or municipality shall deposit any stormwater remediation fees it collects into its local watershed protection and restoration fund.

(3) There shall be deposited in a local watershed protection and restoration fund:

- (i) Any funds received from the stormwater remediation fee;
- (ii) Funds received under subsections (c)(2) and (e)(2) of this section;
- (iii) Interest or other income earned on the investment of money in the local watershed protection and restoration fund; and
- (iv) Any additional money made available from any sources for the purposes for which the local watershed protection and restoration fund has been established.

(4) Subject to paragraph (5) of this subsection, a county or municipality shall use the money in its local watershed protection and restoration fund for the following purposes only:

- (i) Capital improvements for stormwater management, including stream and wetland restoration projects;
- (ii) Operation and maintenance of stormwater management systems and facilities;
- (iii) Public education and outreach relating to stormwater management or stream and wetland restoration;
- (iv) Stormwater management planning, including:
 - 1. Mapping and assessment of impervious surfaces; and
 - 2. Monitoring, inspection, and enforcement activities to carry out the purposes of the watershed protection and restoration fund;
- (v) To the extent that fees imposed under § 4–204 of this subtitle are deposited into the local watershed protection and restoration fund, review of stormwater management plans and permit applications for new development;
- (vi) Grants to nonprofit organizations for up to 100% of a project's costs for watershed restoration and rehabilitation projects relating to:
 - 1. Planning, design, and construction of stormwater management practices;
 - 2. Stream and wetland restoration; and

3. Public education and outreach related to stormwater management or stream and wetland restoration; and

(vii) Reasonable costs necessary to administer the local watershed protection and restoration fund.

(5) A county or municipality may use its local watershed protection and restoration fund as an environmental fund, and may deposit to and expend from the fund additional money made available from other sources and dedicated to environmental uses, provided that the funds received from the stormwater remediation fee, if any, are expended only for the purposes authorized under paragraph (4) of this subsection.

(6) Money in a local watershed protection and restoration fund may not revert or be transferred to the general fund of any county or municipality.

(i) A county or municipality shall report annually, in a manner determined by the Department, on:

(1) The number of properties subject to a stormwater remediation fee, if any;

(2) Any funding structure developed by the county or municipality, including the amount of money collected from each classification of property assessed a fee, if any;

(3) The amount of money deposited into the watershed protection and restoration fund in the previous fiscal year by source;

(4) The percentage and amount of funds in the local watershed protection and restoration fund spent on each of the purposes provided in subsection (h)(4) of this section;

(5) All stormwater management projects implemented in the previous fiscal year; and

(6) Any other information that the Department determines is necessary.

(j) (1) (i) On or before July 1, 2016, and every 2 years thereafter on the anniversary of the date of issuance of its national pollutant discharge elimination system Phase I municipal separate storm sewer system permit, a county, including Montgomery County, or municipality shall file with the Department a financial assurance plan that clearly identifies:

1. Actions that will be required of the county or municipality to meet the requirements of its national pollutant discharge elimination system Phase I municipal separate storm sewer system permit;

2. Projected annual and 5–year costs for the county or municipality to meet the impervious surface restoration plan requirements of its national pollutant discharge elimination system Phase I municipal separate storm sewer system permit;

3. Projected annual and 5–year revenues or other funds that will be used to meet the costs for the county or municipality to meet the impervious surface restoration plan requirements of its national pollutant discharge elimination system Phase I municipal separate storm sewer system permit;

4. Any sources of funds that will be utilized by the county or municipality to meet the requirements of its national pollutant elimination system Phase I municipal separate storm sewer system permit; and

5. Specific actions and expenditures that the county or municipality implemented in the previous fiscal years to meet its impervious surface restoration plan requirements under its national pollutant discharge elimination system Phase I municipal separate storm sewer system permit.

(ii) A county or municipality that files a financial assurance plan under subsection (c)(2) of this section shall file on or before July 1, 2016, a financial assurance plan that meets the requirements of paragraph (4) of this subsection.

(2) A financial assurance plan shall demonstrate that the county or municipality has sufficient funding in the current fiscal year and subsequent fiscal year budgets to meet its estimated costs for the 2–year period immediately following the filing date of the financial assurance plan.

(3) A county or municipality may not file a financial assurance plan under this subsection until the local governing body of the county or municipality:

(i) Holds a public hearing on the financial assurance plan; and

(ii) Approves the financial assurance plan.

(4) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, the Department shall make a decision whether the financial assurance plan demonstrates sufficient funding within 90 days after the county or municipality filed the financial assurance plan with the Department.

(ii) For a financial assurance plan that is filed on or before July 1, 2016, funding in the financial assurance plan is sufficient if the financial assurance plan demonstrates that the county or municipality has dedicated revenues, funds, or sources of funds to meet, for the 2–year period immediately following the filing date of the financial assurance plan, 75% of the projected costs of compliance with the impervious surface restoration plan requirements of the county or municipality under its national pollutant

discharge elimination system Phase I municipal separate storm sewer system permit over that 2–year period.

(iii) For the filing of a second and subsequent financial assurance plan, funding in the financial assurance plan is sufficient if the financial assurance plan demonstrates that the county or municipality has dedicated revenues, funds, or sources of funds to meet, for the 2–year period immediately following the filing date of the financial assurance plan, 100% of the projected costs of compliance with the impervious surface restoration plan requirements of the county or municipality under its national pollutant discharge elimination system Phase I municipal separate storm sewer system permit over the 2–year period.

(5) (i) If the Department determines that the funding in the financial assurance plan filed on or before July 1, 2016, is insufficient to meet, for the 2–year period immediately following the filing date of the financial assurance plan, 75% of the projected costs of compliance with the impervious surface restoration plan requirements of the county or municipality under its national pollutant discharge elimination system Phase I municipal separate storm sewer system permit, the Department shall issue a warning to the county or municipality and engage with the county or municipality on the development of a plan for meeting the projected costs of compliance.

(ii) 1. If the Department determines that the funding in the second or subsequent financial assurance plan is insufficient to meet, for the 2–year period immediately following the filing date of the financial assurance plan, 100% of the projected costs of compliance with the impervious surface restoration plan requirements of the county or municipality under its national pollutant discharge elimination system Phase I municipal separate storm sewer system permit, in addition to any other remedy available at law or in equity the Department shall impose an administrative penalty of:

A. For a first offense, up to \$5,000 for each day until the funding in the financial assurance plan is determined to be sufficient in accordance with subsection (j)(4)(iii) of this subsection; and

B. For a second and subsequent offense, up to \$10,000 for each day until the funding in the financial assurance plan is determined to be sufficient in accordance with subsection (j)(4)(iii) of this subsection.

2. Any penalty collected by the Department from a county or municipality under this subparagraph shall be paid into an escrow account to be used by the county or municipality for stormwater management projects pending a determination by the Department that funding in the financial assurance plan is sufficient.

(6) A financial assurance plan required under this subsection shall be made publicly available on the Department’s Web site within 14 days after the county or municipality filed the financial assurance plan with the Department.

(7) Beginning September 1, 2016, and every year thereafter, the Department shall submit a report evaluating the compliance of counties and municipalities with the requirements of this section to the Governor and, in accordance with § 2–1246 of the State Government Article, the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee.

(k) (1) If a county or municipality establishes a stormwater remediation fee under this section, the county or municipality shall establish a program to exempt from the requirements of this section any property able to demonstrate substantial financial hardship as a result of the stormwater remediation fee.

(2) A county or municipality may establish a separate hardship exemption program or include a hardship exemption as part of a system of offsets established under subsection (f)(1) of this section.

(3) (i) A county or municipality shall authorize a charitable nonprofit group or organization that is exempt from taxation under § 501(c)(3) or (d) of the Internal Revenue Code and can demonstrate substantial financial hardship to implement an alternate compliance plan in lieu of paying a stormwater remediation fee for property owned by the group or organization.

(ii) 1. Subject to subparagraph 2 of this subparagraph, the Department may adopt regulations to establish the alternate compliance plan authorized under subparagraph (i) of this paragraph.

2. The regulations adopted by the Department under subparagraph 1 of this subparagraph do not apply in a county that has implemented an alternate compliance program before July 1, 2015.

(l) The Department may adopt regulations to implement and enforce this section.

DRAFTER'S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 124 (Senate Bill 863) of the Acts of 2015.

Article – Health Occupations

8–6C–02.

(a) The practice of direct–entry midwifery includes:

(1) Providing the necessary supervision, care, and advice to a patient during a low–risk pregnancy, labor, delivery, and postpartum period; and

(2) Newborn care authorized under this subtitle that is provided in a manner that is:

(i) Consistent with national direct–entry midwifery standards; and

(ii) Based on the acquisition of clinical skills necessary for the care of pregnant women and newborns, including antepartum, intrapartum, and postpartum care.

(b) The practice of direct–entry midwifery also includes:

(1) Obtaining informed consent to provide services to the patient;

(2) Discussing:

(i) Any general risk factors associated with the services to be provided;

(ii) Any specific risk factors pertaining to the health and circumstances of the individual patient;

(iii) Conditions that preclude care by a licensed direct–entry midwife; and

(iv) The conditions under which consultation, transfer of care, or transport of the patient must be implemented;

(3) Obtaining a health history of the patient and performing a physical examination;

(4) Developing a written plan of care specific to the patient, to ensure continuity of care throughout the antepartum, intrapartum, and postpartum periods, that includes:

(i) A plan for the management of any specific risk factors pertaining to the individual health and circumstances of the individual patient; and

(ii) A plan to be followed in the event of an emergency, including a plan for transportation;

(5) Evaluating the results of patient care;

(6) Consulting and collaborating with a health care practitioner regarding the care of a patient, and referring and transferring care to a health care provider, as required;

(7) Referral of all patients, within 72 hours after delivery, to a pediatric health care practitioner for care of the newborn;

(8) As approved by the Board:

(i) Obtaining and administering medications; and

(ii) Obtaining and using equipment and devices;

(9) Obtaining appropriate screening and testing, including laboratory tests, urinalysis, and ultrasound;

(10) Providing prenatal care during the antepartum period, with consultation or referral as required;

(11) Providing care during the intrapartum period, including:

(i) Monitoring and evaluating the condition of the patient and fetus;

(ii) At the onset of active labor notifying the pediatric health care practitioner that delivery is imminent;

(iii) Performing emergency procedures, including:

1. Administering approved medications;

2. Administering intravenous fluids for stabilization;

3. Performing an emergency episiotomy; and

4. Providing care while on the way to a hospital under circumstances in which emergency medical services have not been activated;

(iv) Activating emergency medical services for an emergency; and

(v) Delivering in an out-of-hospital setting;

(12) Participating in peer review as required under § 8-6C-18(e)(2) of this subtitle;

(13) Providing care during the postpartum period, including:

(i) Suturing of first and second degree perineal or labial lacerations, or suturing of an episiotomy with the administration of a local anesthetic; and

(ii) Making further contact with the patient within 48 hours, within 2 weeks, and at 6 weeks after the delivery to assess for hemorrhage, preeclampsia, thrombo-embolism, infection, and emotional well-being;

(14) Providing routine care for the newborn for up to 72 hours after delivery, exclusive of administering immunizations, including:

(i) Immediate care at birth, including resuscitating as needed, performing a newborn examination, and administering intramuscular vitamin K and eye ointment for prevention of ophthalmia neonatorum;

(ii) Assessing newborn feeding and hydration;

(iii) Performing metabolic screening and reporting on the screening in accordance with the regulations related to newborn screenings that are adopted by the Department;

(iv) Performing critical congenital heart disease screening and reporting on the screening in accordance with the regulations related to newborn screenings that are adopted by the Department;

(v) If unable to perform the screening required under item (iii) or (iv) of this item, referring the newborn to a pediatric health care practitioner to perform the screening within 24 to 48 hours after delivery; and

(vi) Referring the infant to an audiologist for a hearing screening in accordance with the regulations related to newborn screenings that are adopted by the Department;

(15) Within 24 hours after delivery, notifying a pediatric health care practitioner of the delivery;

(16) Within 72 hours after delivery:

(i) Transferring health records to the pediatric health care practitioner, including documentation of the performance of the screenings required under item (14)(iii) and (iv) of this subsection; and

(ii) Referring the newborn to a pediatric health care practitioner;

(17) Providing the following care of the newborn beyond the first 72 hours after delivery:

(i) Weight checks and general observation of the newborn's activity, with abnormal findings communicated to the newborn's pediatric health care practitioner;

(ii) Assessment of newborn feeding and hydration; and

- (iii) Breastfeeding support and counseling; and
- (18) Providing limited services to the patient after the postpartum period, including:
 - (i) Breastfeeding support and counseling; and
 - (ii) Counseling and referral for all family planning methods.
- (c) The practice of direct–entry midwifery does not include:
 - (1) Pharmacological induction or augmentation of labor or artificial rupture of membranes prior to the onset of labor;
 - (2) Surgical delivery or any surgery except an emergency episiotomy;
 - (3) Use of forceps or vacuum extractor;
 - (4) Except for the administration of a local anesthetic, administration of an anesthetic;
 - (5) Administration of any kind of narcotic analgesic; or
 - (6) Administration of any prescription medication in a manner that violates this subtitle.

8–6C–05.

At the time of delivery, a licensed direct–entry midwife shall be assisted by a second individual who:

- (1) Has completed the American Academy of Pediatrics/American Heart Association Neonatal Resuscitation Program (NRP) within the previous 2 years; and
- (2) Has the skills and equipment necessary to perform a full resuscitation of the newborn in accordance with the principles of NRP.

8–6C–10.

(c) A licensed direct–entry midwife who fails to comply with the reporting requirements under this section shall be prohibited from license renewal until the information required under subsection (a) of this section is reported.

DRAFTER'S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 393 (House Bill 9) of the Acts of 2015.

Article – Insurance

5–313.

(e) In the absence of a specific valuation requirement, or if a specific valuation requirement in the valuation manual is not, in the opinion of the Commissioner, in compliance with this subtitle, a company, with respect to the requirement, shall comply with the minimum valuation standard prescribed by the Commissioner by regulation.

DRAFTER'S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 367 (Senate Bill 573) of the Acts of 2015.

5–511.

(g) (1) The reserve investments of a life insurer may include loans secured by first mortgages, or deeds of trust, on unencumbered fee-simple or improved leasehold real estate in a state or a province of Canada in an amount not exceeding 85% of the fair market value of the real estate.

(2) A life insurer may not include an amount from an investment made under paragraph (1) of this subsection that exceeds 75% of the fair market value of the real estate in reserve and capital stock investments under this subtitle unless:

(i) the real estate:

1. is primarily improved by a residence; or
2. is farm property used for farming purposes and the loan amount on any one farm property does not exceed \$500,000; and

(ii) the loan on the real estate provides for the amortization of principal over a period of not more than 30 years, with payments to be made at least annually.

DRAFTER'S NOTE:

Error: Purpose paragraph of bill being cured failed to accurately describe the changes made by the bill.

Occurred: Chapter 25 (Senate Bill 325) of the Acts of 2015.

Article – Natural Resources

4–701.

(j) (1) The Department may set by regulation targets for the number of tidal fish license authorizations under subsection (d)(2)(ii) of this section to be the number issued between September 1, 1998 and March 31, 1999. The Department may modify by regulation the target number of authorizations based on:

(v) The number of authorizations relinquished to the Department under subsection (m) of this section.

DRAFTER'S NOTE:

Error: Function paragraph of bill being cured incorrectly indicated that § 4–701(j)(1), rather than § 4–701(j)(1)(v), of the Natural Resources Article was being amended.

Occurred: Chapter 22 (Senate Bill 223) of the Acts of 2015.

Article – Public Safety

7–303.

(b) (1) Except as provided in paragraph (2) of this subsection, the commanding officer may designate 12 members of a fire company to be appointed as deputy sheriffs.

(2) In Cecil County and Harford County, the commanding officer may designate 20 members of a fire company to be appointed as deputy sheriffs.

(c) (1) The sheriff of a county subject to this section may require a member of a fire company appointed as deputy sheriff to demonstrate a satisfactory level of training in those areas of law enforcement commensurate with the duties of deputy sheriff described in this section.

(2) If the sheriff requires demonstration of a satisfactory level of training, then the sheriff must provide the training, at a time and place that the sheriff considers suitable.

DRAFTER'S NOTE:

Error: Function paragraph of bill being cured incorrectly indicated that § 7–303(b) and (c) of the Public Safety Article were being amended.

Occurred: Chapter 166 (Senate Bill 383) of the Acts of 2015.

Article – Public Utilities

1–101.

(pp) “Transportation network company” has the meaning stated in § 10–101 of this article.

(qq) “Transportation network services” has the meaning stated in § 10–101 of this article.

DRAFTER’S NOTE:

Error: Function paragraph of bill being cured incorrectly indicated that § 1–101(pp), (qq), and (rr), rather than § 1–101(pp) and (qq), of the Public Utilities Article were being added.

Occurred: Chapter 204 (Senate Bill 868) of the Acts of 2015.

Article – Real Property

14–108.1.

(a) This section does not apply to:

(1) A grantee action under § 14–109 of this subtitle;

(2) A landlord–tenant action that is within the exclusive original jurisdiction of the District Court;

(3) An action for nonpayment of ground rent under a ground lease on residential property that is or was used, intended to be used, or authorized to be used for four or fewer dwelling units; or

(4) An action for wrongful detainer under § 14–132 of this subtitle.

(b) (1) A person who is not in possession of property and claims title and right to possession may bring an action for possession against the person in possession of the property.

(2) Encumbrance of property by a mortgage or deed of trust to secure a debt does not prevent an action under this section by the owner of the property.

(c) When personal jurisdiction is not obtained over the defendant, the plaintiff may obtain a default judgment under the Maryland Rules only on proof of title and right to possession. The judgment shall be in rem for possession of the property. Entry and

enforcement of the judgment does not bar further pursuit, in the same or another action, of the plaintiff's claim for mesne profits and damages.

DRAFTER'S NOTE:

Error: Function paragraph of bill being cured incorrectly indicated that § 14–108.1 of the Real Property Article was unamended.

Occurred: Chapter 428 (House Bill 511) of the Acts of 2015.

Chapter 141 of the Acts of 2015

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 2–117 through 2–123, respectively; 2–201 through 2–207, respectively, and the subtitle “Subtitle 2. Maryland Economic Development Commission”; and 6–502, 6–503, 6–509, 6–510, 6–515, 6–516, 6–524, and 6–525, respectively, of Article – Economic Development of the Annotated Code of Maryland be renumbered to be Section(s) 2.5–104 through 2.5–110, respectively; 2.5–201 through 2.5–207, respectively, and the subtitle “Subtitle 2.5. Maryland Economic Development Commission”; and 10–472, 10–473, 10–479, 10–480, [10–484,] 10–485, 10–486, 10–494, and 10–495, respectively.

DRAFTER'S NOTE:

Error: Function paragraph and uncodified provision of bill being cured incorrectly indicated that §§ 6–502, 6–503, 6–509, 6–510, 6–515, 6–516, 6–524, and 6–525 of the Economic Development Article were being renumbered to be §§ 10–472, 10–473, 10–479, 10–480, 10–484, 10–485, 10–486, 10–494, and 10–495, rather than §§ 10–472, 10–473, 10–479, 10–480, 10–485, 10–486, 10–494, and 10–495.

Occurred: Chapter 141 (House Bill 943) of the Acts of 2015.

SECTION 2. AND BE IT FURTHER ENACTED, That the Drafter's Notes contained in this Act are not law and may not be considered to have been enacted as part of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved by the Governor, March 14, 2016.

Chapter 10

(House Bill 462)

AN ACT concerning

~~State Transfer Tax – Distribution of Revenue~~
Program Open Space – Transfer Tax Repayment – Use of Funds

FOR the purpose of increasing a certain statutory minimum grant to Baltimore City, payable from the State's share of the proceeds of Program Open Space, for certain purposes related to Program Open Space; specifying that certain funds be used only for certain capital projects; requiring certain appropriations from the General Fund to the Program Open Space special fund to repay certain appropriations or transfers from the special fund to the General Fund; requiring that certain appropriations to the special fund be distributed and used for certain purposes; requiring a certain appropriation to the ~~Agricultural Land Preservation Fund~~ Maryland Agricultural and Resource-Based Industry Development Corporation for a certain purpose; declaring the intent of the General Assembly; ~~requiring that certain funds be allocated as a certain grant;~~ *authorizing the Governor to process a budget amendment for a certain purpose;* reducing certain transfers from a certain special fund to the General Fund of the State for certain fiscal years; requiring in certain fiscal years the distribution of certain amounts from a certain special fund for certain purposes; *altering, for certain fiscal years, a requirement that the Governor include a certain appropriation in the budget bill;* providing that certain distributions may not be utilized or considered for certain purposes; and generally relating to ~~the distribution of State transfer tax revenue~~ Program Open Space.

~~BY repealing and reenacting, without amendments,
Article – Tax – Property
Section 13–200(f) and (g)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 5–903(a)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–903(b)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~13–200(h)~~ 13–209
Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 7–311(j)

Annotated Code of Maryland

(2015 Replacement Volume)

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

Article – Natural Resources

5–903.

(a) (1) Of the funds distributed to Program Open Space under § 13–209 of the Tax – Property Article, up to \$3,000,000 may be transferred by an appropriation in the State budget, or by an amendment to the State budget under Title 7, Subtitle 2 of the State Finance and Procurement Article, to the Maryland Heritage Areas Authority Financing Fund established under Title 13, Subtitle 11 of the Financial Institutions Article to be used for the purposes provided in that subtitle.

(2) (i) 1. Of the remaining funds not appropriated under paragraph (1) of this subsection:

A. One half of the funds shall be used for recreation and open space purposes by the Department and the Historic St. Mary’s City Commission; and

B. 20% of the funds or \$21,000,000, whichever is greater, shall be appropriated to the Forest and Park Service in the Department to operate State forests and parks.

2. Except as otherwise provided in this section, any funds the General Assembly appropriates to the State under this subsection shall be used only for land acquisition projects.

(ii) 1. [At least \$1,500,000] AS SPECIFIED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, A PORTION of the State’s share of funds available under subparagraph (i)1A of this paragraph for this program shall be utilized to make grants to Baltimore City for projects which meet park purposes. The grants shall be in addition to any funds Baltimore City is eligible to receive under subsection (b) of this section, and may be used for acquisition or development. In order for Baltimore City to be eligible for a State grant, the Department shall review projects or land to be acquired within Baltimore City, and upon the Department’s recommendation, the Board of Public Works may approve projects and land including the cost. Title to the land shall be in the name of the Mayor and City Council of Baltimore City. The State is not responsible for costs involved in the development or maintenance of the land.

2. THE GRANTS TO BALTIMORE CITY UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE MADE IN THE FOLLOWING AMOUNTS:

- A. FOR FISCAL YEAR 2017, \$1,500,000;**
- B. FOR FISCAL YEAR 2018, \$3,500,000;**
- C. FOR FISCAL YEAR 2019, \$5,500,000; AND**
- D. FOR FISCAL YEAR 2020, AND FOR EACH SUBSEQUENT FISCAL YEAR, \$6,000,000.**

3. THE GRANTS MADE UNDER THIS SUBPARAGRAPH SUPPLEMENT RATHER THAN SUPPLANT ANY OTHER FUNDING FOR PARK PURPOSES IN BALTIMORE CITY, NO MATTER THE SOURCE.

4. FOR FISCAL YEAR 2018, THE GRANT FUNDS TO BALTIMORE CITY IN EXCESS OF \$1,500,000 UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY ONLY BE USED FOR CAPITAL PURPOSES RELATED TO THE FOLLOWING PROJECTS IN THE AMOUNTS SPECIFIED:

- A. \$500,000 FOR HERRING RUN PARK;**
- B. \$600,000 FOR CLIFTON PARK;**
- C. \$300,000 FOR DRUID HILL PARK TRAIL HEAD;**
- D. \$300,000 FOR JAMES MOSHER PARK; AND**
- E. \$300,000 FOR PATTERSON PARK.**

(iii) 1. A portion of the State's share of funds available under subparagraph (i)1A of this paragraph for this program not to exceed \$8,000,000 for each fiscal year may be transferred by an appropriation in the State budget to the Rural Legacy Program under Subtitle 9A of this title.

2. In each fiscal year, up to \$2 million of the funds transferred under this subparagraph to the Rural Legacy Program may be used to purchase zero coupon bonds for easements.

3. Sums allocated to the Rural Legacy Program may not revert to the General Fund of the State.

(iv) The Department may acquire real property under subparagraph (i)1A of this paragraph based on an offer by the State that is less than the lowest approved appraisal for the property.

(v) For each of fiscal years 2010 through 2015, \$1,217,000 of the State's share of funds available under subparagraph (i)1A of this paragraph may be appropriated in the budgets of the Department, the Department of General Services, and the Department of Planning for expenses necessary to administer this Program.

(b) (1) The General Assembly shall appropriate the remaining funds not appropriated under subsection (a) of this section to assist local governing bodies in acquisition and development of land for recreation and open space purposes, including the provision of public access to the land.

(2) Except as provided in paragraph (3) of this subsection, funds appropriated under paragraph (1) of this subsection for development of land for recreation and open space purposes may be used for indoor or outdoor recreation and open space purposes, including the construction of indoor or outdoor recreational facilities such as aquatic, golf, community, and nature centers.

(3) An indoor recreational facility funded under paragraph (1) of this subsection shall:

(i) If the facility is 7,500 square feet or greater, meet or exceed the current version of the U.S. Green Building Council's LEED Green Building Rating System Silver rating, however, the facility is not required to be certified through the LEED certification process; and

(ii) Incorporate, to the maximum extent practicable, the nonstructural site design practices in the Maryland Stormwater Design Manual, incorporated by reference in COMAR 26.17.02.

Article – Tax – Property

13–209.

(a) (1) Before any other distribution under this section, in any fiscal year that bonds secured by a pledge of the State transfer tax are outstanding, the revenue from the transfer tax shall be used to pay, as and when due, the principal of and interest on the bonds.

(2) The Department shall deduct the cost of administering the transfer tax from the taxes collected under this title and credit those revenues to the fund established under § 1–203.3 of the Corporations and Associations Article.

(3) Except as provided in paragraph (4) of this subsection, after deducting the revenues required under paragraphs (1) and (2) of this subsection, the revenue from transfer tax is payable to the Comptroller for deposit in a special fund.

(4) In any fiscal year in which transfer tax revenue is used to pay debt service on outstanding bonds under paragraph (1) of this subsection, the distribution of revenues in the special fund under this section and as specified in § 5–903(a)(2)(i)1A of the Natural Resources Article, for State land acquisition, or to the Agricultural Land Preservation Fund to the extent any debt service is attributable to that Fund, shall be reduced by an amount equal to the debt service for the fiscal year.

(b) For the fiscal year beginning July 1, 2002 and for subsequent fiscal years, up to 3% of the revenues in the special fund may be appropriated in the State budget for salaries and related expenses in the Departments of General Services and Natural Resources and in the Department of Planning necessary to administer Title 5, Subtitle 9 of the Natural Resources Article (Program Open Space).

(c) (1) Subject to subsection (e) of this section, of the balance of the revenue in the special fund, not required under subsection (b) of this section:

(i) for the fiscal year beginning July 1, 2002, \$47,268,585 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in subsection (d) of this section;

(ii) for the fiscal year beginning July 1, 2003, \$102,833,869 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in the State budget;

(iii) for the fiscal year beginning July 1, 2004, \$147,374,444 shall be allocated to the General Fund of the State, and the remainder shall be allocated as provided in the State budget; and

(iv) for the fiscal year beginning July 1, 2005, \$68,223,132 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in subsection (d) of this section.

(2) Subject to subsection (e) of this section, for the fiscal years beginning July 1, 2006 and each subsequent fiscal year, the balance of the revenue in the special fund, not required under subsection (b) of this section shall be allocated as provided in subsection (d) of this section.

(d) Subject to subsections (d–1) and (e) of this section, for the fiscal year beginning July 1, 2002 and for each subsequent fiscal year, the balance of the revenue in the special fund, not required under subsection (b) of this section and not allocated to the General Fund under subsection (c)(1) of this section shall be allocated in the State budget as follows:

(1) (i) 75.15% for the purposes specified in Title 5, Subtitle 9 of the Natural Resources Article (Program Open Space); and

(ii) an additional 1% for Program Open Space, for land acquisition purposes as specified in § 5-903(a)(2) of the Natural Resources Article;

(2) 17.05% for the Agricultural Land Preservation Fund established under § 2-505 of the Agriculture Article;

(3) 5% for the Rural Legacy Program established under § 5-9A-01 of the Natural Resources Article; and

(4) 1.8% for the Heritage Conservation Fund established under § 5-1501 of the Natural Resources Article.

(d-1) (1) In this subsection, “eligible purpose” means a purpose, program, or fund to which revenue in the special fund is required to be allocated under subsection (d) of this section.

(2) For any fiscal year beginning on or after July 1, 2010, but before July 1, 2013, for which funding is provided for an eligible purpose through the State Consolidated Capital Bond Funding Program or other bond enabling act:

(i) from the balance of the special fund, before the allocations under subsection (d) of this section are made, an amount shall be allocated to the General Fund of the State equal to the total amount of funding provided for eligible purposes through the bond enabling act; and

(ii) except as otherwise expressly provided under the bond enabling act through which the funding is provided, the allocations provided under subsection (d) of this section shall be adjusted to reduce the amount that would otherwise be allocated for each eligible purpose by the amount of funding provided for that purpose under the bond enabling act.

(3) Notwithstanding any other provision of law, a transfer under this subsection may not be taken into account for purposes of determining any allocation or appropriation required under subsection (f) or (g) of this section.

(e) The sums allocated in subsection (d) of this section may not revert to the General Fund of the State.

(f) (1) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, for any fiscal year in which the actual transfer tax revenue collections are greater than the revenue estimates used as the basis for the appropriations required under this section for the fiscal year, the amount of the excess shall be allocated to the special fund under subsection (a) of this section as provided under subsections (c) and (d) of this section for the second fiscal year following the fiscal year in which there is an excess.

(ii) Notwithstanding subparagraph (i) of this paragraph or any other provision of law, \$21,776,868 of the transfer tax collected but not appropriated or transferred in fiscal 2004 shall be transferred to the General Fund of the State.

(iii) Notwithstanding subparagraph (i) of this paragraph or any other provision of law, in any fiscal year in which an appropriation or transfer is made from the special fund to the General Fund, if the actual transfer tax revenue collections for the prior fiscal year exceed the budget estimate for the prior fiscal year, the excess shall be allocated in the current fiscal year for Program Open Space, the Agricultural Land Preservation Fund, the Rural Legacy Program, and the Heritage Conservation Fund. Funds made available under this subparagraph shall be allocated as provided under subsection (d) of this section.

(2) For any fiscal year in which the actual transfer tax revenue collections are less than the revenue estimates used as the basis for the appropriations required under this section, the amount of the deficiency shall be reconciled as follows:

(i) for the first \$3,000,000 of any deficiency, the allocation to the special fund under subsection (a) of this section as provided under subsections (c) and (d) of this section for the second fiscal year following the deficiency shall be reduced by either the amount of the deficiency or \$3,000,000, whichever is less;

(ii) for any deficiency in excess of \$3,000,000, the amount in excess of \$3,000,000 shall be reconciled either by the reduction of the allocation to the special fund under subsection (a) of this section as provided under subsections (c) and (d) of this section for the second fiscal year following the deficiency or by the deauthorization of projects authorized in prior fiscal years;

(iii) for the allocation of the special fund under subsection (a) of this section, in the fiscal year beginning July 1, 2016, transfer tax revenue under-attainment from the fiscal year beginning July 1, 2014, will not be applied; and

(iv) transfer tax revenue in fiscal year 2015, that is in excess of \$161,016,000 may be transferred by budget amendment in fiscal year 2016 for:

1. administrative expenses related to land acquisition for Program Open Space;
2. critical maintenance projects in the Department of Natural Resources;
3. Natural Resources Development Fund projects in the Department of Natural Resources; and
4. replacement of General Fund appropriations in the Maryland Park Service.

(3) (i) Any amounts to be deauthorized from prior fiscal years under paragraph (2)(ii) of this subsection shall be proposed by the Governor in the budget of the second fiscal year following the fiscal year in which there is a deficiency.

(ii) An amount may be deauthorized under this paragraph only as provided in the State budget bill, as enacted.

~~(g) (1) Notwithstanding § 7-311(j) of the State Finance and Procurement Article, subject to paragraph (3) of this subsection, for fiscal year 2010 and for each subsequent fiscal year, if the unappropriated General Fund surplus as of June 30 of the second preceding year exceeds \$10,000,000, the Governor shall include in the budget bill a General Fund appropriation to the special fund under subsection (a) of this section in an amount equal to at least the lesser of \$50,000,000 or the excess surplus over \$10,000,000.~~

~~(2) For any fiscal year to which this subsection applies:~~

~~(i) unless the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds the sum of \$10,000,000 and the amount required to be appropriated to the special fund under paragraph (1) of this subsection, the appropriation to the Revenue Stabilization Account under § 7-311(j) of the State Finance and Procurement Article is not required; and~~

~~(ii) if the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds the sum of \$10,000,000 and the amount required to be appropriated to the special fund under paragraph (1) of this subsection, the appropriation required to the Revenue Stabilization Account under § 7-311(j) of the State Finance and Procurement Article shall equal the amount by which that surplus exceeds the sum of \$10,000,000 and the amount appropriated to the special fund under paragraph (1) of this subsection.~~

~~(3) (i) The cumulative amount required to be appropriated to the special fund under paragraph (1) of this subsection for all fiscal years shall equal the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal year 2006 and for each subsequent fiscal year, reduced by:~~

~~1. the amount of any appropriation or transfer from the General Fund to the special fund for any fiscal year in excess of the amount required under paragraph (1) of this subsection for that fiscal year; and~~

~~2. the amount of any appropriation or transfer from the General Fund to the special fund for any fiscal year in which the appropriation under paragraph (1) of this subsection is not required.~~

~~(ii) This subsection does not apply to any fiscal year if a cumulative amount has been appropriated to the special fund for prior fiscal years under this subsection equal to the cumulative amount of any appropriation or transfer from the special~~

~~fund to the General Fund for fiscal year 2006 and for each subsequent fiscal year, reduced by:~~

~~1. the amount of any appropriation or transfer from the General Fund to the special fund for any fiscal year in excess of the amount required under paragraph (1) of this subsection for that fiscal year; and~~

~~2. the amount of any appropriation or transfer from the General Fund to the special fund for any fiscal year in which the appropriation under paragraph (1) of this subsection is not required.~~

(G) (1) (I) THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL FOR FISCAL YEAR 2018 A GENERAL FUND APPROPRIATION IN THE AMOUNT OF \$5,000,000 TO THE AGRICULTURAL LAND PRESERVATION FUND ESTABLISHED UNDER § 2-505 OF THE AGRICULTURE ARTICLE MARYLAND AGRICULTURAL AND RECOURSE RESOURCE-BASED INDUSTRY DEVELOPMENT CORPORATION TO PROVIDE GRANTS FOR THE USE OF THE NEXT GENERATION FARMLAND ACQUISITION PROGRAM AUTHORIZED UNDER § 10-523(A)(3)(II) OF THE ECONOMIC DEVELOPMENT ARTICLE.

(II) THE APPROPRIATION REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. REPRESENTS REIMBURSEMENT FOR 5.6% OF THE CUMULATIVE AMOUNT APPROPRIATED OR TRANSFERRED FROM THE SPECIAL FUND TO THE GENERAL FUND FOR FISCAL YEAR 2006; AND

2. IS NOT SUBJECT TO THE PROVISIONS OF SUBSECTIONS (A) THROUGH (F) OF THIS SECTION.

(2) (I) THE GOVERNOR SHALL INCLUDE IN EACH OF THE ANNUAL BUDGET BILLS FOR FISCAL YEARS 2019, 2020, AND 2021 A GENERAL FUND APPROPRIATION TO THE SPECIAL FUND IN THE AMOUNT OF \$15,000,000.

(II) THE APPROPRIATIONS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. CUMULATIVELY REPRESENT REIMBURSEMENT FOR 50% OF THE CUMULATIVE AMOUNT OF ANY APPROPRIATION OR TRANSFER FROM THE SPECIAL FUND TO THE GENERAL FUND FOR FISCAL YEAR 2006;

2. ARE NOT SUBJECT TO THE PROVISIONS OF SUBSECTIONS (A), (B), (C), AND (F) OF THIS SECTION;

3. SHALL BE ALLOCATED AS PROVIDED IN SUBSECTION (D) OF THIS SECTION AND § 5-903 OF THE NATURAL RESOURCES ARTICLE; AND

4. SHALL BE REDUCED BY THE AMOUNT OF ANY APPROPRIATION FROM THE GENERAL FUND TO THE SPECIAL FUND THAT:

A. EXCEEDS THE REQUIRED APPROPRIATION UNDER THIS PARAGRAPH; AND

B. IS IDENTIFIED AS AN APPROPRIATION FOR REIMBURSEMENT UNDER THIS PARAGRAPH.

(3) (I) THE GOVERNOR SHALL INCLUDE IN EACH OF THE ANNUAL BUDGET BILLS FOR FISCAL YEAR 2019 THROUGH FISCAL YEAR 2024 A GENERAL FUND APPROPRIATION TO THE SPECIAL FUND IN THE AMOUNT OF \$6,000,000 AND FOR FISCAL YEAR 2025 A GENERAL FUND APPROPRIATION TO THE SPECIAL FUND IN THE AMOUNT OF \$4,000,000 FOR *PARK DEVELOPMENT AND THE CRITICAL MAINTENANCE OF STATE PROJECTS LOCATED ON LANDS MANAGED BY THE DEPARTMENT OF NATURAL RESOURCES FOR PUBLIC PURPOSES.*

(II) THE APPROPRIATIONS REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. REPRESENT REIMBURSEMENT FOR 44.4% OF THE CUMULATIVE AMOUNT OF ANY APPROPRIATION OR TRANSFER FROM THE SPECIAL FUND TO THE GENERAL FUND FOR FISCAL YEAR 2006;

2. ARE NOT SUBJECT TO THE PROVISIONS OF SUBSECTIONS (A), (B), (C), AND (F) OF THIS SECTION;

3. SHALL BE MADE UNTIL THE CUMULATIVE TOTAL AMOUNT APPROPRIATED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH IS EQUAL TO \$40,000,000; AND

4. SHALL BE REDUCED BY THE AMOUNT OF ANY APPROPRIATION FROM THE GENERAL FUND TO THE SPECIAL FUND THAT:

A. EXCEEDS THE REQUIRED APPROPRIATION UNDER THIS PARAGRAPH;

B. IS IDENTIFIED AS AN APPROPRIATION FOR REIMBURSEMENT UNDER THIS PARAGRAPH; AND

C. SUPPLEMENTS RATHER THAN SUPPLANTS THE DEPARTMENT OF NATURAL RESOURCES FUNDING FOR THE CRITICAL MAINTENANCE OF STATE PROJECTS ON STATE LANDS, BASED ON THE AVERAGE CRITICAL MAINTENANCE BUDGET OF THE 10 YEARS PRECEDING THE APPROPRIATION.

~~(4) (I) THE GOVERNOR SHALL INCLUDE IN EACH OF THE BUDGET BILLS FOR FISCAL YEARS 2021, 2025, AND 2029 A GENERAL FUND APPROPRIATION TO THE SPECIAL FUND EQUAL TO ONE THIRD OF THE CUMULATIVE AMOUNT OF THE APPROPRIATIONS OR TRANSFERS FROM THE SPECIAL FUND TO THE GENERAL FUND FOR FISCAL YEARS 2016, 2017, AND 2018, LESS ANY GENERAL OBLIGATION BONDS AUTHORIZED FOR PROGRAM OPEN SPACE IN CHAPTER 2 OF THE ACTS OF THE GENERAL ASSEMBLY OF 2016.~~

(4) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, THE GOVERNOR SHALL APPROPRIATE FROM THE GENERAL FUND TO THE SPECIAL FUND AN AMOUNT EQUAL TO THE CUMULATIVE AMOUNT OF THE APPROPRIATIONS OR TRANSFERS FROM THE SPECIAL FUND TO THE GENERAL FUND FOR FISCAL YEARS 2016, 2017, AND 2018, LESS \$72,000,000.

(II) THE GOVERNOR SHALL APPROPRIATE AT LEAST:

1. ONE-THIRD OF THE AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON OR BEFORE JUNE 30, 2021;

2. TWO-THIRDS OF THE AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON OR BEFORE JUNE 30, 2025; AND

3. THE TOTAL AMOUNT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH ON OR BEFORE JUNE 30, 2029.

~~(H) (III) THE APPROPRIATION APPROPRIATIONS REQUIRED UNDER SUBPARAGRAPH (I) SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH:~~

1. REPRESENTS REPRESENT REIMBURSEMENT FOR THE CUMULATIVE AMOUNT OF ANY APPROPRIATION OR TRANSFER FROM THE SPECIAL FUND TO THE GENERAL FUND FOR FISCAL YEARS 2016, 2017, AND 2018, LESS \$72,000,000;

2. IS ARE NOT SUBJECT TO THE PROVISIONS OF SUBSECTIONS (A), (B), (C), AND (F) OF THIS SECTION;

3. SHALL BE ALLOCATED AS PROVIDED IN SUBSECTION (D) OF THIS SECTION AND § 5-903 OF THE NATURAL RESOURCES ARTICLE;

4. SHALL BE MADE UNTIL THE CUMULATIVE TOTAL APPROPRIATED UNDER ~~SUBPARAGRAPH (I)~~ SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH IS EQUAL TO THE CUMULATIVE AMOUNT OF ANY APPROPRIATION OR TRANSFER FROM THE SPECIAL FUND TO THE GENERAL FUND FOR FISCAL YEARS 2016, 2017, AND 2018, LESS \$72,000,000; AND

5. SHALL BE REDUCED BY THE AMOUNT OF ANY APPROPRIATION FROM THE GENERAL FUND TO THE SPECIAL FUND THAT:

A. EXCEEDS THE REQUIRED APPROPRIATION UNDER THIS PARAGRAPH; AND

B. IS IDENTIFIED AS AN APPROPRIATION FOR REIMBURSEMENT UNDER THIS PARAGRAPH.

(H) (1) IF AN APPROPRIATION OR A TRANSFER FROM THE SPECIAL FUND TO THE GENERAL FUND OCCURS AFTER THE FISCAL YEAR ENDING JUNE 30, 2018, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILLS FOR EACH OF THE 3 SUCCESSIVE FISCAL YEARS FOLLOWING THE FISCAL YEAR IN WHICH A TRANSFER IS MADE A GENERAL FUND APPROPRIATION TO THE SPECIAL FUND EQUAL TO ONE-THIRD OF THE CUMULATIVE AMOUNT OF THE APPROPRIATION OR TRANSFER FROM THE SPECIAL FUND TO THE GENERAL FUND FOR THE APPLICABLE FISCAL YEAR.

(2) THE APPROPRIATION REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION:

(I) REPRESENTS REIMBURSEMENT FOR THE CUMULATIVE AMOUNT OF ANY APPROPRIATION OR TRANSFER FROM THE SPECIAL FUND TO THE GENERAL FUND FOR THE APPLICABLE FISCAL YEAR;

(II) IS NOT SUBJECT TO THE PROVISIONS OF SUBSECTIONS (A), (B), (C), AND (F) OF THIS SECTION;

(III) SHALL BE ALLOCATED AS PROVIDED IN SUBSECTION (D) OF THIS SECTION AND § 5-903 OF THE NATURAL RESOURCES ARTICLE;

(IV) SHALL BE MADE UNTIL THE CUMULATIVE TOTAL APPROPRIATED UNDER PARAGRAPH (1) OF THIS SUBSECTION IS EQUAL TO THE CUMULATIVE AMOUNT OF ANY APPROPRIATION OR TRANSFER FROM THE SPECIAL FUND TO THE GENERAL FUND FOR THE APPLICABLE FISCAL YEAR; AND

(V) SHALL BE REDUCED BY THE AMOUNT OF ANY APPROPRIATION FROM THE GENERAL FUND TO THE SPECIAL FUND THAT:

1. EXCEEDS THE REQUIRED APPROPRIATION UNDER THIS SUBSECTION; AND

2. IS IDENTIFIED AS AN APPROPRIATION FOR REIMBURSEMENT UNDER THIS SUBSECTION.

~~(h)~~ (I) (1) The distributions required under this subsection may not be utilized or considered for the purposes of calculating any allocation or appropriation under subsection (f) or (g) of this section.

(2) Notwithstanding any other provision of law, the Governor may transfer funds from the special fund established under this section to the General Fund as follows:

(i) on or before June 30, 2014, \$89,198,555;

(ii) for the fiscal year beginning July 1, 2014, \$144,188,544;

(iii) for the fiscal year beginning July 1, 2015, \$115,366,700;

(iv) for the fiscal year beginning July 1, 2016, ~~[\$82,771,000]~~
\$62,771,000; and

(v) for the fiscal year beginning July 1, 2017, ~~[\$86,028,000]~~
\$46,028,000.

Article – State Finance and Procurement

7-311.

(i) (1) Except as provided in paragraph (2) of this subsection [and § 13-209(g) of the Tax – Property Article], for fiscal year 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation:

(i) for each of [the] fiscal years [2017 through 2020:

1.] 2017, 2018, AND 2019, to the accumulation funds of the State Retirement and Pension System an amount, up to a maximum of \$50,000,000, that is equal to one-half of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000; [and]

(II) [2.] FOR FISCAL YEAR 2020:

1. TO THE ACCUMULATION FUNDS OF THE STATE RETIREMENT AND PENSION SYSTEM AN AMOUNT, UP TO A MAXIMUM OF \$50,000,000, THAT IS EQUAL TO ONE-HALF OF THE AMOUNT BY WHICH THE UNAPPROPRIATED GENERAL FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS \$10,000,000; AND

2. to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000, less the amount of the appropriation under item 1 of this paragraph; and

[(ii)] (iii) for fiscal year 2021 and each fiscal year thereafter, to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000.

(2) The appropriation required under this subsection for any fiscal year may be reduced by the amount of any appropriation to the Account required to be included for that fiscal year under subsection (e) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law:

(1) in the fiscal year beginning July 1, 2016, \$20,000,000 shall be distributed from the special fund established in § 13-209 of the Tax – Property Article as follows:

Program Open Space – State.....	\$4,000,000
Program Open Space – Local.....	\$5,000,000 \$4,500,000 <u>\$5,000,000</u>
Rural Legacy	\$4,862,000
Critical Maintenance	\$2,000,000
Natural Resources Development Fund	\$138,000
Ocean City Beach Maintenance	\$500,000
Maryland Zoo in Baltimore.....	\$500,000
Maryland Agricultural Land Preservation Fund	\$3,500,000; and

(2) in the fiscal year beginning July 1, 2017, \$40,000,000 shall be distributed from the special fund established in § 13-209 of the Tax – Property Article as follows:

Program Open Space – State	\$3,412,000
Program Open Space – Local.....	\$11,000,000
Rural Legacy	\$9,000,000
Critical Maintenance	\$2,000,000
Natural Resources Development Fund	\$5,088,000
Ocean City Beach Maintenance	\$500,000
Maryland Agricultural Land Preservation Fund	\$9,000,000.

(b) The distributions required under this section of this Act may not be utilized or considered for the purposes of calculating any allocation or appropriation under § 13–209(f) or (g) of the Tax – Property Article.

SECTION 3. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, beginning in fiscal year 2019, the special fund under § 13–209 of the Tax – Property Article return to full funding through the distribution of State transfer tax revenues in accordance with the provisions of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that, beginning in fiscal year 2018, if the Governor appropriates or transfers funds from the special fund under § 13–209 of the Tax – Property Article to the General Fund, the Department of Budget and Management shall submit, in accordance with § 2–1246 of the State Government Article, to the Senate Budget and Taxation Committee and the House Appropriations Committee a report that:

(1) specifies a plan for reimbursement of the appropriation or transfer in future fiscal years; and

(2) identifies alternative funding sources in the fiscal year in which the funds are to be appropriated or transferred for the ongoing operations of programs affected by the appropriation or transfer.

~~SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding the provisions of the budget bill for fiscal year 2017, \$500,000 of the \$5,000,000 allocated to Program Open Space – Local from the \$20,000,000 reduction in transfers from the special fund to the General Fund for fiscal year 2017 be allocated as a grant to the Maryland Zoo in Baltimore for expenses related to zoo operations.~~

SECTION 5. AND BE IT FURTHER ENACTED, That the Governor is authorized in fiscal year 2017 to process a budget amendment from the unencumbered balance in the accounts of the Program Open Space established under Title 5, Subtitle 9 of the Natural

Resources Article to create an appropriation of \$500,000 to be allocated as a grant to the Maryland Zoo in Baltimore for expenses related to zoo operations.

SECTION 6. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the changes to § 7-311(j) of the State Finance and Procurement Article, as enacted by Section 1 of this Act, are necessary in order to assure that sufficient general funds are available to support this Act.

SECTION ~~6~~ ~~6~~ 7. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved by the Governor, April 4, 2016.

Chapter 11

(Senate Bill 323)

AN ACT concerning

Greenhouse Gas Emissions Reduction Act – Reauthorization

FOR the purpose of repealing the termination date for a certain provision of law requiring the State to reduce statewide greenhouse gas emissions by a certain amount by a certain date; requiring the State to reduce statewide greenhouse gas emissions by a certain amount by a certain date; requiring the Department of the Environment to submit a proposed plan in accordance with certain requirements to the Governor and the General Assembly on or before a certain date; requiring the Department to adopt a final plan in accordance with certain requirements on or before a certain date; requiring an institution of higher education in the State to conduct a certain study in accordance with certain requirements and submit the study to the Governor and the General Assembly on or before a certain date; authorizing the General Assembly to maintain, revise, or eliminate certain statewide greenhouse gas emissions reduction requirements under certain circumstances; requiring the General Assembly to consider whether to continue certain manufacturing provisions under certain circumstances; altering the date by which the Department must monitor the implementation of certain plans and submit certain reports to the Governor and the General Assembly on or before certain dates; requiring the Department to include certain agencies and entities in certain discussions regarding certain matters; making the provisions of this Act severable; providing for the termination of a certain provision of this Act; and generally relating to the reduction of statewide greenhouse gas emissions.

BY repealing and reenacting, with amendments,
Chapter 171 of the Acts of the General Assembly of 2009
Section 7

BY repealing and reenacting, with amendments,
Chapter 172 of the Acts of the General Assembly of 2009
Section 7

BY repealing and reenacting, without amendments,
Article – Environment
Section 2–1204
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY adding to
Article – Environment
Section 2–1204.1
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Environment
Section 2–1205, 2–1206, 2–1207, 2–1210, and 2–1211
Annotated Code of Maryland
(2013 Replacement Volume and 2015 Supplement)

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

Chapter 171 of the Acts of 2009

SECTION 7. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2009. [It shall remain effective for a period of 7 years and 3 months, and at the end of December 31, 2016, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.]

Chapter 172 of the Acts of 2009

SECTION 7. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2009. [It shall remain effective for a period of 7 years and 3 months, and at the end of December 31, 2016, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.]

Article – Environment

2–1204.

The State shall reduce statewide greenhouse gas emissions by 25% from 2006 levels by 2020.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

2–1204.1.

THE STATE SHALL REDUCE STATEWIDE GREENHOUSE GAS EMISSIONS BY 40% FROM 2006 LEVELS BY 2030.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Environment

2–1205.

(a) The State shall develop [a plan] **PLANS**, adopt regulations, and implement programs that reduce statewide greenhouse gas emissions in accordance with this subtitle.

(b) On or before December 31, [2011] **2018**, the Department shall:

(1) Submit a proposed plan **THAT REDUCES STATEWIDE GREENHOUSE GAS EMISSIONS BY 40% FROM 2006 LEVELS BY 2030** to the Governor and General Assembly;

(2) Make the proposed plan available to the public; and

(3) Convene a series of public workshops to provide interested parties with an opportunity to comment on the proposed plan.

(c) (1) The Department shall, on or before December 31, 2012, adopt a final plan that reduces statewide greenhouse gas emissions by 25% from 2006 levels by 2020.

(2) THE DEPARTMENT SHALL, ON OR BEFORE DECEMBER 31, 2019, ADOPT A FINAL PLAN THAT REDUCES STATEWIDE GREENHOUSE GAS EMISSIONS BY 40% FROM 2006 LEVELS BY 2030.

[(2)] (3) The [plan] **PLANS** shall be developed [as the initial State action] in recognition of the finding by the Intergovernmental Panel on Climate Change that developed countries will need to reduce greenhouse gas emissions by between 80% and 95% from 1990 levels by 2050.

(d) The final [plan] **PLANS** required under subsection (c) of this section shall include:

(1) Adopted regulations that implement all plan measures for which State agencies have existing statutory authority; and

(2) A summary of any new legislative authority needed to fully implement the [plan] PLANS and a timeline for seeking legislative authority.

(e) In developing and adopting a final plan to reduce statewide greenhouse gas emissions, the Department shall consult with State and local agencies as appropriate.

(f) (1) Unless required by federal law or regulations or existing State law, regulations adopted by State agencies to implement [the] A final plan may not:

(i) Require greenhouse gas emissions reductions from the State's manufacturing sector; or

(ii) Cause a significant increase in costs to the State's manufacturing sector.

(2) Paragraph (1) of this subsection may not be construed to exempt greenhouse gas emissions sources in the State's manufacturing sector from the obligation to comply with:

(i) Greenhouse gas emissions monitoring, recordkeeping, and reporting requirements for which the Department had existing authority under § 2–301(a) of this title on or before October 1, 2009; or

(ii) Greenhouse gas emissions reductions required of the manufacturing sector as a result of the State's implementation of the Regional Greenhouse Gas Initiative.

(g) A regulation adopted by a State agency for the purpose of reducing greenhouse gas emissions in accordance with this section may not be construed to result in a significant increase in costs to the State's manufacturing sector unless the source would not incur the cost increase but for the new regulation.

2–1206.

In developing and implementing the [plan] PLANS required by § 2–1205 of this subtitle, the Department shall:

(1) Analyze the feasibility of measures to comply with the greenhouse gas emissions reductions required by this subtitle;

(2) Consider the impact on rural communities of any transportation related measures proposed in the [plan] PLANS;

(3) Provide that a greenhouse gas emissions source that voluntarily reduces its greenhouse gas emissions before the implementation of this subtitle shall receive appropriate credit for its early voluntary actions;

(4) Provide for the use of offset credits generated by alternative compliance mechanisms executed within the State, including carbon sequestration projects, to achieve compliance with greenhouse gas emissions reductions required by this subtitle;

(5) Ensure that the [plan does] **PLANS DO** not decrease the likelihood of reliable and affordable electrical service and statewide fuel supplies;

(6) Consider whether the measures would result in an increase in electricity costs to consumers in the State;

(7) Consider the impact of the [plan] **PLANS** on the ability of the State to:

(i) Attract, expand, and retain commercial aviation services; and

(ii) Conserve, protect, and retain agriculture; and

(8) Ensure that the greenhouse gas emissions reduction measures implemented in accordance with the [plan] **PLANS**:

(i) Are implemented in an efficient and cost-effective manner;

(ii) Do not disproportionately impact rural or low-income, low- to moderate-income, or minority communities or any other particular class of electricity ratepayers;

(iii) Minimize leakage;

(iv) Are quantifiable, verifiable, and enforceable;

(v) Directly cause no loss of existing jobs in the manufacturing sector;

(vi) Produce a net economic benefit to the State's economy and a net increase in jobs in the State; and

(vii) Encourage new employment opportunities in the State related to energy conservation, alternative energy supply, and greenhouse gas emissions reduction technologies.

(a) (1) An institution of higher education in the State shall conduct an independent study of the economic impact of requiring greenhouse gas emissions reductions from the State's manufacturing sector.

(2) The [Governor shall appoint a task force to] **MARYLAND COMMISSION ON CLIMATE CHANGE SHALL** oversee the independent study required by this section.

[(3) The task force shall include representatives of:

- (i) Labor unions;
- (ii) Affected industries and businesses;
- (iii) Environmental organizations; and
- (iv) Low-income and minority communities.

(4) To the extent practicable, the members appointed to the task force shall reflect the geographic, racial, and gender diversity of the State.]

(b) On or before October 1, [2015] **2022**, the institution of higher education responsible for the independent study shall complete and submit the study to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly.

2-1210.

On review of the study required under § 2-1207 of this subtitle, and the ~~report~~ **REPORTS** required under § ~~2-1209~~ **2-1211** of this subtitle, the General Assembly [may]:

(1) MAY act to maintain, revise, or eliminate the [25%] **40%** greenhouse gas emissions reduction required under **§ 2-1204.1 OF** this subtitle; **AND**

(2) SHALL CONSIDER WHETHER TO CONTINUE THE SPECIAL MANUFACTURING PROVISIONS IN § 2-1205(F)(1) OF THIS SUBTITLE.

2-1211.

The Department shall monitor implementation of the [plan] **PLANS** required under § 2-1205 of this subtitle and shall submit a report, on or before October 1, [2020] **2022**, and every 5 years thereafter, to the Governor and, in accordance with § 2-1246 of the State Government Article, the General Assembly that describes the State's progress toward achieving:

(1) The [reduction] **REDUCTIONS** in greenhouse gas emissions required under this subtitle, or any revisions conducted in accordance with § 2–1210 of this subtitle; and

(2) The greenhouse gas emissions reductions needed by 2050 in order to avoid dangerous anthropogenic changes to the Earth’s climate system, based on the predominant view of the scientific community at the time of the latest report.

SECTION 4. AND BE IT FURTHER ENACTED, That during the process outlined in § 2–1205(a) of the Environment Article, as enacted by Section 3 of this Act, the Department of the Environment shall include the Department of Agriculture, the Maryland Farm Bureau, the Maryland Association of Soil Conservation Districts, the Delmarva Poultry Industry, the Maryland Dairy Industry Association, and the Maryland Agricultural Commission in discussions on the role to be played by agriculture to reduce greenhouse gas emissions.

SECTION 5. AND BE IT FURTHER ENACTED, That, if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act that can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.

SECTION 6. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect October 1, 2016. It shall remain effective for a period of 7 years and 3 months and at, the end of December 31, 2023, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect.

SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section 6 of this Act, this Act shall take effect October 1, 2016.

Approved by the Governor, April 4, 2016.

Chapter 12

(House Bill 1581)

AN ACT concerning

**Harford County Deputy Sheriff Patrick Dailey Sheriffs Dailey and Logsdon
Benefits Memorial Act**

FOR the purpose of increasing the maximum age at which certain children of deceased members of the Law Enforcement Officers’ Pension System who are killed in the line of duty are no longer eligible to receive a certain death benefit; requiring the Board of Trustees to pay a certain death benefit in a certain manner under certain

circumstances; requiring the State Retirement Agency and the Department of Legislative Services to review certain provisions of law regarding death benefits and report to the Joint Committee on Pensions on or before a certain date; providing for the application of this Act; making this Act an emergency measure; ~~providing for the termination of this Act;~~ and generally relating to death benefits for members of the Law Enforcement Officers' Pension System who are killed in the line of duty.

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 29–203
Annotated Code of Maryland
(2015 Replacement Volume)

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

Article – State Personnel and Pensions

29–203.

(a) (1) This subsection applies only to an individual who dies while employed as a member of the Law Enforcement Officers' Pension System:

- (i) without willful negligence by the member; and
- (ii) with more than 2 years of eligibility service.

(2) When the Board of Trustees receives proof of death of a member and finds that the death has occurred in the manner described in paragraph (1) of this subsection, the Board of Trustees shall pay:

(i) if the member is survived by a spouse or child under the age of 18 years:

1. the member's accumulated contributions to the designated beneficiary, or otherwise to the member's estate; and

2. an allowance of 50% of the ordinary disability retirement allowance provided for in § 29–108 of this title:

A. to the surviving spouse; or

B. if there is no surviving spouse or if the surviving spouse dies before the youngest child of the member is 18 years old, to any children of the deceased member who are under the age of 18 years; or

(ii) if the member is not survived by a spouse or child under the age of 18 years, the death benefit under § 29–202 of this subtitle.

(b) (1) This subsection applies only to an individual who dies while employed as a member of the Law Enforcement Officers' Pension System:

(i) without willful negligence by the member; and

(ii) with death arising out of or in the course of the actual performance of duty.

(2) When the Board of Trustees receives proof of death of a member and finds that the death has occurred in the manner described in paragraph (1) of this subsection, the Board of Trustees shall pay:

(i) if the member is survived by a spouse or child under the age of [18] 26 years:

1. the member's accumulated contributions to the designated beneficiary, or otherwise to the member's estate; and

2. an allowance of two-thirds of the member's average final compensation:

A. to the surviving spouse; or

B. if there is no surviving spouse or if the surviving spouse dies before the youngest child of the member is [18] 26 years old, to any children of the deceased member who are under the age of [18] 26 years; or

(ii) if the member is not survived by a spouse or child under the age of [18] 26 years, the death benefit under § 29–202 of this subtitle.

(c) (1) If the Board of Trustees pays an allowance under **SUBSECTION (A) OF THIS SECTION** to more than one child, the Board of Trustees shall divide the allowance among the children under the age of 18 years in a manner that provides for payments to continue until each child dies or becomes 18 years old.

(2) IF THE BOARD OF TRUSTEES PAYS AN ALLOWANCE UNDER SUBSECTION (B) OF THIS SECTION TO MORE THAN ONE CHILD, THE BOARD OF TRUSTEES SHALL DIVIDE THE ALLOWANCE AMONG THE CHILDREN UNDER THE AGE OF 26 YEARS IN A MANNER THAT PROVIDES FOR PAYMENTS TO CONTINUE UNTIL EACH CHILD DIES OR BECOMES 26 YEARS OLD.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2016, the State Retirement Agency and the Department of Legislative Services shall:

(a) review the provisions of the State Personnel and Pensions Article and the 2014 Resolution of the General Assembly Compensation Commission relating to death benefits to determine:

(1) whether any additional statutory changes are recommended; and

(2) whether any changes to the Legislative Pension Plan should be recommended to the General Assembly Compensation Commission; and

(b) report to the Joint Committee on Pensions on the review of the death benefit provisions and any recommended changes.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply retroactively and shall be applied to and interpreted to affect a member of the Law Enforcement Officers' Pension System who was killed in the line of duty as a Harford County Deputy Sheriff on or after February 1, 2016.

SECTION 4. AND BE IT FURTHER ENACTED, That, except as provided in Section 3 of this Act, this Act shall be construed to apply only prospectively to a member of the Law Enforcement Officers' Pension System who is killed in the line of duty on or after the effective date of this Act and may not be applied or interpreted to have any effect on or application to a member of the Law Enforcement Officers' Pension System who is killed in the line of duty before the effective date of this Act.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted. ~~It shall remain effective through December 31, 2016, and, at the end of December 31, 2016, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.~~

Approved by the Governor, April 4, 2016.

Chapter 13

(Senate Bill 324)

AN ACT concerning

Prince George's County Regional Medical Center Act of 2016

FOR the purpose of requiring that in certain fiscal years certain amounts be provided in a certain manner as an operating grant to ~~the Board of Directors of~~ the University of

Maryland Medical System Corporation for certain purposes; requiring the Governor to include certain appropriations in the budget bill for certain fiscal years for certain purposes; requiring Prince George's County to provide certain funds and other financial assistance to ~~the Board of Directors of~~ the University of Maryland Medical System Corporation; requiring that certain State and Prince George's County funds be used for certain purposes, including the construction of the Prince George's County Regional Medical Center; requiring the Governor to include certain amounts in the capital or operating budget bill for certain fiscal years; declaring the intent of the General Assembly; ~~making this Act subject to a certain contingency; making this Act subject to a certain contingency;~~ requiring a certain allocation of capital funding for a certain purpose; providing for the termination of this Act; and generally relating to funding for certain purposes in connection with the construction of the Prince George's County Regional Medical Center.

BY adding to

Article – Health – General

Section 19–2401 to be under the new subtitle “Subtitle 24. Prince George's County Regional Medical Center”

Annotated Code of Maryland
(2015 Replacement Volume)

Preamble

WHEREAS, The residents of Prince George's County and all of Southern Maryland deserve access to a high–quality comprehensive health care system; and

WHEREAS, Residents of Prince George's County suffer from higher rates of chronic diseases and higher rates of death from heart disease and cancer than residents of neighboring jurisdictions; and

WHEREAS, African American residents of Prince George's County suffer from rates of chronic disease and deaths from heart disease and cancer that are significantly higher than that of other minority and white residents of the county; and

WHEREAS, Residents of Prince George's County and Southern Maryland have less access to all types of medical, dental, and mental health providers compared to residents of neighboring jurisdictions; and

WHEREAS, Over 60% of Prince George's County residents who require hospitalization in any given year now receive that care at hospitals outside the county and often outside the State; and

WHEREAS, A study published by the University of Maryland School of Public Health recommended that the development of a high–quality academically affiliated regional medical center with a prevention–focused ambulatory care network should be the anchor on which Prince George's County could develop a health care system to address the underlying health issues facing residents of the jurisdiction; and

WHEREAS, In July 2011, the State, Prince George's County, the University of Maryland Medical System Corporation, the University System of Maryland, and Dimensions Health Corporation entered into a Memorandum of Understanding to transform the county's existing health care delivery system into an efficient, effective, and financially viable system with improved access; and

WHEREAS, The State fulfilled the requirements of the July 2011 Memorandum by providing \$60 million in operating support and \$24 million in capital support between fiscal year 2012 and fiscal year 2015; and

~~WHEREAS, The fiscal year 2016 Capital Improvement Plan called for the provision of an additional \$45 million in State support in fiscal year 2017 and \$90 million in fiscal year 2018 for the development of the Prince George's County Regional Medical Center; and~~

WHEREAS, The State, in partnership with Prince George's County and the University of Maryland Medical System *Corporation*, has made a commitment to the residents of Prince George's County and the Southern Maryland region to transform the regional health care delivery system and to build and support the transition of the Dimensions Health Care System to a new Prince George's County Regional Medical Facility and System within the University of Maryland Medical System; and

WHEREAS, Prince George's County and the University of Maryland Medical System *Corporation* have fulfilled and are prepared to continue to fulfill their commitments to the partnership entered into in 2011, and the State should fulfill its commitment to both the partnership and to advancing access to the highest quality health care services for the residents of Prince George's County and the entire Southern Maryland region; now, therefore,

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

Article – Health – General

SUBTITLE 24. PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER.

19-2401.

(A) (1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, FOR THE PURPOSE OF PROVIDING AN OPERATING GRANT TO ENSURE AND ASSIST IN THE TRANSITION OF A NEW PRINCE GEORGE'S COUNTY REGIONAL MEDICAL SYSTEM TO ~~THE BOARD OF DIRECTORS OF~~ THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM CORPORATION:

~~(I) IN FISCAL YEAR 2017, \$15,000,000 SHALL BE TRANSFERRED FROM THE DEDICATED PURPOSE ACCOUNT ESTABLISHED UNDER § 7-310 OF THE STATE FINANCE AND PROCUREMENT ARTICLE;~~

~~(H)~~ FOR FISCAL YEAR 2018, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF:

1. \$15,000,000; ~~AND OR~~

2. ~~IF THE AMOUNT UNDER ITEM (I) OF THIS PARAGRAPH IS NOT PROVIDED AS \$30,000,000, IF A GRANT OF \$15,000,000 IS NOT PROVIDED IN A FISCAL 2016 DEFICIENCY APPROPRIATION TO THE BOARD OF DIRECTORS OF THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM CORPORATION ON OR BEFORE JUNE 30, 2017, 2016 AN ADDITIONAL \$15,000,000;~~

~~(HH)~~ (II) FOR FISCAL YEAR 2019, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF \$15,000,000; AND

~~(HV)~~ (III) FOR FISCAL YEARS 2020 AND 2021, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION OF \$5,000,000.

(2) SUBJECT TO SUBSECTION (B) OF THIS SECTION, PRINCE GEORGE'S COUNTY SHALL PROVIDE A COMBINATION OF MATCHING FUNDS AND OTHER FINANCIAL ASSISTANCE TO ~~THE BOARD OF DIRECTORS OF~~ THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM CORPORATION THAT CONSTITUTES TOTAL FINANCIAL ASSISTANCE AS FOLLOWS:

(I) \$15,000,000 ANNUALLY FOR FISCAL YEAR 2017 THROUGH FISCAL YEAR 2019; AND

(II) \$5,000,000 ANNUALLY FOR FISCAL YEARS 2020 AND 2021.

(B) THE STATE AND COUNTY FUNDS DESCRIBED IN SUBSECTION (A) OF THIS SECTION:

(1) SHALL BE USED TO SUPPORT THE TRANSITION OF THE PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER FROM OPERATION UNDER THE DIMENSIONS HEALTH CARE SYSTEM TO OPERATION AS A PARTICIPATING INSTITUTION OF THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM CORPORATION; AND

(2) MAY BE USED ONLY FOR:

(I) PROVIDING INCREASED ACCESS TO CRITICAL HEALTH CARE SERVICES FOR THE REGION SERVED BY THE PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER AND IMPROVING THE QUALITY OF THE SERVICES PROVIDED; AND

(II) FACILITATING COST CONTAINMENT MEASURES TO PREVENT ADDITIONAL OPERATING LOSSES FOR THE PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER AND ITS ~~PREDECESSOR~~ AFFILIATED INSTITUTIONS.

(C) (1) THE GOVERNOR SHALL INCLUDE IN THE CAPITAL OR OPERATING BUDGET BILL THE FOLLOWING AMOUNTS THAT ARE EQUAL TO THE CAPITAL FUNDS COMMITTED BY PRINCE GEORGE'S COUNTY TO BE USED FOR THE CONSTRUCTION OF THE PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER:

(I) ~~\$45,000,000 FOR FISCAL YEAR 2017;~~

~~(II) \$90,000,000~~ \$67,500,000 FOR FISCAL YEAR 2018; AND

~~(III) (II) \$8,000,000~~ \$48,000,000 FOR FISCAL YEAR 2019.

(2) PRINCE GEORGE'S COUNTY SHALL PROVIDE MATCHING FUNDS OF \$208,000,000 FOR THE CAPITAL CONSTRUCTION OF THE PRINCE GEORGE'S COUNTY REGIONAL MEDICAL CENTER.

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the Maryland Health Care Commission shall give priority timely consideration to the certificate of need applications of replacement facilities before consideration of new certificate of need applications. ~~The Maryland Health Care Commission shall make every effort to make a determination on the certificate of need for the replacement facility for the Prince George's Hospital on or before July 1, 2016 application for a replacement facility for the Prince George's Hospital Center.~~

SECTION 3. AND BE IT FURTHER ENACTED, That ~~this Act shall take effect contingent on the transfer of the governance of the Prince George's County Regional Medical Center to the University of Maryland Medical System, within 90 days after a certificate of need for the Prince George's County Regional Medical Center is approved, this Act shall take effect contingent on the University of Maryland Medical System Corporation shall become becoming the sole corporate member of Dimensions Health Care Corporation and as a result, and the University of Maryland Medical System Corporation shall be responsible for assuming responsibility of the governance structure of the entity. The University of Maryland Medical System shall notify the Department of Legislative Services within 5 days after the transfer of governance to the University of Maryland Medical System. If notice of the transfer is not received by the Department of Legislative Services on or before December 31, 2016, this Act shall be null and void without the necessity of further action by the General Assembly.~~

SECTION 4. AND BE IT FURTHER ENACTED, That from the capital contributions made by the State allocated for the Prince George's County Regional Medical Center, not more than \$8,000,000 shall be allocated for the development and transformation plan for Laurel Regional Hospital.

~~SECTION 4.~~ SECTION 5. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this Act, ~~That, subject to Section 3 of this Act,~~ this Act shall take effect June 1, 2016. It shall remain effective for a period of 5 years and 1 month and, at the end of June 30, 2021, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 5, 2016.

Chapter 14

(Senate Bill 370)

AN ACT concerning

Board of Public Works Transparency Act of 2016

FOR the purpose of requiring the Secretary of Budget and Management to provide certain public notice within a certain period of time before the Board of Public Works may approve a reduction of appropriations; requiring the Secretary to provide certain notice within a certain period of time to the Board of Public Works and certain committees of the General Assembly; and generally relating to the State budget and the Department of Budget and Management.

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 7–213
 Annotated Code of Maryland
 (2015 Replacement Volume)

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

Article – State Finance and Procurement

7–213.

(a) (1) [Except] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND EXCEPT** as provided in subsection (b) of this section, with the approval of the Board of Public Works, the Governor may reduce, by not more than 25%, any appropriation:

[(1)] (I) that the Governor considers unnecessary; or

[(2)] (II) that is subject to budgetary reductions required under the budget bill as approved by the General Assembly.

(2) AT LEAST ~~10 CONSECUTIVE~~ 3 BUSINESS DAYS BEFORE THE BOARD OF PUBLIC WORKS MAY APPROVE A PROPOSED REDUCTION OF AN APPROPRIATION UNDER THIS SUBSECTION, THE SECRETARY OF BUDGET AND MANAGEMENT SHALL:

(I) PUBLISH ON THE DEPARTMENT OF BUDGET AND MANAGEMENT'S WEB SITE, IN A MACHINE-READABLE FORMAT, NOTICE OF THE PROPOSED REDUCTION, INCLUDING:

1. THE NAME OF THE STATE AGENCY OR PROGRAM FOR WHICH THE APPROPRIATION IS INTENDED AND A BRIEF NARRATIVE SUMMARY OF THE IMPACT OF THE PROPOSED REDUCTION ON THE STATE AGENCY OR PROGRAM;

2. THE AMOUNT OF THE PROPOSED REDUCTION IN BOTH DOLLAR AND PERCENTAGE VALUES;

3. THE FUND SOURCE OF THE APPROPRIATION SUBJECT TO THE PROPOSED REDUCTION; AND

4. ANY PROJECTED REDUCTIONS IN WORKFORCE AS A RESULT OF THE PROPOSED REDUCTION;

(II) PROVIDE THE NOTICE REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO THE BOARD OF PUBLIC WORKS FOR PUBLICATION, IN A MACHINE-READABLE FORMAT, ON THE BOARD'S WEB SITE; AND

(III) PROVIDE WRITTEN NOTICE OF THE PROPOSED REDUCTION, INCLUDING THE ITEMS SPECIFIED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, TO:

1. THE LEGISLATIVE POLICY COMMITTEE;

2. THE SENATE BUDGET AND TAXATION COMMITTEE;

AND

3. THE HOUSE APPROPRIATIONS COMMITTEE.

(b) (1) The Governor may not reduce an appropriation to the Legislative Branch or the Judicial Branch of the State government.

- (2) The Governor may not reduce an appropriation for:
- (i) payment of the principal of or interest on the State debt;
 - (ii) public schools, including the Maryland School for the Deaf;
 - (iii) the Maryland School for the Blind; or
 - (iv) the salary of a public officer, during the term of office.

(3) Except as provided in § 8–109 of the State Personnel and Pensions Article, the Governor may not reduce an appropriation for the salary of any nontemporary employee in the State Personnel Management System.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 6, 2016.

Chapter 15

(House Bill 368)

AN ACT concerning

Board of Public Works Transparency Act of 2016

FOR the purpose of requiring the Secretary of Budget and Management to provide certain public notice within a certain period of time before the Board of Public Works may approve a reduction of appropriations; requiring the Secretary to provide certain notice within a certain period of time to the Board of Public Works and certain committees of the General Assembly; and generally relating to the State budget and the Department of Budget and Management.

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 7–213
 Annotated Code of Maryland
 (2015 Replacement Volume)

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

Article – State Finance and Procurement

7-213.

(a) (1) [Except] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND EXCEPT** as provided in subsection (b) of this section, with the approval of the Board of Public Works, the Governor may reduce, by not more than 25%, any appropriation:

[(1)] (I) that the Governor considers unnecessary; or

[(2)] (II) that is subject to budgetary reductions required under the budget bill as approved by the General Assembly.

(2) AT LEAST ~~10 CONSECUTIVE~~ 3 BUSINESS DAYS BEFORE THE BOARD OF PUBLIC WORKS MAY APPROVE A PROPOSED REDUCTION OF AN APPROPRIATION UNDER THIS SUBSECTION, THE SECRETARY OF BUDGET AND MANAGEMENT SHALL:

(I) PUBLISH ON THE DEPARTMENT OF BUDGET AND MANAGEMENT'S WEB SITE, IN A MACHINE-READABLE FORMAT, NOTICE OF THE PROPOSED REDUCTION, INCLUDING:

1. THE NAME OF THE STATE AGENCY OR PROGRAM FOR WHICH THE APPROPRIATION IS INTENDED AND A BRIEF NARRATIVE SUMMARY OF THE IMPACT OF THE PROPOSED REDUCTION ON THE STATE AGENCY OR PROGRAM;

2. THE AMOUNT OF THE PROPOSED REDUCTION IN BOTH DOLLAR AND PERCENTAGE VALUES;

3. THE FUND SOURCE OF THE APPROPRIATION SUBJECT TO THE PROPOSED REDUCTION; AND

4. ANY PROJECTED REDUCTIONS IN WORKFORCE AS A RESULT OF THE PROPOSED REDUCTION;

(II) PROVIDE THE NOTICE REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH TO THE BOARD OF PUBLIC WORKS FOR PUBLICATION, IN A MACHINE-READABLE FORMAT, ON THE BOARD'S WEB SITE; AND

(III) PROVIDE WRITTEN NOTICE OF THE PROPOSED REDUCTION, INCLUDING THE ITEMS SPECIFIED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, TO:

1. THE LEGISLATIVE POLICY COMMITTEE;

AND

2. THE SENATE BUDGET AND TAXATION COMMITTEE;

3. THE HOUSE APPROPRIATIONS COMMITTEE.

(b) (1) The Governor may not reduce an appropriation to the Legislative Branch or the Judicial Branch of the State government.

(2) The Governor may not reduce an appropriation for:

- (i) payment of the principal of or interest on the State debt;
- (ii) public schools, including the Maryland School for the Deaf;
- (iii) the Maryland School for the Blind; or
- (iv) the salary of a public officer, during the term of office.

(3) Except as provided in § 8–109 of the State Personnel and Pensions Article, the Governor may not reduce an appropriation for the salary of any nontemporary employee in the State Personnel Management System.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 6, 2016.

Chapter 16

(Senate Bill 54)

AN ACT concerning

Public Utilities – Transportation Network Services and For–Hire Transportation – Clarifications

FOR the purpose of clarifying certain provisions relating to transportation network services and for–hire transportation; expanding the types of insurers writing motor vehicle liability insurance that may exclude certain coverage under certain circumstances; altering the entities that may conduct a certain criminal history records check for sedan companies, limousine companies, taxicab companies, and transportation network companies; delaying the date by which the Public Service Commission may not require a certain applicant for a for–hire driver’s license or transportation network operator’s license to comply with a certain criminal history records check; authorizing certain taxicabs to be equipped with a certain device approved by the

Commission; allowing the ~~Public Service~~ Commission to disclose certain records or information required by certain orders; allowing the Commission to disclose to the Comptroller certain records or information that relate to certain assessments or obligations; requiring the Commission to provide certain information to the Comptroller on request; clarifying that a certain license hearing officer may hold certain hearings involving certain violations by a transportation network operator, transportation network partner, or transportation network driver licensed or otherwise authorized to provide transportation network services; allowing a certain license hearing officer to hold certain hearings involving certain violations by a sedan company, limousine company, taxicab company, or transportation network company; clarifying that the For-Hire Driving Services Enforcement Fund may be used solely for certain activities related to for-hire driving services; prohibiting a transportation network company from operating in the State unless the transportation network company has been issued a certain permit; requiring the Commission to promptly notify a transportation network company of a certain order under certain circumstances; prohibiting an exempt jurisdiction from imposing more than one assessment or similar charge on a transportation network service; specifying that the sum of certain assessments may not exceed a certain amount; specifying whether a certain county or municipal corporation may impose an assessment; requiring a certain county to notify certain municipal corporations under certain circumstances; requiring a certain municipal corporation to notify a certain county under certain circumstances; specifying when a municipal corporation has certain priority over a county to impose an assessment; specifying when a county has certain priority over a certain municipal corporation; requiring a county and a municipal corporation that enter into a certain agreement to provide a copy of the agreement to the Comptroller; providing the time period and notification requirement before a certain assessment or change in assessment is to take effect; requiring, at the Comptroller's discretion, the Comptroller to distribute assessments in a certain manner; prohibiting the Comptroller from disclosing certain records or information except under certain circumstances; authorizing the Comptroller to review or inspect certain information in a certain manner; requiring that certain provisions of law govern the administration, collection, enforcement, and appeals of certain revenues; requiring the Comptroller to enforce certain provisions of law; clarifying that a person is prohibited from operating a vehicle that provides passenger-for-hire services in the State unless the person is licensed or otherwise authorized by the Commission as a transportation network operator, transportation network partner, or transportation network driver; prohibiting a person from operating a transportation network company unless the person has been issued a certain permit by the Commission; altering a certain definition; altering a certain intent of the General Assembly; making stylistic changes; making technical corrections; making this Act an emergency measure; and generally relating to transportation network services and for-hire transportation.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19-517(c)(1), (2), and (5) and (d)(2) and (3) and 19-517.1

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 10–101(a), (d), (g), and (m), 10–104.1(a), 10–210(a), and 10–404(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 10–101(l), 10–104.1(b), (d), (e), and (h), 10–110(b), 10–112(e), 10–210(b),
10–404(b), (d), (e), and (h), 10–406, and 10–502

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, ~~without~~ with amendments,

Article – Public Utilities

Section 10–101(n)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

(As enacted by Chapter 204 of the Acts of the General Assembly of 2015)

BY adding to

Article – Public Utilities

Section 10–403.1

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2015

Section 2

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

Article – Insurance

19–517.

(c) (1) An ~~authorized~~ insurer that writes motor vehicle liability insurance in the State **AND THE MARYLAND AUTOMOBILE INSURANCE FUND** may exclude any and all coverage and the duty to defend afforded under an owner’s or operator’s personal motor vehicle insurance policy for any loss or injury that occurs while the vehicle operator is providing transportation network services.

(2) [A motor vehicle] **IF AN** insurer that **WRITES MOTOR VEHICLE LIABILITY INSURANCE IN THE STATE** defends or indemnifies a claim against a driver for

which coverage is excluded under the terms of its policy, **THE INSURER** shall have a right of contribution against other insurers that provide insurance to the same driver in satisfaction of the requirements of § 10–405 of the Public Utilities Article at the time of the loss.

(5) If [a motor vehicle] **AN insurer THAT WRITES MOTOR VEHICLE LIABILITY INSURANCE IN THE STATE** excludes coverage for providing transportation network services, the [motor vehicle] insurer shall provide written notice to the named insured stating that the policy excludes coverage for providing transportation network services:

(i) for a policy initially purchased on or after January 1, 2016, at the time of issuance; and

(ii) for a policy in force before January 1, 2016, at the time the policy first renews after January 1, 2016.

(d) (2) Coverage under a motor vehicle insurance policy maintained by a transportation network company may not be dependent on a personal [motor vehicle] insurer **THAT WRITES MOTOR VEHICLE LIABILITY INSURANCE IN THE STATE** first denying a claim, nor may a personal motor vehicle insurance policy be required to first deny a claim.

(3) Nothing in this section or § 10–405 of the Public Utilities Article precludes [a motor vehicle] **AN insurer THAT WRITES MOTOR VEHICLE LIABILITY INSURANCE IN THE STATE** from providing coverage for an operator’s motor vehicle while the operator is providing transportation network services if the [motor vehicle] insurer elects to do so by contract or endorsement.

19–517.1.

(a) Beginning July 1, 2017, and annually thereafter through July 1, 2021, the Commissioner shall make a determination whether, with regard to the required coverages under § 10–405(a) of the Public Utilities Article, there is a viable, affordable, and adequate market of [admitted carriers] **AUTHORIZED INSURERS in the State, INCLUDING THE MARYLAND AUTOMOBILE INSURANCE FUND**, available to provide the required coverages to the transportation network services industry.

(b) To the extent that the Commissioner makes an affirmative finding of availability, and in accordance with the provisions of Title 3, Subtitle 3 of this article, it is the intent of the General Assembly that required coverages be obtained from [admitted] **AUTHORIZED insurers AND THE MARYLAND AUTOMOBILE INSURANCE FUND.**

Article – Public Utilities

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

(d) “For–hire driver’s license” includes:

- (1) a passenger–for–hire license; and
- (2) a taxicab driver’s license.

(g) “Provide passenger–for–hire services” includes:

- (1) providing limousine services;
- (2) providing sedan services; and
- (3) providing transportation network services.

(l) “Transportation network company” means a company that [has been issued a permit by the Commission and] operates in the State using a digital network to connect passengers to transportation network operators or transportation network partners for transportation network services.

(m) “Transportation network operator”, “transportation network partner”, or “transportation network driver” means an individual who:

(1) has been issued a transportation network operator’s license, or is otherwise authorized, by the Commission to provide transportation network services;

(2) receives, through a transportation network company’s digital network application, a connection to a potential passenger to transport the passenger between points chosen by the passenger in exchange for the payment of a fee to the transportation network company; and

(3) uses a motor vehicle that is owned, leased, or otherwise authorized for use by the individual and is approved for use in providing transportation network services by the Commission.

(n) (1) “Transportation network services” means the activities of an operator during:

(i) transportation network coverage period one, during which the operator is logged onto and ready to accept a prearranged ride request made through a transportation network company’s digital network application;

(ii) transportation network coverage period two, during which the operator accepts a ride request from a passenger that is prearranged through a

transportation network company’s digital network application, and is traveling to a predetermined location to pick up the passenger; and

(iii) transportation network coverage period three, during which the operator transports the passenger and continuing until the passenger departs the motor vehicle.

(2) “Transportation network services” does not include :

(I) providing taxicab services, sedan services, or limousine services;

OR

(II) ANY SHARED EXPENSE CARPOOL ARRANGEMENT OR SERVICE OR OTHER TYPE OF ARRANGEMENT OR SERVICE IN WHICH A DRIVER RECEIVES A FEE THAT DOES NOT EXCEED THE DRIVER’S COSTS ASSOCIATED WITH PROVIDING A RIDE.

10–104.1.

(a) An applicant for a for–hire driver’s license may not provide sedan services, limousine services, or taxicab services unless the Commission has authorized the applicant to operate on a provisional basis or has issued a valid temporary or permanent driver’s license to provide sedan services, limousine services, or taxicab services.

(b) The Commission may approve an applicant and issue a temporary driver’s license to the applicant if:

(1) the applicant provides all information that the Commission requires for the application, including the information specified in item (2) of this subsection; and

(2) the Commission is satisfied with the successful submission of the applicant’s:

(i) national criminal history records check:

1. conducted by [the National Association of Professional Background Screeners] **A CONSUMER REPORTING AGENCY AS DEFINED UNDER § 14–1201 OF THE OF THE COMMERCIAL LAW ARTICLE** or a comparable entity approved by the Commission; and

2. that includes:

A. a Multi–State Multi–Jurisdiction Criminal Records Database Search or a search of a similar nationwide database with validation;

B. a search of the Sex Offender [and Crimes Against Minors] Registry; and

C. a search of the U.S. Department of Justice's National Sex Offender Public Web site; and

(ii) driving record check that includes a driving history research report.

(d) Before [April 1, 2016] **DECEMBER 15, 2016**, the Commission may not require an applicant for a for-hire driver's license to comply with subsection (c) of this section if a sedan company or limousine company for which the applicant will provide services, at the time it applies for a permit, provides to the Commission details of the process the sedan company or limousine company uses to collect, review, and submit the information specified in subsection (b)(2) of this section.

(e) (1) A sedan company or limousine company may request that the Commission waive the requirement to comply with subsection (c) of this section and instead comply with subsection (b)(2) of this section for applicants and drivers of the sedan company or limousine company.

(2) On receipt of a request under paragraph (1) of this subsection, the Commission shall:

(i) determine whether the sedan company's or limousine company's process for complying with subsection (b)(2) of this section can be shown to be as comprehensive and accurate as complying with the supplemental criminal background check as set forth under § 10-104(b) of this subtitle; and

(ii) within 3 months [of] **AFTER** receiving the request, determine whether to:

1. grant the waiver;
2. deny the waiver; or
3. approve an alternative process.

(h) (1) ~~[Records] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, RECORDS OR INFORMATION~~ provided to the Commission by a sedan company, limousine company, or taxicab company under this section are not subject to release under the Maryland Public Information Act [or any other law].

(2) The Commission may not disclose records or information provided to the Commission under this section to any person unless the disclosure is required by ~~subpoena~~ [or] court order, **OR ORDER OF THE MARYLAND TAX COURT.**

(3) ~~If a subpoena [or], A court order, OR AN ORDER OF THE MARYLAND TAX COURT requires the Commission to disclose information provided to the Commission under this section~~ **ON NOTICE THAT A PERSON IS SEEKING RECORDS OR INFORMATION UNDER PARAGRAPH (2) OF THIS SUBSECTION**, the Commission shall promptly notify the sedan company, limousine company, or taxicab company before disclosing the **RECORDS OR** information.

10-110.

(b) The license hearing officer may hold a hearing involving a violation of this division or the Commission's regulations:

(1) by a for-hire driver licensed by the Commission, **INCLUDING A TRANSPORTATION NETWORK OPERATOR, TRANSPORTATION NETWORK PARTNER, OR TRANSPORTATION NETWORK DRIVER LICENSED OR OTHERWISE AUTHORIZED BY THE COMMISSION TO PROVIDE TRANSPORTATION NETWORK SERVICES; [and]**

(2) except for a violation relating to rates, by a holder of a taxicab permit issued by the Commission; **AND**

(3) BY A SEDAN COMPANY, LIMOUSINE COMPANY, TAXICAB COMPANY, OR TRANSPORTATION NETWORK COMPANY.

10-112.

(e) The Fund is to be used solely for statewide enforcement activities of the Commission relating to [taxicab services, limousine services, and sedan] **FOR-HIRE DRIVING** services.

10-210.

(a) (1) A taxicab permit holder shall post in each of its taxicabs a schedule of its fares on a rate card.

(2) The rate card shall be printed and arranged in a way that allows a passenger to determine readily the exact fare payable by the passenger.

(3) A person may not collect a fare other than a fare appearing on or determinable from the rate card posted in the taxicab.

(b) (1) This subsection does not apply to a taxicab operating in the City of Hagerstown.

(2) [(i)] Except as provided in subsection (c) of this section, while in service, each taxicab for which a permit is required shall be equipped with:

(I) an accurate taximeter that is properly installed and connected[.];

OR

(ii) [The taximeter shall be the exclusive means of] ANOTHER DEVICE THE COMMISSION APPROVES FOR measuring the charges for service [and is subject to inspection and testing by the Commission].

10-403.1.

A TRANSPORTATION NETWORK COMPANY MAY NOT OPERATE IN THE STATE UNLESS THE COMMISSION HAS ISSUED A PERMIT TO THE TRANSPORTATION NETWORK COMPANY.

10-404.

(a) An operator may not provide transportation network services unless the Commission has authorized the operator to operate on a provisional basis or has issued a valid temporary or permanent transportation network operator's license to provide transportation network services.

(b) The Commission may approve an applicant to be an operator and issue a temporary transportation network operator's license to the applicant if:

(1) the applicant provides all information that the Commission requires for the application, including the information specified in item (2) of this subsection; and

(2) the Commission is satisfied with the successful submission of the applicant's:

(i) national criminal history records check:

1. conducted by [the National Association of Professional Background Screeners] **A CONSUMER REPORTING AGENCY AS DEFINED UNDER § 14-1201 OF THE COMMERCIAL LAW ARTICLE** or a comparable entity approved by the Commission; and

2. that includes:

A. a Multi-State Multi-Jurisdiction Criminal Records Database Search or a search of a similar nationwide database with validation;

B. a search of the Sex Offender [and Crimes Against Minors] Registry; and

C. a search of the U.S. Department of Justice’s National Sex Offender Public Web site; and

(ii) driving record check that includes a driving history research report.

(d) Before [April 1, 2016] **DECEMBER 15, 2016**, the Commission may not require an applicant for a permanent transportation network operator’s license to comply with subsection (c) of this section if a transportation network company for which the applicant will provide services, at the time it applies for a permit, provides to the Commission details of the process the transportation network company uses to collect, review, and submit the information specified in subsection (b)(2) of this section.

(e) (1) A transportation network company may request that the Commission waive the requirement to comply with subsection (c) of this section and instead require compliance with subsection (b)(2) of this section for applicants and operators of the transportation network company.

(2) On receipt of a request under paragraph (1) of this subsection, the Commission shall:

(i) determine whether the transportation network company’s process for complying with subsection (b)(2) of this section can be shown to be as comprehensive and accurate as complying with the supplemental criminal background check as set forth under § 10–104(b) of this title; and

(ii) within 3 months [of] **AFTER** receiving the request, determine whether to:

1. grant the waiver;
2. deny the waiver; or
3. approve an alternative process.

(h) (1) ~~[Records] EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, RECORDS OR INFORMATION~~ provided to the Commission by a transportation network company under this section are not subject to release under the Maryland Public Information Act [or any other law].

(2) The Commission may not disclose records or information provided to the Commission under this section to any person unless:

(I) the disclosure is required by subpoena [or], court order, OR ORDER OF THE MARYLAND TAX COURT; OR

(II) THE DISCLOSURE IS TO THE COMPTROLLER UNDER § 10-406(G)(5) OF THIS SUBTITLE.

(3) ~~If a subpoena [or], court order, OR ORDER OF THE MARYLAND TAX COURT requires the Commission to disclose information provided to the Commission under this section~~ ON NOTICE THAT A PERSON IS SEEKING RECORDS OR INFORMATION UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION, the Commission shall promptly notify the transportation network company before disclosing the **RECORDS OR** information.

10-406.

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

(2) “Assessment” means a charge imposed by a local jurisdiction on each transportation network service that includes a passenger trip during transportation network coverage period three as described in § 10-101(n)(1)(iii) of this title.

(3) “Exempt jurisdiction” means a county or [municipality] **MUNICIPAL CORPORATION** that imposed a tax, fee, or charge on for-hire transportation services provided on a per ride or per passenger basis in that county or [municipality] **MUNICIPAL CORPORATION** on or before January 1, 2015.

(b) (1) [This] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS** section does not limit the authority of an exempt jurisdiction to impose an assessment, a tax, a fee, or a charge on for-hire transportation services, including transportation network services.

(2) **AN EXEMPT JURISDICTION MAY NOT IMPOSE MORE THAN ONE ASSESSMENT OR SIMILAR CHARGE ON A TRANSPORTATION NETWORK SERVICE.**

(c) (1) In accordance with subsections (d) and (e) of this section, a county or ~~municipality~~ **MUNICIPAL CORPORATION** may impose an assessment under this section.

(2) Except in an exempt jurisdiction, an assessment **BY A COUNTY OR MUNICIPAL CORPORATION** authorized by this section may not exceed 25 cents per trip.

(3) (I) Except as provided in subsection [(e)(2)]**(E)(5)** of this section [and subject to the limitation in paragraph (2) of this subsection], an assessment may not be imposed on a transportation network service by both a county and a [municipality] **MUNICIPAL CORPORATION**.

(II) **IF BOTH A COUNTY AND A MUNICIPAL CORPORATION IMPOSE AN ASSESSMENT ON A TRANSPORTATION NETWORK SERVICE IN ACCORDANCE WITH SUBSECTION (E)(5) OF THIS SECTION, THE SUM OF THE**

ASSESSMENTS IMPOSED BY BOTH JURISDICTIONS MAY NOT EXCEED 25 CENTS PER TRIP.

(4) The revenue generated from an assessment authorized under this section shall be used for transportation purposes.

(d) (1) [A] **THIS SUBSECTION APPLIES TO A** county or [municipality] **MUNICIPAL CORPORATION** that licensed or regulated taxicab services on or before January 1, 2015, either directly or through the Commission as provided in § 10–202 of this title[.].

(2) (I) **A COUNTY, IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH, OR A MUNICIPAL CORPORATION** may impose an assessment on trips that originate [within] **IN** the county or [municipality] **MUNICIPAL CORPORATION**.

(II) **A COUNTY AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION:**

1. **MAY IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN ANY AREA OF THE COUNTY; BUT**

2. **MAY NOT IMPOSE AN ASSESSMENT IN A MUNICIPAL CORPORATION THAT IS AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION.**

(3) **IF A COUNTY OR MUNICIPAL CORPORATION AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION HAS NOT ~~IMPOSED~~ AUTHORIZED AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE COUNTY OR MUNICIPAL CORPORATION BY JULY 1, 2016, THE COUNTY OR MUNICIPAL CORPORATION IS SUBJECT TO SUBSECTION (E) OF THIS SECTION.**

(4) (I) **IF A COUNTY AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION PLANS TO IMPOSE AN ASSESSMENT UNDER THIS SECTION, THE COUNTY SHALL NOTIFY THE MUNICIPAL CORPORATIONS IN THE COUNTY OF THE COUNTY’S INTENT TO IMPOSE AN ASSESSMENT.**

(II) **IF A MUNICIPAL CORPORATION AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION PLANS TO IMPOSE AN ASSESSMENT UNDER THIS SECTION, THE MUNICIPAL CORPORATION SHALL NOTIFY THE COUNTY OF THE MUNICIPAL CORPORATION’S INTENT TO IMPOSE AN ASSESSMENT.**

(e) (1) This subsection applies to a county **OR MUNICIPAL CORPORATION** that:

(i) is not authorized to impose an assessment under subsection (d) of this section; [and] **OR**

(ii) **1. IS AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER SUBSECTION (D) OF THIS SECTION; BUT**

2. has not ~~imposed~~ AUTHORIZED an assessment by July 1, 2016.

(2) IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION AND SUBSECTIONS (F) AND (G) OF THIS SECTION, A COUNTY OR MUNICIPAL CORPORATION MAY IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE COUNTY OR MUNICIPAL CORPORATION.

(3) (I) EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH:

1. A MUNICIPAL CORPORATION HAS PRIORITY OVER THE COUNTY WHERE THE MUNICIPAL CORPORATION IS LOCATED TO IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION; AND

2. THE COUNTY MAY NOT IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION.

(II) A COUNTY HAS PRIORITY OVER A MUNICIPAL CORPORATION TO IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION, AND THE MUNICIPAL CORPORATION MAY NOT IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION, IF:

1. THE COUNTY HAS ~~IMPOSED~~ AUTHORIZED AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE COUNTY UNDER SUBSECTION (D) OF THIS SECTION BY **JULY 1, 2016; AND**

2. THE MUNICIPAL CORPORATION IS NOT AUTHORIZED TO IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION UNDER SUBSECTION (D) OF THIS SECTION.

(III) A MUNICIPAL CORPORATION THAT IS NOT AUTHORIZED TO IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION UNDER SUBSECTION (D) OF THIS SECTION AND THAT IS LOCATED IN A COUNTY THAT IS AUTHORIZED TO IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE COUNTY UNDER SUBSECTION (D) OF THIS SECTION MAY IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION UNDER THIS SUBSECTION AFTER **JULY 1, 2016, IF THE COUNTY HAS NOT ~~IMPOSED~~**

AUTHORIZED AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE COUNTY BY JULY 1, 2016.

[(2)] (4) (I) Before [the] A county may impose an assessment ON TRIPS THAT ORIGINATE in a [municipality] MUNICIPAL CORPORATION UNDER THIS SUBSECTION, the county shall:

[(i)] 1. notify the [municipality] MUNICIPAL CORPORATION of the county's intent to impose an assessment on transportation network services that originate in the [municipality] MUNICIPAL CORPORATION; and

[(ii)] 2. provide the [municipality] MUNICIPAL CORPORATION reasonable time to pass an ordinance authorizing the imposition of an assessment.

[(3)] (II) Before a [municipality] MUNICIPAL CORPORATION may impose an assessment ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION UNDER THIS SUBSECTION, the [municipality] MUNICIPAL CORPORATION shall:

[(i)] 1. notify the county of the [municipality's] MUNICIPAL CORPORATION'S intent to impose an assessment; and

[(ii)] 2. if the county imposes an assessment, provide the county reasonable time to notify the Comptroller before the [municipality's] MUNICIPAL CORPORATION'S assessment becomes effective.

[(4)] (5) (I) Notwithstanding [paragraphs (2) and (3)] PARAGRAPH (4) of this subsection[,] AND SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, BOTH a county and [municipality] A MUNICIPAL CORPORATION AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION may IMPOSE AN ASSESSMENT ON A TRANSPORTATION NETWORK SERVICE IF THE COUNTY AND THE MUNICIPAL CORPORATION enter into an agreement:

1. to share revenues; and

2. THAT SPECIFIES THE ALLOCATION OF THE REVENUES [allocate them in any manner].

(II) A COUNTY AND A MUNICIPAL CORPORATION THAT ENTER INTO AN AGREEMENT UNDER THIS PARAGRAPH TO IMPOSE AN ASSESSMENT ON A TRANSPORTATION NETWORK SERVICE BY BOTH JURISDICTIONS SHALL PROVIDE A COPY OF THE AGREEMENT TO THE COMPTROLLER.

(III) IF BOTH A COUNTY AND A MUNICIPAL CORPORATION IMPOSE AN ASSESSMENT ON A TRANSPORTATION NETWORK SERVICE UNDER THIS

PARAGRAPH, THE SUM OF THE ASSESSMENTS IMPOSED BY BOTH JURISDICTIONS MAY NOT EXCEED THE AMOUNT UNDER SUBSECTION (C)(3)(II) OF THIS SECTION.

(f) (1) AT LEAST 120 DAYS BEFORE AN ASSESSMENT IS TO TAKE EFFECT, A COUNTY OR MUNICIPAL CORPORATION THAT INTENDS TO IMPOSE AN ASSESSMENT SHALL NOTIFY THE COMPTROLLER:

(I) OF THE AMOUNT OF THE ASSESSMENT;

(II) OF THE EFFECTIVE DATE OF THE ASSESSMENT; AND

(III) THAT THE NOTICE REQUIRED UNDER SUBSECTION (E)(4) OF THIS SECTION WAS PROVIDED TO THE COUNTY OR MUNICIPAL CORPORATION.

(2) A county or [municipality] MUNICIPAL CORPORATION that imposes an assessment shall notify the Comptroller AT LEAST 120 DAYS BEFORE ANY CHANGE IN AN ASSESSMENT IS TO TAKE EFFECT [of]:

[(1)] (I) OF the amount of the NEW assessment; [and]

[(2)] (II) [any change in] OF THE EFFECTIVE DATE OF the NEW assessment [amount at least 120 days before the new amount takes effect]; AND

(III) THAT THE NOTICE REQUIRED UNDER SUBSECTION (E)(4) OF THIS SECTION WAS PROVIDED TO THE COUNTY OR MUNICIPAL CORPORATION.

(g) (1) This subsection governs the collection, remittance, accounting, and use of revenues from assessments imposed by a county or [municipality] MUNICIPAL CORPORATION under this section.

(2) A transportation network company shall:

(i) collect assessments on behalf of an operator who accepts a request for a ride made through the transportation network company's digital network;

(ii) collect any assessment, fee, charge, or tax imposed by an exempt jurisdiction on a transportation network service; and

(iii) submit to the Comptroller no later than 30 days after the end of a calendar quarter, or as otherwise specified by the Comptroller in regulations:

1. the assessments and other revenues collected by the transportation network company on behalf of the transportation network operators;

2. the allocation of the assessments and other revenues attributable to each county or [municipality] MUNICIPAL CORPORATION that has imposed an assessment based on where the trip originated; and

3. under oath, a certification that it has submitted the correct amount of assessments and revenues.

(3) (i) Subject to subparagraph (ii) of this paragraph, from the assessments and revenues imposed by counties and [municipalities] MUNICIPAL CORPORATIONS, the Comptroller shall distribute each quarter the amount necessary to administer the assessments to an administrative cost account.

(ii) The amount distributed to the administrative cost account may not exceed 5% of the revenue from the assessments and other revenue.

(4) After making the distribution required by paragraph ~~(2)~~ (3) of this subsection, within 45 days of the end of each calendar quarter, the Comptroller shall distribute the remaining revenue to:

(I) the county or [municipality] MUNICIPAL CORPORATION that is the source of the revenue; OR

(II) AT THE DISCRETION OF THE COMPTROLLER, THE COUNTY THAT IS THE SOURCE OF THE REVENUE FOR THE COUNTY TO DISTRIBUTE TO THE SOURCE OF REVENUE IN THE COUNTY OR MUNICIPAL CORPORATION.

[(5) (i) The Comptroller may inspect, at a transportation network company's place of business or a mutually agreed location, no more than annually, records necessary to ensure that the transportation network company has remitted to the Comptroller the correct revenues and allocations.]

(5) THE COMMISSION SHALL DISCLOSE:

(I) ON THE REQUEST OF THE COMPTROLLER, RECORDS OR INFORMATION THAT RELATE TO THE COLLECTION, REMITTANCE, ACCOUNTING OF REVENUES FROM ASSESSMENTS, OR THE ENFORCEMENT OF THE OBLIGATIONS UNDER THIS SECTION THAT ARE:

1. PROVIDED TO THE COMMISSION UNDER THIS SUBTITLE; OR

2. CREATED, ISSUED, OR MAINTAINED BY THE COMMISSION IN THE COURSE OF ADMINISTERING THIS SUBTITLE; AND

(II) RECORDS OR INFORMATION REQUIRED BY ~~A SUBPOENA, A COURT ORDER, OR AN ORDER OF THE MARYLAND TAX COURT.~~

(6) (I) 1. THE COMPTROLLER MAY REVIEW OR INSPECT EACH YEAR, AT A TRANSPORTATION NETWORK COMPANY'S PLACE OF BUSINESS OR A MUTUALLY AGREED LOCATION, RECORDS NECESSARY TO ENSURE THAT THE TRANSPORTATION NETWORK COMPANY HAS REMITTED TO THE COMPTROLLER THE CORRECT REVENUES AND ALLOCATIONS.

2. NOTHING IN THIS SUBPARAGRAPH IS INTENDED TO LIMIT THE PERIOD COVERED BY THE COMPTROLLER'S REVIEW OR INSPECTION, WHICH MAY INCLUDE MORE THAN 1 YEAR.

(ii) ~~{Records} EXCEPT AS PROVIDED IN SUBPARAGRAPHS (III) AND (IV) OF THIS PARAGRAPH, RECORDS OR INFORMATION~~ provided to the Comptroller by a transportation network company under this subsection are not subject to release under the Maryland Public Information Act [or any other law].

(iii) ~~Subject to subparagraph (iv) of this paragraph, the~~ THE Comptroller may not disclose records or information provided by a transportation network company unless the disclosure is required by [a] ~~subpoena~~ [or]; OR ORDER OF THE MARYLAND TAX COURT.

(iv) ~~1. If a subpoena [or], A court order, OR AN ORDER OF THE MARYLAND TAX COURT requires the Comptroller to disclose information provided by a transportation network company~~ ON NOTICE THAT A PERSON IS SEEKING RECORDS OR INFORMATION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH, the Comptroller shall promptly notify the transportation network company before disclosing the information.

(V) THE COMPTROLLER MAY DISCLOSE RECORDS OR INFORMATION PROVIDED BY THE COMMISSION OR A TRANSPORTATION NETWORK COMPANY TO:

1. THE MARYLAND TAX COURT;

2. A LEGAL REPRESENTATIVE OF THE STATE, TO REVIEW THE ASSESSMENT INFORMATION ABOUT A TRANSPORTATION NETWORK COMPANY:

A. THAT APPLIES FOR REVIEW UNDER TITLE 13 UNDER THE TAX – GENERAL ARTICLE;

B. THAT APPEALS FROM A DETERMINATION UNDER TITLE 13 OF THE TAX – GENERAL ARTICLE; OR

C. AGAINST WHICH AN ACTION TO RECOVER AN ASSESSMENT, AN INTEREST, OR A PENALTY IS PENDING OR WILL BE INITIATED UNDER TITLE 13 OF THE TAX – GENERAL ARTICLE; ~~AND OR~~

3. ANY LICENSE-ISSUING AUTHORITY OF THE STATE REQUIRED BY STATE LAW TO VERIFY THROUGH THE COMPTROLLER THAT:

A. AN APPLICANT HAS PAID ALL UNDISPUTED TAXES AND UNEMPLOYMENT INSURANCE CONTRIBUTIONS PAYABLE TO THE COMPTROLLER OR THE SECRETARY OF LABOR, LICENSING, AND REGULATION; OR

B. THE APPLICANT HAS PROVIDED FOR PAYMENT IN A MANNER SATISFACTORY TO THE UNIT RESPONSIBLE FOR COLLECTION.

(VI) 1. ~~EXCEPT AS PROVIDED UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, RECORDS~~ RECORDS OR INFORMATION DISCLOSED UNDER SUBPARAGRAPH (V)2 ~~AND OR 3~~ OF THIS PARAGRAPH ARE NOT SUBJECT TO RELEASE UNDER THE MARYLAND PUBLIC INFORMATION ACT.

2. A PERSON THAT RECEIVES RECORDS OR INFORMATION UNDER SUBPARAGRAPH (V)2 ~~AND OR 3~~ OF THIS PARAGRAPH MAY NOT DISCLOSE THE RECORDS OR INFORMATION UNLESS THE DISCLOSURE IS REQUIRED BY ~~SUBPOENA,~~ COURT ORDER, OR ORDER OF THE MARYLAND TAX COURT.

3. ON NOTICE THAT A THIRD PARTY IS SEEKING RECORDS OR INFORMATION UNDER SUBPARAGRAPH (V)2 OR 3 OF THIS PARAGRAPH, THE PERSON THAT RECEIVES RECORDS OR INFORMATION UNDER SUBPARAGRAPH (V)2 OR 3 OF THIS PARAGRAPH SHALL PROMPTLY NOTIFY THE TRANSPORTATION NETWORK COMPANY BEFORE DISCLOSING THE INFORMATION.

(7) (i) ~~EXCEPT TO THE EXTENT OF ANY INCONSISTENCY WITH THIS SUBSECTION, THE PROVISIONS OF TITLES 11 AND~~ TITLE 13 OF THE TAX – GENERAL ARTICLE THAT APPLY TO THE SALES AND USE TAX SHALL GOVERN THE ADMINISTRATION, COLLECTION, ENFORCEMENT, AND APPEALS OF THE REVENUES FROM ASSESSMENTS UNDER THIS SECTION.

(ii) THE LIMITATIONS GOVERNING THE SALES AND USE TAX UNDER § 13-1102 OF THE TAX – GENERAL ARTICLE APPLY TO THE ASSESSMENTS IMPOSED UNDER THIS SECTION.

[(6)] (8) The Comptroller may adopt regulations or other requirements or procedures to carry out the provisions of this section, including requirements and procedures regarding the administration, collection, and enforcement of the assessment.

(H) THE COMPTROLLER SHALL ENFORCE THIS SECTION AND § 10-407 OF THIS SUBTITLE.

10-502.

(a) A person may not operate a vehicle that provides passenger-for-hire services in the State:

(1) unless the person is licensed as a passenger-for-hire driver by the Commission, **INCLUDING A PERSON WHO IS LICENSED OR OTHERWISE AUTHORIZED BY THE COMMISSION AS A TRANSPORTATION NETWORK OPERATOR, TRANSPORTATION NETWORK PARTNER, OR TRANSPORTATION NETWORK DRIVER;** or

(2) in violation of this title or Title 9, Subtitle 2 of this article.

(b) A person may not operate a vehicle that provides taxicab services in the State:

(1) unless the person is licensed as a taxicab driver by the Commission or a county or municipal corporation; or

(2) that is under the jurisdiction of the Commission, in violation of this title.

(c) **A PERSON MAY NOT OPERATE A TRANSPORTATION NETWORK COMPANY IN THE STATE UNLESS THE PERSON HAS BEEN ISSUED A PERMIT AS A TRANSPORTATION NETWORK COMPANY BY THE COMMISSION.**

(D) Subject to the hearing provisions of § 3-102(c) of this article, the Commission may impose on a person who violates this section a civil penalty not exceeding \$500 for each violation.

Chapter 204 of the Acts of 2015

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) the insurance coverages for transportation network companies and transportation network operators required under this Act be provided, to the extent available, by ~~insurance carriers admitted in the State~~ **AUTHORIZED INSURERS AND THE MARYLAND AUTOMOBILE INSURANCE FUND;** and

(2) the Maryland Insurance Administration expedite review of applications by ~~authorized~~ insurers **AND THE MARYLAND AUTOMOBILE INSURANCE FUND** for approval of insurance products for transportation network services, and that these products become available for purchase by July 1, 2016.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

Chapter 17

(Senate Bill 98)

AN ACT concerning

Senior Citizen Activities Center Operating Fund – Distributions – Alteration

FOR the purpose of *increasing the amount of funding required to be included in the annual State budget for the Senior Citizen Activities Operating Fund; requiring a certain amount of the Fund to be distributed based on each county's share of the statewide senior citizen population; requiring that each county receive a minimum amount of funding; defining a certain term;* altering the qualification criteria for certain need-based distributions from the Senior Citizen Activities Center Operating Fund to certain counties; and generally relating to the administration of the Senior Citizen Activities Center Operating Fund.

BY repealing and reenacting, without amendments,

Article – Human Services
Section 10–513 and 10–514
Annotated Code of Maryland
(2007 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Human Services
Section 10–516
Annotated Code of Maryland
(2007 Volume and 2015 Supplement)

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

Article – Human Services

10-513.

- (a) In this part the following words have the meanings indicated.
- (b) “Fund” means the Senior Citizen Activities Center Operating Fund.
- (c) “Senior citizen activities center” means a community or neighborhood facility in which a broad spectrum of services are organized and provided to seniors and their spouses, including health, social, nutritional, educational, and recreational services.

10-514.

- (a) There is a Senior Citizen Activities Center Operating Fund.
- (b) The Fund shall be used to supplement, but may not be used to supplant, any existing funding for senior citizen activities centers in the State budget.

10-516.

(A) IN THIS SECTION, “DISTRESSED COUNTY” MEANS A COUNTY:

(1) WITH AN AVERAGE RATE OF UNEMPLOYMENT FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE THAT EXCEEDS:

(I) 150% OF THE AVERAGE RATE OF UNEMPLOYMENT FOR THE STATE DURING THAT PERIOD; OR

(II) THE AVERAGE RATE OF UNEMPLOYMENT FOR THE STATE DURING THAT PERIOD BY AT LEAST 2 PERCENTAGE POINTS;

(2) WITH AN AVERAGE PER CAPITA PERSONAL INCOME FOR THE MOST RECENT 24-MONTH PERIOD FOR WHICH DATA ARE AVAILABLE THAT IS EQUAL TO OR LESS THAN 67% OF THE AVERAGE PER CAPITA PERSONAL INCOME FOR THE STATE DURING THAT PERIOD; OR

(3) THAT NO LONGER MEETS EITHER CRITERION STATED IN ITEM (1) OR (2) OF THIS SUBSECTION BUT HAS MET AT LEAST ONE OF THE CRITERIA AT SOME TIME DURING THE PRECEDING 24-MONTH PERIOD.

~~(B)~~ **(B)** The Fund is a continuing, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.

~~(C)~~ **(C)** (1) The Fund consists of appropriations that are made to the Fund from the State budget.

(2) **(I)** For each fiscal year, the Governor shall include in the annual State budget an appropriation of ~~\$500,000~~ **\$750,000** for the Fund.

(II) IN ADDITION TO THE FUNDS PROVIDED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE GOVERNOR SHALL PROVIDE SUFFICIENT FUNDS TO ENSURE THAT EACH COUNTY RECEIVES AT LEAST \$5,000 UNDER ~~PARAGRAPH (3) OF THIS SUBSECTION~~ SUBSECTION (D)(2) OF THIS SECTION.

~~(e) (D)~~ (1) ~~Subject to paragraph (2) of this subsection, money from \$100,000 OF~~ the Fund shall be distributed to counties for senior citizen activities centers based on a competitive grant process administered by the Department.

(2) **(I) \$400,000 OF THE FUND SHALL BE DISTRIBUTED TO COUNTIES BASED ON EACH COUNTY'S PROPORTIONAL SHARE OF THE STATEWIDE POPULATION OF SENIOR CITIZENS.**

(II) A COUNTY SHALL RECEIVE AT LEAST \$5,000 UNDER THIS PARAGRAPH.

(3) At least 50% \$250,000 of the Fund shall be distributed for senior citizen activities centers on the basis of need, as determined by the Department, to counties: TO DISTRESSED COUNTIES AS FOLLOWS:

(I) \$150,000 SHALL BE DIVIDED EVENLY; AND

(II) \$100,000 SHALL BE DIVIDED PROPORTIONATELY BY EACH COUNTY'S SHARE OF THE TOTAL POPULATION OF SENIOR CITIZENS IN DISTRESSED COUNTIES.

(i) that have developed and submitted a local strategic plan for economic development that has been approved by the Secretary of Commerce; and

(ii) for which:

1. the average rate of unemployment for the most recent 18-month period for which data is available is greater than 150% of the average rate of unemployment for the entire State during that same period; or

2. the average per capita personal income for the most recent 24-month period for which data is available is equal to or less than 67% of the average personal per capita income for the entire State during that same period.]

~~**(I) WITH AN AVERAGE RATE OF UNEMPLOYMENT FOR THE MOST RECENT 24 MONTH PERIOD FOR WHICH DATA ARE AVAILABLE THAT EXCEEDS:**~~

~~1. 150% OF THE AVERAGE RATE OF UNEMPLOYMENT FOR THE STATE DURING THAT PERIOD; OR~~

~~2. THE AVERAGE RATE OF UNEMPLOYMENT FOR THE STATE DURING THAT PERIOD BY AT LEAST 2 PERCENTAGE POINTS;~~

~~(H) WITH AN AVERAGE PER CAPITA PERSONAL INCOME FOR THE MOST RECENT 24 MONTH PERIOD FOR WHICH DATA ARE AVAILABLE THAT IS EQUAL TO OR LESS THAN 67% OF THE AVERAGE PER CAPITA PERSONAL INCOME FOR THE STATE DURING THAT PERIOD; OR~~

~~(I) THAT NO LONGER MEET EITHER CRITERION STATED IN ITEM (I) OR (II) OF THIS PARAGRAPH BUT HAVE MET AT LEAST ONE OF THE CRITERIA AT SOME TIME DURING THE PRECEDING 24 MONTH PERIOD.~~

~~(E)~~ (E) The Fund shall be invested and reinvested in the same manner as other State funds.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

Chapter 18

(Senate Bill 104)

AN ACT concerning

Housing and Community Development – Local Government Infrastructure Projects – Financing

FOR the purpose of authorizing a county to agree with the Community Development Administration in the Department of Housing and Community Development to pledge, on behalf of a municipal corporation located in the county, certain money for certain infrastructure projects; authorizing each issuance by a municipal corporation of a local obligation for certain infrastructure projects to be secured by a pledge from the county in which the municipal corporation is located under certain circumstances; authorizing a county to pledge, on behalf of a municipal corporation for certain infrastructure projects, the faith and credit of the county or specific revenue of the county; requiring a pledge by a county under this Act to be authorized by a certain ordinance or resolution of the county; imposing certain requirements and restrictions on a pledge by a county of the faith and credit of the county under

certain circumstances; specifying certain provisions for a pledge by a county of certain revenue of the county under certain circumstances; and generally relating to financing for local government infrastructure projects.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–220 and 4–230
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–229
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

BY adding to
Article – Housing and Community Development
Section 4–232.1
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

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

Article – Housing and Community Development

4–220.

(a) This section does not apply to a facility if a local obligation that finances the facility is a private activity bond under § 141 of the Internal Revenue Code, for which an allocation under § 146 of the Internal Revenue Code is required.

(b) (1) A project, undertaking, or facility qualifies as an infrastructure project if it is planned, acquired, owned, developed, constructed, reconstructed, rehabilitated, or improved by or on behalf of a political subdivision to provide the essential physical elements that are the basis of the public service system.

(2) Infrastructure projects include streets, sidewalks, curbs, sewer and water systems, bridges, and public buildings that are owned by a political subdivision or a governmental unit of a political subdivision.

4–229.

(a) (1) If the Administration purchases a local obligation, the procedures and requirements for the issuance or sale of the local obligation shall be as provided in §§ 4–230 through 4–233 of this subtitle.

(2) Notwithstanding any other public general law or public local law, charter, or ordinance, an issuer of a local obligation may sell a local obligation to the Administration to finance an infrastructure project:

(i) at private or public sale, with or without public bidding;

(ii) without limitation on the denomination of the local obligation;

and

(iii) at any interest rate, cost, or price that the issuer considers necessary or desirable.

(3) The issuer of a local obligation may pay any fee or charge necessary for the Administration to:

(i) sell bonds, notes, or other obligations of the Administration;

(ii) provide the financial assistance authorized by § 4–228 of this subtitle;

(iii) provide any other guarantee, credit enhancement, or additional security for a note, bond, or obligation of the Administration; or

(iv) insure obligations of the issuer or of the Administration.

(b) (1) Notwithstanding any other public general law, public local law, charter, or ordinance, to enhance the security or the marketability of the bonds, notes, or obligations of the Administration that are sold to finance an infrastructure project[.]:

(I) a political subdivision may agree with the Administration to pledge any money, including a share of income tax, that the political subdivision is entitled to receive from the State; **AND**

(II) IF A POLITICAL SUBDIVISION IS A COUNTY, THE COUNTY MAY AGREE WITH THE ADMINISTRATION TO PLEDGE, ON BEHALF OF A MUNICIPAL CORPORATION LOCATED IN THE COUNTY, ANY MONEY, INCLUDING A SHARE OF INCOME TAX, THAT THE COUNTY IS ENTITLED TO RECEIVE FROM THE STATE.

(2) In accordance with a pledge under paragraph (1) of this subsection, the Comptroller and the State Treasurer shall cause the money pledged to be paid to the Administration or a trustee that the Administration designates.

(a) (1) Notwithstanding any other public general law, or public local law, charter, or ordinance, a political subdivision or a governmental unit of a political subdivision may issue a local obligation to be purchased by the Administration for infrastructure projects.

(2) A local obligation shall be issued in accordance with this section.

(3) Each local obligation must be authorized by resolution or ordinance of the governing body of the issuer.

(b) (1) Before a local obligation is issued under this section:

(i) the issuer shall publish a notice of the proposed issuance in a newspaper of general circulation in the jurisdiction of the issuer; and

(ii) the governing body of the issuer shall hold a public hearing on the proposed issuance.

(2) The notice shall include the proposed amount of the issue, the nature of the infrastructure project to be financed, the time and place of the public hearing, and the name and address of the governing body where written comments may be sent.

4-232.1.

(A) EACH ISSUANCE BY A MUNICIPAL CORPORATION OF A LOCAL OBLIGATION UNDER § 4-230 OF THIS SUBTITLE MAY BE SECURED BY A PLEDGE FROM THE COUNTY IN WHICH THE MUNICIPAL CORPORATION IS LOCATED.

(B) TO SECURE A LOCAL OBLIGATION UNDER § 4-230 OF THIS SUBTITLE, A COUNTY MAY PLEDGE ON BEHALF OF A MUNICIPAL CORPORATION LOCATED IN THE COUNTY:

(1) THE FAITH AND CREDIT OF THE COUNTY; OR

(2) SPECIFIC REVENUE OF THE COUNTY.

(C) (1) A PLEDGE BY A COUNTY UNDER THIS SECTION SHALL BE AUTHORIZED BY AN ORDINANCE OR A RESOLUTION OF THE COUNTY.

(2) EACH ORDINANCE OR RESOLUTION ENACTED UNDER THIS SECTION SHALL:

(I) BE ADOPTED BY THE GOVERNING BODY OF THE COUNTY;

(II) BE APPROVED BY THE CHIEF EXECUTIVE OFFICER, IF ANY, OF THE COUNTY; AND

(III) HAVE THE FORCE OF LAW.

(D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, IF A LOCAL OBLIGATION IS SECURED UNDER THIS SECTION BY A PLEDGE OF THE FAITH AND CREDIT OF A COUNTY TO MAKE PROMPT PAYMENT FROM THE TAX AND OTHER REVENUES DESCRIBED IN THE ENABLING RESOLUTION OR ORDINANCE:

(I) THE PLEDGE IS A COVENANT TO LEVY TAXES SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE LOCAL OBLIGATION WHEN DUE:

1. ON ALL REAL AND TANGIBLE PERSONAL PROPERTY THAT IS WITHIN THE CORPORATE LIMITS OF THE COUNTY AND SUBJECT TO ASSESSMENT FOR UNLIMITED AD VALOREM TAXATION; AND

2. IN EACH YEAR IN WHICH THE LOCAL OBLIGATION IS OUTSTANDING; AND

(II) IF AT THE TIME OF ISSUANCE OF A LOCAL OBLIGATION THERE IS A CHARTER OR STATUTORY LIMIT ON THE POWER OF THE COUNTY TO LEVY PROPERTY TAXES, THE PLEDGE IS A COVENANT TO LEVY AD VALOREM TAXES, WITHIN THAT LIMIT, SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE LOCAL OBLIGATION:

1. ON ALL REAL AND TANGIBLE PERSONAL PROPERTY THAT IS WITHIN THE CORPORATE LIMITS OF THE COUNTY AND SUBJECT TO ASSESSMENT FOR AD VALOREM TAXATION; AND

2. IN EACH YEAR IN WHICH THE LOCAL OBLIGATION IS OUTSTANDING.

(2) (I) A COUNTY MAY NOT MAKE A PLEDGE UNDER THIS SECTION IF THE PLEDGE WOULD CAUSE THE COUNTY TO EXCEED ANY LIMIT SET, BY THE CHARTER OF THE COUNTY OR BY STATUTE, ON THE POWER OF THE COUNTY TO MAKE THE PLEDGE.

(II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH, A LIMIT ON THE POWER OF A COUNTY TO MAKE A PLEDGE THAT IS IMPOSED AFTER THE ISSUANCE OF A LOCAL OBLIGATION THAT IS SECURED BY A PLEDGE UNDER THIS SECTION DOES NOT AFFECT THAT LOCAL OBLIGATION.

(E) IF A LOCAL OBLIGATION IS SECURED UNDER THIS SECTION BY A PLEDGE OF SPECIFIC REVENUE OF A COUNTY, THE SPECIFIC REVENUE OF THE COUNTY MAY INCLUDE:

(1) PAYMENTS TO THE ISSUER FROM THE STATE OR FEDERAL GOVERNMENT;

(2) SPECIAL BENEFIT ASSESSMENTS, TAXES, FEES, OR SERVICE CHARGES THAT THE COUNTY HAS AUTHORITY TO IMPOSE, LEVY, OR CHARGE; AND

(3) REVENUE OF THE COUNTY EXPECTED TO BE GENERATED BY THE INFRASTRUCTURE PROJECT TO BE FINANCED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

Chapter 19

(Senate Bill 110)

AN ACT concerning

Agriculture – Young Farmers Advisory Board – Membership

FOR the purpose of altering the membership of the Young Farmers Advisory Board; making stylistic changes; and generally relating to the membership of the Young Farmers Advisory Board.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 2–1002
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

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

Article – Agriculture

2–1002.

(a) The Young Farmers Advisory Board shall consist of ~~[12]~~ **20** members appointed by the Governor.

(b) Of the ~~[12]~~ **20** members:

(1) ~~[One]~~ **1** shall be from the Department of Agriculture;

(2) ~~[One]~~ **1** shall be from the Department of Economic Competitiveness and Commerce;

(3) ~~[One]~~ **1** shall be from the Forestry Program within the Department of Natural Resources;

(4) 1 SHALL BE AN OFFICER OF THE MARYLAND FFA ASSOCIATION;

(5) 1 SHALL BE AN URBAN FARMER;

~~[(4)]~~ **(6)** ~~[One]~~ **1** shall be from the Maryland Farm Bureau; and

~~[(5)]~~ **(7)** ~~[Eight]~~ **14** shall be appointed from the general public.

(c) To the extent practicable, the Governor shall attempt to ensure regional diversity among the members of the Advisory Board appointed from the general public.

(d) Each member from the general public shall:

(1) Be interested in the preservation and development of agriculture and preservation of the agricultural way of life in Maryland;

(2) Be under the age of 45 years at the beginning of the member's term;

(3) Derive at least 50% of the member's personal income from farming or agricultural activities in the State; and

(4) Be a resident of the State.

(e) (1) Except for the initial terms of the Advisory Board, the term of a member shall be 3 years.

(2) (i) The terms of members are staggered as required by the terms provided for members of the Advisory Board on October 1, 2004.

(ii) The terms of the initial members shall be staggered evenly between 2 years and 3 years as the Advisory Board shall determine at the Board's first meeting.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

Chapter 20

(Senate Bill 111)

AN ACT concerning

State Lottery – Licensed Agents – Prize Payments

FOR the purpose of authorizing the Director of the State Lottery and Gaming Control Agency to establish by regulation the amount certain licensed agents may pay in cash game prizes; making technical corrections and stylistic changes; and generally relating to the authority of the State Lottery Director to establish the amount certain licensed agents may pay in cash game prizes.

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–122(c) and (d)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

Article – State Government

9–122.

(c) [A] **THE DIRECTOR MAY ESTABLISH BY REGULATION THE AMOUNT A licensed agent may pay in cash game prizes [of not more than \$5,000].**

(d) (1) **(I)** In this subsection[, the words “bank” and “guardian” and references to a “member” of a “minor’s family” have the meanings] **THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

(II) “FINANCIAL INSTITUTION” HAS THE MEANING STATED IN § 13–301 OF THE ESTATES AND TRUSTS ARTICLE.

(III) “GUARDIAN” HAS THE MEANING STATED IN § 13–101 OF THE ESTATES AND TRUSTS ARTICLE.

(IV) “MEMBER OF THE MINOR’S FAMILY” HAS THE MEANING stated in § 13–301 of the Estates and Trusts Article.

(2) If a minor wins a prize of less than \$5,000, the Director may give a draft, as provided for in rules and regulations of the Agency payable to the order of the minor, to:

- (i) an adult member of the minor’s family; or
- (ii) a guardian of the minor.

(3) If a minor wins \$5,000 or more, the Director may deposit the prize in a [bank] FINANCIAL INSTITUTION to the credit of one of the following, as custodian for the minor:

- (i) an adult member of the minor’s family; or
- (ii) a guardian of the minor.

(4) A custodian under paragraph (3) of this subsection has the same powers and duties as a custodian under the Maryland Uniform Transfers to Minors Act.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

Chapter 21

(Senate Bill 112)

AN ACT concerning

Pest Control Compact – Repeal

FOR the purpose of repealing the Pest Control Compact; repealing provisions of law relating to the findings of the parties to the compact; repealing provisions of law relating to the Pest Control Insurance Fund; repealing provisions of law relating to the administration of the compact and Insurance Fund; repealing provisions of law relating to the establishment of advisory and technical committees under the compact; repealing provisions of law relating to the entry into force, withdrawal, and construction of the compact; repealing certain definitions; and generally relating to the Interstate Pest Control Compact.

BY repealing

Article – Agriculture

Section 5–701 through 5–716 and the subtitle “Subtitle 7. Pest Control Compact”
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

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

Article – Agriculture

[Subtitle 7. Pest Control Compact.]

[5–701.

The party states find that:

(a) In the absence of the higher degree of cooperation among them possible under this compact, the annual loss of approximately ten billion dollars from the depredations of pests is virtually certain to continue, if not to increase.

(b) Because of varying climatic, geographic and economic factors, each state may be affected differently by particular species of pests; but all states share the inability to protect themselves fully against those pests which present serious dangers to them.

(c) The migratory character of pest infestations makes it necessary for states both adjacent to and distant from one another to complement each other’s activities when faced with conditions of infestation and reinfestation.

(d) While every state is seriously affected by a substantial number of pests, and every state is susceptible of infestation by many species of pests not now causing damage to its crop and plant life and products, the fact that relatively few species of pests present equal danger to or are of interest to all states makes the establishment and operation of an insurance fund, from which individual states may obtain financial support for pest control programs of benefit to them in other states and to which they may contribute in accordance with their relative interests, the most equitable means of financing cooperative pest eradication and control programs.]

[5–702.

As used in this compact, unless the context clearly requires a different construction:

(a) “State” means a state, territory or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

(b) “Requesting state” means a state which invokes the procedures of the compact to secure the undertaking or intensification of measures to control or eradicate one or more pests within one or more other states.

(c) “Responding state” means a state requested to undertake or intensify the measures referred to in subdivision (b) of this section.

(d) “Pest” means any invertebrate animal, pathogen, parasitic plant or similar or allied organism which can cause disease or damage in any crops, trees, shrubs, grasses or other plants of substantial value.

(e) “Insurance Fund” means the Pest Control Insurance Fund established pursuant to this compact.

(f) “Governing board” means the administrators of this compact representing all of the party states when such administrators are acting as a body in pursuance of authority vested in them by this compact.

(g) “Executive committee” means the committee established pursuant to § 5-705(e) of this compact.]

[5-703.

There is hereby established the Pest Control Insurance Fund for the purpose of financing other than normal pest control operations which states may be called upon to engage in pursuant to this compact. The Insurance Fund shall contain moneys appropriated to it by the party states and any donations and grants accepted by it. All appropriations, except as conditioned by the rights and obligations of party states expressly set forth in this compact, or by their constitutions, shall be unconditional and may not be restricted by the appropriating state to use in the control of any specified pest or pests. Donations and grants may be conditional or unconditional, provided that the Insurance Fund shall not accept any donation or grant whose terms are inconsistent with any provision of this compact.]

[5-704.

(a) The Insurance Fund shall be administered by a governing board and executive committee as hereinafter provided. The actions of the governing board and executive committee pursuant to this compact shall be deemed the actions of the Insurance Fund.

(b) The members of the governing board shall be entitled to one vote each on such board. No action of the governing board shall be binding unless taken at a meeting at which a majority of the total number of votes on the governing board are cast in favor thereof. Action of the governing board shall be only at a meeting at which a majority of the members are present.

(c) The Insurance Fund shall have a seal which may be employed as an official symbol and which may be affixed to documents and otherwise used as the governing board may provide.

(d) The governing board shall elect annually, from among its members, a chairman, vice-chairman, a secretary and a treasurer. The chairman may not succeed himself. The governing board may appoint an executive director and fix his duties and his compensation, if any. Such executive director shall serve at the pleasure of the governing board. The governing board shall make provision for the bonding of such of the officers and employees of the Insurance Fund as may be appropriate.

(e) Irrespective of the civil service, personnel or other merit system laws of any of the party states, the executive director, or if there be no executive director, the chairman, in accordance with such procedures as the bylaws may provide, shall appoint, remove or discharge such personnel as may be necessary for the performance of the functions of the Insurance Fund and shall fix the duties and compensation of such personnel. The governing board in its bylaws shall provide for the personnel policies and programs of the Insurance Fund.

(f) The Insurance Fund may borrow, accept or contract for the services of personnel from any state, the United States, or any other governmental agency, or from any person, firm, association or corporation.

(g) The Insurance Fund may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials and services, conditional or otherwise, from any state, the United States, or any other governmental agency, or from any person, firm, association or corporation, and may receive, utilize and dispose of the same. Any donation, gift or grant accepted by the governing board pursuant to this paragraph or services borrowed pursuant to paragraph (f) of this section shall be reported in the annual report of the Insurance Fund. Such report shall include the nature, amount and conditions, if any, of the donation, gift, grant or services borrowed and the identity of the donor or lender.

(h) The governing board shall adopt bylaws for the conduct of the business of the Insurance Fund and shall have the power to amend and rescind these bylaws. The Insurance Fund shall publish its bylaws in convenient form and shall file a copy thereof and a copy of any amendment thereto with the appropriate agency or officer in each of the party states.

(i) Repealed.

(j) In addition to the powers and duties specifically authorized and imposed, the Insurance Fund may do such other things as are necessary and incidental to the conduct of its affairs pursuant to this compact.】

[5-705.

(a) In each party state there shall be a compact administrator, who shall be selected and serve in such manner as the laws of his state may provide, and who shall:

(1) Assist in the coordination of activities pursuant to the compact in his state; and

(2) Represent his state on the governing board of the Insurance Fund.

(b) If the laws of the United States specifically so provide, or if administrative provision is made therefor within the federal government, the United States may be represented on the governing board of the Insurance Fund by not to exceed three representatives. Any such representative or representatives of the United States shall be appointed and serve in such manner as may be provided by or pursuant to federal law, but no such representatives shall have a vote on the governing board or on the executive committee thereof.

(c) The governing board shall meet at least once each year for the purpose of determining policies and procedures in the administration of the Insurance Fund and, consistent with the provisions of the compact, supervising and giving direction to the expenditure of moneys from the Insurance Fund. Additional meetings of the governing board shall be held on call of the chairman, the executive committee, or a majority of the membership of the governing board.

(d) At such times as it may be meeting, the governing board shall pass upon applications for assistance from the Insurance Fund and authorize disbursements therefrom. When the governing board is not in session, the executive committee thereof shall act as agent of the governing board, with full authority to act for it in passing upon such applications.

(e) The executive committee shall be composed of the chairman of the governing board and four additional members of the governing board chosen by it so that there shall be one member representing each of four geographic groupings of party states. The governing board shall make such geographic groupings. If there is representation of the United States on the governing board, one such representative may meet with the executive committee. The chairman of the governing board shall be chairman of the executive committee. No action of the executive committee shall be binding unless taken at a meeting at which at least four members of such committee are present and vote in favor thereof. Necessary expenses of each of the five members of the executive committee incurred in attending meetings of such committee, when not held at the same time and place as a meeting of the governing board, shall be charges against the Insurance Fund.]

[5-706.

(a) Each party state pledges to each other party state that it will employ its best efforts to eradicate, or control within the strictest practicable limits, any and all pests. It is recognized that performance of this responsibility involves:

(1) The maintenance of pest control and eradication activities of interstate significance by a party state at a level that would be reasonable for its own protection in the absence of this compact.

(2) The meeting of emergency outbreaks or infestations of interstate significance to no less an extent than would have been done in the absence of this compact.

(b) Whenever a party state is threatened by a pest not present within its borders but present within another party state, or whenever a party state is undertaking or engaged in activities for the control or eradication of a pest or pests, and finds that such activities are or would be impracticable or substantially more difficult of success by reason of failure of another party state to cope with infestation or threatened infestation, that state may request the governing board to authorize expenditures from the Insurance Fund for eradication or control measures to be taken by one or more of such other party states at a level sufficient to prevent, or to reduce to the greatest practicable extent, infestation or reinfestation of the requesting state. Upon such authorization the responding state or states shall take or increase such eradication or control measures as may be warranted. A responding state shall use moneys made available from the Insurance Fund expeditiously and efficiently to assist in affording the protection requested.

(c) In order to apply for expenditures from the Insurance Fund, a requesting state shall submit the following in writing:

(1) A detailed statement of the circumstances which occasion the request for the invoking of the compact.

(2) Evidence of need for eradication or control assistance because the pest in question constitutes a danger to an agricultural or forest crop, product, tree, shrub, grass or other plant having a substantial value to the requesting state.

(3) A statement of the extent of the present and projected program of the requesting state and its subdivisions, including full information as to the legal authority for the conduct of such program or programs and the expenditures being made or budgeted therefor, in connection with the eradication, control, or prevention of introduction of the pest concerned.

(4) Proof that the expenditures being made or budgeted as detailed in item (3) do not constitute a reduction of the effort for the control or eradication of the pest concerned or, if there is a reduction, the reasons why the level of program detailed in item (3) constitutes a normal level of pest control activity.

(5) A declaration as to whether, to the best of its knowledge and belief, the conditions which in its view occasion the invoking of the compact in the particular instance can be abated by a program undertaken with the aid of moneys from the Insurance Fund in one year or less, or whether the request is for an installment in a program which is likely to continue for a longer period of time.

(6) Such other information as the governing board may require consistent with the provisions of this compact.

(d) The governing board or executive committee shall give due notice of any meeting at which an application for assistance from the Insurance Fund is to be considered. Such notice shall be given to the compact administrator of each party and to such other officers and agencies as may be designated by the laws of the party states. The requesting state and any other party state shall be entitled to be represented and present evidence and argument at such meeting.

(e) Upon the submission as required by paragraph (c) of this section and such other information as it may have or acquire, and upon determining that an expenditure of funds is within the purposes of this compact and justified thereby, the governing board or executive committee shall authorize support of the program. The governing board or the executive committee may meet at any time or place for the purpose of receiving and considering an application. Any and all determinations of the governing board or executive committee, with respect to an application, together with the reasons therefor shall be recorded and subscribed in such manner as to show and preserve the votes of the individual members thereof.

(f) A requesting state which is dissatisfied with a determination of the executive committee shall upon notice in writing given within 20 days of the determination with which it is dissatisfied, be entitled to receive a review thereof at the next meeting of the governing board. Determinations of the executive committee shall be reviewable only by the governing board at one of its regular meetings, or at a special meeting held in such manner as the governing board may authorize.

(g) Responding states required to undertake or increase measures pursuant to this compact may receive moneys from the Insurance Fund, either at the time or times when such state incurs expenditures on account of such measures, or as reimbursement for expenses incurred and chargeable to the Insurance Fund. The governing board shall adopt and, from time to time, may amend or revise procedures for submission of claims upon it and for payment thereof.

(h) Before authorizing the expenditure of moneys from the Insurance Fund pursuant to an application of a requesting state, the Insurance Fund shall ascertain the extent and nature of any timely assistance or participation which may be available from the federal government and shall request the appropriate agency or agencies of the federal government for such assistance and participation.

(i) The Insurance Fund may negotiate and execute a memorandum of understanding or other appropriate instrument defining the extent and degree of assistance or participation between and among the Insurance Fund, cooperating federal agencies, states and any other entities concerned.]

[5-707.

The governing board may establish advisory and technical committees composed of state, local, and federal officials, and private persons to advise it with respect to any one or more of its functions. Any such advisory or technical committee, or any member or members

thereof may meet with and participate in its deliberations. Upon request of the governing board or executive committee an advisory or technical committee may furnish information and recommendations with respect to any application for assistance from the Insurance Fund being considered by such board or committee and the board or committee may receive and consider the same: provided that any participant in a meeting of the governing board or executive committee held pursuant to § 5–706(d) of the compact shall be entitled to know the substance of any such information and recommendations, at the time of the meeting if made prior thereto or as a part thereof or, if made thereafter, no later than the time at which the governing board or executive committee makes its disposition of the application.]

[5–708.

(a) A party state may make application for assistance from the Insurance Fund in respect of a pest in a nonparty state. Such application shall be considered and disposed of by the governing board or executive committee in the same manner as an application with respect to a pest within a party state, except as provided in this section.

(b) At or in connection with any meeting of the governing board or executive committee held pursuant to § 5–706 of this compact, a nonparty state shall be entitled to appear, participate, and receive information only to such extent as the governing board or executive committee may provide. A nonparty state shall not be entitled to review of any determination made by the executive committee.

(c) The governing board or executive committee shall authorize expenditures from the Insurance Fund to be made in a nonparty state only after determining that the conditions in such state and the value of such expenditures to the party states as a whole justify them. The governing board or executive committee may set any conditions which it deems appropriate with respect to the expenditure of moneys from the Insurance Fund in a nonparty state and may enter into such agreement or agreements with nonparty states and other jurisdictions or entities as it may deem necessary or appropriate to protect the interests of the Insurance Fund with respect to expenditures and activities outside of party states.]

[5–709.

(a) The Insurance Fund shall submit to the executive head or designated officer or officers of each party state a budget for the Insurance Fund for such period as may be required by the laws of that party state for presentation to the legislature thereof.

(b) Each of the budgets shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. The requests for appropriations shall be apportioned among the party states as follows: one tenth of the total budget in equal shares and the remainder in proportion to the value of agricultural and forest crops and products, excluding animals and animal products, produced in each party state. In determining the value of such crops and products the Insurance Fund may employ such source or sources of information as in its judgment present the most equitable and accurate comparisons among the party states. Each of the budgets and requests for appropriations

shall indicate the source or sources used in obtaining information concerning value of products. Nothing in this compact shall be construed as requiring the Governor to include an appropriation, or any particular amount of appropriation, in the budget he submits to the General Assembly, nor as requiring the General Assembly to authorize such an appropriation or amount.

(c) The financial assets of the Insurance Fund shall be maintained in two accounts to be designated respectively as the “operating account” and “claims account”. The operating account shall consist only of those assets necessary for the administration of the Insurance Fund during the next ensuing two-year period. The claims account shall contain all moneys not included in the operating account and shall not exceed the amount reasonably estimated to be sufficient to pay all legitimate claims on the Insurance Fund for a period of three years. At any time when the claims account has reached its maximum limit or would reach its maximum limit by the addition of moneys requested for appropriation by the party states, the governing board shall reduce its budget requests on a pro rata basis in such a manner as to keep the claims account within such maximum limit. Any moneys in the claims account by virtue of conditional donations, grants or gifts shall be included in calculations made pursuant to this paragraph only to the extent that such moneys are available to meet demands arising out of claims.

(d) The Insurance Fund shall not pledge the credit of any party state. The Insurance Fund may meet any of its obligations in whole or in part with moneys available to it under § 5–704(g) of this compact, provided that the governing board takes specific action setting aside such moneys prior to incurring any obligation to be met in whole or in part in such manner. Except where the Insurance Fund makes use of moneys available to it under § 5–704(g) hereof, the Insurance Fund shall not incur any obligation prior to the allotment of moneys by the party states adequate to meet the same.

(e) The Insurance Fund shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Insurance Fund shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Insurance Fund shall be audited yearly by a licensed certified public accountant and a report of the audit shall be included in and become part of the annual report of the Insurance Fund.

(f) The accounts of the Insurance Fund shall be open at any reasonable time for inspection by duly authorized officers of the party states and by any persons authorized by the Insurance Fund.]

[5–710.

(a) This compact shall enter into force when enacted into law by any five or more states. Thereafter, this compact shall become effective as to any other state upon its enactment thereof.

(b) Any party state may withdraw from this compact by enacting a statute repealing the same, but no such withdrawal shall take effect until two years after the

executive head of the withdrawing state has given notice in writing of the withdrawal to the executive heads of all other party states. No withdrawal shall affect any liability already incurred by or chargeable to a party state prior to the time of such withdrawal.]

[5–711.

This compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be contrary to the constitution of any state or of the United States or the applicability thereof to any government, agency, person or circumstance is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact shall be held contrary to the constitution of any state participating herein, the compact shall remain in full force and effect as to the remaining party states and in full force and effect as to the state affected as to all severable matters.]

[5–712.

Consistent with law and within available appropriations, the departments, agencies, and officers of Maryland may cooperate with the Insurance Fund established by this subtitle.]

[5–713.

Pursuant to § 5–704(h) of this subtitle, copies of the bylaws and amendments thereto shall be filed with the Maryland Secretary of Agriculture.]

[5–714.

The compact administrator for Maryland shall be the Maryland Secretary of Agriculture and his duties as compact administrator shall be deemed a regular part of the duties of his office.]

[5–715.

A request or application for assistance from the Insurance Fund pursuant to § 5–706(b) or § 5–708(a) of this subtitle may be made by the Governor of Maryland.]

[5–716.

As used in this subtitle with reference to Maryland, the term “executive head” means the Governor.]

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

Chapter 22

(Senate Bill 113)

AN ACT concerning

**Department of Agriculture – Bees, Bee Colonies, and Used Bee Equipment –
Transportation and Shipment**

FOR the purpose of repealing the requirement that a bee colony or used bee equipment shipped or transported into the State be accompanied by an entry permit issued by the Department of Agriculture; requiring a certain person to submit certain information to the Department before shipping or transporting a bee colony or used bee equipment into the State; authorizing the Department to restrict the movement of a bee or bee colony under certain circumstances; and generally relating to the shipment or transportation of a bee, bee colony, or used bee equipment into the State.

BY repealing and reenacting, with amendments,
Article – Agriculture
Section 5–505
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

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

Article – Agriculture

5–505.

(a) A person may not ship or transport into this State any colony or used bee equipment that is not accompanied by [the following documents:

- (1) An entry permit, issued by the Department; and
- (2) A] A valid inspection certificate that:

[i] (1) Has been issued by an authorized apiary inspector of the state of origin; and

[ii] (2) States that the colony or equipment is disease free based on an inspection by that inspector within a time period as determined by the Department.

(b) Before a person may ship or transport into this State any colony or used bee equipment, [the person shall request an entry permit by submitting] **THE PERSON SHALL SUBMIT THE FOLLOWING INFORMATION** to the Department:

- (1) An inspection certificate from the state of origin;
- (2) The name, address, and state of residence of the shipper;
- (3) The person to whom and destination to which the colony or bee equipment is to be shipped;
- (4) The number of hives that contain bees;
- (5) The type and quantity of bee equipment contained in the shipment;
- (6) The date of the last official inspection of the apiary and bee equipment;
- (7) The total number of colonies in the apiary inspected;
- (8) The number of infected colonies, if any, that were found in the apiary on that last inspection; and
- (9) The number of these infected colonies that were destroyed.

(c) Without the prior written permission of the Department, a person may not transport into this State from outside of the United States a bee that belongs to the genus [apis] **APIS**, used bee equipment, or a used appliance.

(d) A person may not ship or transport into this State any queen bee or packaged bee unless it is accompanied by a valid certificate that:

- (1) Was issued by an authorized apiary inspector of the state of origin; and
- (2) States that the bee is from a disease free colony.

(e) A person, who receives a delivery of a colony or bee that was transported into this State without the [documents] **DOCUMENT** required under this subtitle, immediately shall give to the Department notice of the delivery.

(f) (1) Any colony or bee that is transported into this State [and that is not accompanied by the documents required under this] **IN A MANNER THAT DOES NOT MEET THE REQUIREMENTS OF THIS** subtitle shall be restricted to an area that the Department designates and may not be moved.

(2) The Department shall give the owner notice that unless the colony or bee is removed from the State within 24 hours, it may be destroyed by the Department at the expense of the owner.

(3) The Department may destroy at the expense of the owner any bee or colony that is not removed from this State within 24 hours after notice is given under this subsection.

(g) A transportation company or common carrier shall have the immunity from liability described under § 5-415 of the Courts and Judicial Proceedings Article.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

Chapter 23

(Senate Bill 378)

AN ACT concerning

State Employees – Merit Increases in Salary

FOR the purpose of excluding certain State employees from a certain prohibition against certain merit increases in salary; and generally relating to merit increases in salary for certain State employees.

BY repealing and reenacting, with amendments,
Chapter 489 of the Acts of the General Assembly of 2015
Section 7(a)

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

Chapter 489 of the Acts of 2015

SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) (1) Except as otherwise provided in this section, State employees employed by any entity, including the University System of Maryland, Morgan State University, and St. Mary's College of Maryland, may not receive merit increases in fiscal year 2016.

(2) This subsection does not affect:

- (i) Salaries for constitutional officers or members of the General Assembly;
- (ii) Increases necessary for the retention of faculty in the University System of Maryland, Morgan State University, or St. Mary's College of Maryland;
- (iii) Increased payments under a collective bargaining agreement negotiated with an accredited representative in accordance with § 7-601 of the Transportation Article; [or]
- (iv) **STATE EMPLOYEES REPRESENTED BY THE STATE LAW ENFORCEMENT OFFICERS LABOR ALLIANCE WHO ARE SUBJECT TO A STEP INCREASE EFFECTIVE APRIL 1, 2016, IN ACCORDANCE WITH AND CONSISTENT WITH A COLLECTIVE BARGAINING AGREEMENT NEGOTIATED WITH THE STATE; OR**
- (v) Operationally critical staff.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ June 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

Chapter 24

(Senate Bill 766)

AN ACT concerning

**Local Income Tax – Overpayments ~~and~~, Underpayments, and Wynne
Repayments – Local Reserve Account Repayment**

FOR the purpose of requiring the Comptroller, under certain circumstances, to pay a county or municipal corporation that receives a certain underpayment of local income tax revenue a certain amount from a certain account; requiring a county or municipal corporation that receives a certain overpayment of local income tax revenue to repay a certain account in a certain manner; requiring the Comptroller, under certain circumstances, to withhold certain amounts from a county or municipal corporation's quarterly local income tax distributions; requiring that a certain determination by the Comptroller be based on a full accounting of the income tax returns for a certain taxable year; altering the manner by which the Comptroller withholds certain amounts from certain local income tax distributions; prohibiting the Comptroller from requiring that certain counties or municipal corporations make certain

reimbursement payments until a certain analysis is completed; defining a certain term; and generally relating to the distribution of certain local income tax revenue.

BY adding to

Article – Tax – General

Section 2–611

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Chapter 489 of the Acts of the General Assembly of 2015

Section 27

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

Article – Tax – General

2–611.

(A) IN THIS SECTION, “ACCOUNT” MEANS THE LOCAL RESERVE ACCOUNT ESTABLISHED TO COMPLY WITH § 2–606 OF THIS SUBTITLE.

(B) THIS SECTION APPLIES TO A COUNTY OR MUNICIPAL CORPORATION THAT RECEIVES AN OVERPAYMENT OR UNDERPAYMENT OF LOCAL INCOME TAX REVENUE FROM THE COMPTROLLER.

(C) AFTER REVIEWING INCOME TAX REVENUE DISTRIBUTIONS TO A COUNTY OR MUNICIPAL CORPORATION, IF THE COMPTROLLER DETERMINES THAT THE COUNTY OR MUNICIPAL CORPORATION RECEIVED AN UNDERPAYMENT OF INCOME TAX, THE COMPTROLLER SHALL INITIALLY PAY THE AMOUNT DUE TO THE COUNTY OR MUNICIPAL CORPORATION FROM THE ACCOUNT.

(D) (1) AFTER REVIEWING INCOME TAX REVENUE DISTRIBUTIONS TO A COUNTY OR MUNICIPAL CORPORATION, IF THE COMPTROLLER DETERMINES THAT THE COUNTY OR MUNICIPAL CORPORATION RECEIVED AN OVERPAYMENT OF INCOME TAX, THE COUNTY OR MUNICIPAL CORPORATION SHALL REIMBURSE THE ACCOUNT FOR ITS SHARE OF THE OVERPAYMENT.

(2) IF THE AFFECTED COUNTY OR MUNICIPAL CORPORATION DOES NOT REIMBURSE THE ACCOUNT IN A TIMELY FASHION, THE COMPTROLLER SHALL WITHHOLD THE AMOUNT OWED TO THE ACCOUNT FROM THE QUARTERLY INCOME TAX DISTRIBUTIONS IN ~~TWENTY~~ FORTY EQUAL INSTALLMENTS BEGINNING WITH THE FIRST APPLICABLE QUARTERLY DISTRIBUTION MADE AFTER THE COUNTY OR MUNICIPAL CORPORATION HAS MADE ITS FINAL REIMBURSEMENT PAYMENT, IF

REQUIRED TO DO SO, UNDER § 27 OF CHAPTER 489 OF THE ACTS OF 2015, AS AMENDED.

(E) A DETERMINATION BY THE COMPTROLLER UNDER THIS SECTION THAT A COUNTY OR MUNICIPAL CORPORATION RECEIVED AN UNDERPAYMENT OR OVERPAYMENT OF INCOME TAX SHALL BE BASED ON A FULL ACCOUNTING OF INCOME TAX RETURNS FOR THE TAXABLE YEAR FOR WHICH THE COUNTY OR MUNICIPAL CORPORATION RECEIVED THE UNDERPAYMENT OR OVERPAYMENT.

Chapter 489 of the Acts of 2015

SECTION 27. AND BE IT FURTHER ENACTED, That the Attorney General shall review the decision of the U.S. Supreme Court in the appeal of Maryland State Comptroller of the Treasury v. Brian Wynne, et ux. 431 Md. 147 (2013) and advise the Comptroller whether the decision, expressly or in effect, requires the payment of income tax refunds and interest attributable to taxable years beginning after December 31, 2005, but before January 1, 2015, and, if the Attorney General so advises, the Comptroller shall initially pay the refunds and interest from the Local Reserve Account (Account) established to comply with § 2-606 of the Tax – General Article. After the Comptroller pays the refunds and interest from the Account, each local government shall reimburse the Account for its share of related refunds and interest. If an affected local government does not reimburse the Account in a timely fashion, the Comptroller shall withhold the amount owed to the Account from the quarterly income tax distributions in [nine] TWENTY equal installments, beginning with the first applicable quarterly distribution made after [June 2016,] FEBRUARY 2019, until the Account is fully reimbursed.

SECTION 2. AND BE IT FURTHER ENACTED, That the Comptroller may not require a county or municipal corporation to make a reimbursement payment under § 2-611 of the Tax – General Article until the Comptroller completes a statewide analysis to determine the number of counties or municipal corporations that received an overpayment or underpayment of local income tax revenue.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

Chapter 25

(Senate Bill 1052)

AN ACT concerning

University of Maryland Strategic Partnership Act of 2016

FOR the purpose of ~~creating~~ formalizing a strategic partnership between certain higher education institutions to be called the University of Maryland; ~~requiring each campus of the University of Maryland to have a president subject to a decision by the Board of Regents at a certain time; requiring the presidents to jointly operate and manage the University of Maryland;~~ altering a certain provision of law regarding the Higher Education Center for Research and Graduate and Professional Study; requiring the University of Maryland to ensure that certain rights, privileges, and agreements of certain employees are not impaired or reduced; requiring the presidents of the University of Maryland campuses to submit a certain report to the University System of Maryland Board of Regents and the Chancellor of the University System of Maryland each year; stating certain findings of the General Assembly; requiring the presidents to develop and implement a certain plan; requiring the presidents of certain campuses to perform certain duties; establishing a University of Maryland Joint Steering Council with a certain membership; requiring the Council to perform certain duties; establishing a Center for Maryland Advanced Ventures; requiring the Center to be located on a certain campus in Baltimore City; requiring the Center to perform certain duties; requiring the Center to provide certain services to certain institutions; authorizing the Center to assess a certain fee for certain services; requiring the presidents to appoint an Executive Director of the Center; requiring the Executive Director of the Center to perform certain duties; authorizing the Maryland Technology Development Corporation to advise the Executive Director on the development of the Center; requiring the Governor to appropriate at least certain amounts to support the Center ~~in certain fiscal years~~ beginning in a certain fiscal year; establishing a University of Maryland Center for Economic and Entrepreneurship Development (UMCEED); requiring UMCEED to be located on a certain campus; requiring UMCEED to perform certain duties; requiring the presidents to appoint an Executive Director of UMCEED; requiring the Executive Director of UMCEED to perform certain duties; requiring the Governor to appropriate at least ~~a certain amount~~ certain amounts for certain fiscal years to support UMCEED ~~beginning in a certain fiscal year;~~ repealing the requirement that certain institutions be considered a single institution for certain purposes; requiring the Consolidated Transportation Program to include certain information; requiring the University System of Maryland to locate a certain ~~office~~ corporate headquarters in Baltimore City by a certain date; requiring ownership of a certain property to be transferred to the University of Maryland, College Park Campus by a certain date; requiring the Chancellor of the University System of Maryland to develop a certain plan to locate a certain corporate headquarters in Baltimore City and to submit the plan to the Department of Budget and Management and certain committees of the General Assembly on or before a certain date; ~~requiring the submission of certain legislation if a certain decision is made by the Board of Regents;~~ requiring the presidents of certain campuses to jointly develop certain plans; ~~requiring the Governor to include a certain amount in a certain budget to construct a certain facility at the Universities of Shady Grove;~~ requiring the Governor to provide a certain amount of general funds to the University System of Maryland Office in certain fiscal years to be distributed to certain institutions and to include a certain distribution in a certain budget in all future fiscal years;

*requiring the Board of Regents of the University System of Maryland to work in consultation with certain committees of the General Assembly on a certain strategy to enhance the funding guideline attainment for all institutions within the University System of Maryland; requiring the Board of Regents to submit a certain progress report to certain committees of the General Assembly on or before a certain date; requiring the Board of Regents to submit a certain report to the Governor on or before a certain date on a certain strategy to enhance the funding guideline attainment for all institutions within the University System of Maryland, and requiring copies of the report to be distributed to certain committees of the General Assembly; requiring certain Presidents to have an opportunity to meet with the Governor to discuss certain fiscal matters; prohibiting a certain construction of the strategic partnership and of this Act; requiring certain Presidents to make certain recommendations to the Chancellor of the University System of Maryland ~~to make a certain evaluation and recommendation~~ by a certain date; providing that the University of Maryland Joint Steering Committee is the successor to a certain MPowering the State Steering Committee; ~~providing that the University of Maryland is the successor of the University of Maryland, College Park and the University of Maryland, Baltimore;~~ providing that ~~certain names and titles of a certain unit and officials~~ *the names of the University of Maryland, Baltimore and the University of Maryland, College Park* in laws and other documents mean ~~the names and titles of the successor unit and officials~~ *the University of Maryland*; providing for the continuity of certain matters and persons; specifying certain findings and declaring the intent of the General Assembly; prohibiting certain State funding for certain University of Maryland centers established in accordance with this Act from being included in certain calculations of State funding for certain institutions of higher education under certain provisions of law; requiring the publisher of the Annotated Code, in consultation with, and subject to the approval of, the Department of Legislative Services, to make certain corrections; defining certain terms; altering a certain definition; repealing a certain definition; renumbering certain sections; making conforming changes; and generally relating to the strategic partnership between certain higher education institutions in Maryland.*

BY renumbering

Article – Transportation

Section 2–103.1(c)(3) through (7), respectively

to be Section 2–103.1(c)(4) through (8), respectively

Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 4–402(d)(1)(i), 10–209(d) ~~and (f), (f), and (g)~~, 11–105(b)(5)(i) and (ii), 12–101(b), 12–104(b), 12–105(a)(2), 12–106(a)(1)(iii)1., 12–109(a) and (f)(3), 12–116(b) and (c), 13–101(d)(2), 13–102(d), 13–103(b), 13–104(c), 13–202(b), 13–204, 13–205(e)(4)(i), 13–301(d) and (r), 13–401(d)(3), 13–501(j), 13–503(b), 13–505(a)(2)(ii), 13–513(f) and (g), ~~13–601~~, 13–702(c), 13–703(b) through (d), 13–802(c)(2), 13–803(c)(2) and (4), 13–804(b), 17–302(d)(2),

18-113(a)(2)(ii), 18-304(b)(2)(ii), 18-404(c)(2), 18-503(b)(2), 18-506(a),
 18-601(e)(2)(i), 18-603.1(d), 18-604(e)(2), 18-708(i)(1), 18-901,
 18-2201(b)(2)(i), 18-2205(a)(2)(i)1., and 18-2901(e)(2)(iii)

Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Education

Section 10-209(e), 12-116(a), 13-103(a), 13-201(a), 13-505(a)(1), and 13-802(a)

Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

BY adding to

Article – Education

Section 12-104(b-1); 12-301 through 12-306 to be under the new subtitle “Subtitle
 3. University of Maryland”; and 13-201(d)

Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

~~Article 2B – Alcoholic Beverages~~

~~Section 6-201(e)(12)(iv)1. and (ix)4.~~

~~Annotated Code of Maryland~~

~~(2011 Replacement Volume and 2015 Supplement)~~

Article – Alcoholic Beverages

Section 26-1009(b)(1) and (e)(4)

Annotated Code of Maryland

(As enacted by Chapter (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Agriculture

Section 9.5-202(a)(1)(v)

Annotated Code of Maryland
 (2007 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Courts and Judicial Proceedings

Section 1-403(a)(2)

Annotated Code of Maryland
 (2013 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Criminal Law

Section 4-208(a)(5)(iii)

Annotated Code of Maryland
 (2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–101(c)(7) and 11–113(c)(3)(x)
Annotated Code of Maryland
(2008 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 10–455(a)
Annotated Code of Maryland
(2008 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–455(b)(3) and (c)(3)(i)
Annotated Code of Maryland
(2008 Volume and 2015 Supplement)

BY repealing
Article – General Provisions
Section 1–116
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – General Provisions
Section 7–316
Annotated Code of Maryland
(2014 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 13–1101(hh) and 13–1303(c)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–208(a)
Annotated Code of Maryland
(2012 Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–11A–03(d), 4–11A–03.2(b)(6), 4–11C–01(c)(2)(i), and 8–2A–03(a)(3)(vi)
Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Natural Resources

Section 4–11A–03.2(a) and 4–11C–01(a)

Annotated Code of Maryland

(2012 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 9–201(a)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 9–201(b)(8)

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–603(b)(7), 9–1405(b)(7), 9–1406(c), 9–2203(e), and 9–2204(a) and (c)(3)(ii) and (iii)

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – State Personnel and Pensions

Section 26–201(a)(5) and (b)(3) and 26–202(b)(1)(v)

Annotated Code of Maryland

(2015 Replacement Volume)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 2–103(e) and 2–103.1(b)

Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

BY adding to

Article – Transportation

Section 2–103.1(c)(3)

Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 16–205.1(i)(3)(i)8.

Annotated Code of Maryland
(2012 Replacement Volume and 2015 Supplement)

Preamble

WHEREAS, The University of Maryland, College Park is the State's flagship public higher education institution. It has major undergraduate, graduate, and doctoral programs with a significant research component generating almost \$500 million in 2013; and

WHEREAS, The University of Maryland, Baltimore has seven professional and graduate schools, including the only public school of medicine in the State, which train the majority of the State's physicians, nurses, dentists, lawyers, social workers, and pharmacists; and

WHEREAS, There are almost no flagship research institutions the caliber of the University of Maryland, College Park or professional schools the caliber of the University of Maryland, Baltimore in the United States that do not have a connection between the flagship research institution and the medical school and law school; and

WHEREAS, All but one of the ~~funding~~ *competitor state* peers for the University of Maryland, College Park have a school of medicine, law, or both at the same institution and all of the "Big 10" institutions have both a school of medicine and a law school; and

WHEREAS, All of the ~~funding~~ *competitor state* peers for the University of Maryland, Baltimore are also research institutions; and

WHEREAS, The courses of study and degrees offered at the University of Maryland, College Park and the University of Maryland, Baltimore are complementary and largely unduplicated; and

WHEREAS, The national research rankings under a unified University of Maryland would dramatically improve creating greater opportunities for research in the State; and

WHEREAS, The total research expenditure ranking for the University of Maryland, College Park increases from 41st and the University of Maryland, Baltimore increases from 48th in the country to a ranking of 12th in the nation and 8th for a public institution, exceeding the ranking of institutions such as the Massachusetts Institute of Technology; and

WHEREAS, Federal research rankings increase from 31st in the country for the University of Maryland, College Park and 54th for the University of Maryland, Baltimore to 11th in the country, placing the unified institution ahead of institutions such as the Pennsylvania State University, the University of Virginia, and the University of California, Berkeley; and

WHEREAS, With both a unified University of Maryland and Johns Hopkins University located in Baltimore City, the City will be one of the only cities in the nation with two top-ranked research institutions within its borders; and

WHEREAS, Under the “MPower” initiative, joint research awards totaled almost \$79 million over a 3-year period, an increase of 60%; and

WHEREAS, Technology transfer is a major and measurable economic impact of higher education in the State and through “MPower” and UM Ventures technology transfer has increased by 100% over 5 years with licensing revenue increasing 72% over the same period; and

WHEREAS, The success of joint efforts through the “MPower” initiative demonstrates the potential of a reunified major public research institution with the public professional schools in Maryland; and

WHEREAS, The missions of University of Maryland, College Park and University of Maryland, Baltimore include commitment to the social and economic health and development of the communities in which they are located, including collaboration in the areas of health care, housing and development, transportation, public education, public safety, and sustainability; and

WHEREAS, The University of Maryland, College Park, as a land grant college, the City of College Park, and Prince George’s County in recent years have successfully collaborated on joint projects, including the redevelopment of Route 1, the Innovation District, M Square, College Park Academy, the expansion of police protection, traffic cameras and security cameras, bike and pedestrian routes, bus service, and the Purple light rail line; and

WHEREAS, The University of Maryland, Baltimore and the City of Baltimore collaborate on joint projects, including the assistance of the professional schools in creating employment opportunities for Baltimore City residents; and

WHEREAS, The University of Maryland, Baltimore and the City of Baltimore also collaborate on joint projects, including the UMB Community Engagement Center in West Baltimore, Baltimore City community schools, the Promise Heights neighborhood, development of the University of Maryland BioPark and redevelopment of the city’s west side, the UMB CURE Scholars program, tutoring and mentoring initiatives throughout West Baltimore, and the provision of health care and social services to underserved city residents; and

WHEREAS, As the State continues slowly moving out of a national recession combined with federal government contraction, the State must take the steps necessary to position itself to be as competitive as possible in the economy of the future; and

WHEREAS, The State must plan now for what we know will create the technology and research jobs that will power our economy and ensure that Maryland is the place to go

for state-of-the-art research, to take that research and spin it off into the marketplace, and to successfully build a company and create jobs based on the education and research opportunities in this State; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 2–103.1(c)(3) through 2–103.1(c)(7), respectively, of Article – Transportation of the Annotated Code of Maryland be renumbered to be Section(s) 2–103.1(c)(4) through 2–103.1(c)(8), respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

4–402.

(d) (1) The Chief Executive Officer shall enter into a memorandum of understanding that relates to the provision of policy analysis and advice to the county board with the following institutions of higher education:

- (i) The University of Maryland, College Park **CAMPUS**;

10–209.

(d) (1) The Board of Regents of the University System of Maryland shall appoint a Chancellor who shall be the Chief Executive Officer of the University System of Maryland and the Chief of Staff for the Board. The Chancellor and the staff of the Board shall serve as coordinators and system planners for the University **SYSTEM OF MARYLAND**.

(2) The Chancellor shall:

- (i) Advise the Board of Regents on systemwide policy;
- (ii) Conduct systemwide planning;
- (iii) Coordinate and arbitrate among the institutions and centers of the University **SYSTEM OF MARYLAND**;
- (iv) Assist the institutions in achieving performance goals in accordance with the Accountability Reporting Program; and
- (v) Provide technical assistance to institutions and centers such as legal and financial services.

(e) Each campus of the University System of Maryland shall have a president who is the chief executive officer of the institution.

(f) The University System of Maryland shall:

(1) Maintain and enhance the **UNIVERSITY OF MARYLAND**, College Park [campus] **CAMPUS** as the State's flagship campus with programs and faculty nationally and internationally recognized for excellence in research and the advancement of knowledge;

(2) Admit as freshmen to the **UNIVERSITY OF MARYLAND**, College Park [campus] **CAMPUS** highly qualified students who have academic profiles that suggest exceptional ability;

(3) Provide access to the upper division undergraduate level of the **UNIVERSITY OF MARYLAND**, College Park [campus] **CAMPUS** for students who have excelled in completing lower division study; and

(4) Provide the **UNIVERSITY OF MARYLAND**, College Park [campus] **CAMPUS** with the level of operating funding and facilities necessary to place it among the upper echelon of its peer institutions.

(g) The University System of Maryland shall maintain and enhance a coordinated Higher Education Center for Research and Graduate and Professional Study, in the Baltimore area]. Based] BASED on [their] THE joint graduate and research programs[,] OF the University of Maryland, Baltimore CAMPUS and the University of Maryland Baltimore County, WHICH IS ONE OF THE STATE'S RESEARCH INSTITUTIONS [shall be considered a single research institution for the purposes of determining peer institutions. Funding guidelines for the professional schools of the University of Maryland, Baltimore shall be based on peer comparisons separately established for each school].

11-105.

(b) (5) (i) With respect to the College Park [campus] **CAMPUS** of the University of Maryland, the Commission shall direct the Board of Regents of the University **SYSTEM** of Maryland to develop and implement a plan for the enhancement of that campus as the State's flagship campus with programs and faculty nationally and internationally recognized for excellence in research and the advancement of knowledge.

(ii) With respect to the constituent institutions of the University System of Maryland in the Baltimore region, the Commission shall direct the Board of Regents of the University **SYSTEM** of Maryland to maintain and enhance a coordinated Higher Education Center for Research and Graduate and Professional Study in the Baltimore area.

12-101.

(b) (1) In this title the following words have the meanings indicated.

(2) “Board” or “Board of Regents” means the Board of Regents of the University System of Maryland.

(3) “Centers” or “institutes” means the following components of the System under the jurisdiction of the Board of Regents:

(i) University of Maryland Center for Environmental Science;

(ii) Cooperative Extension Service and the Agricultural Experiment Station;

(iii) Statewide Medical Education and Training System;

(iv) Fire and Rescue Institute;

(v) CENTER FOR MARYLAND ADVANCED VENTURES;

(vi) UNIVERSITY OF MARYLAND CENTER FOR ECONOMIC AND ENTREPRENEURSHIP DEVELOPMENT; and

[(v)] (vii) Any other center, component, or institute established and operated by the System in accordance with its mission.

(4) “Chancellor” means the Chief Executive Officer of the University System of Maryland and the Chief of Staff for the Board of Regents.

(5) “Computer–based instructional technology” means computer hardware or software used by faculty and students in the delivery of the instructional program.

(6) “Constituent institutions”, “institutions”, or “campuses” means the following public senior higher education institutions under the jurisdiction of the Board of Regents:

(i) University of Maryland[, Baltimore], **WHICH IS A STRATEGIC PARTNERSHIP BETWEEN THE FOLLOWING TWO DISTINCT CAMPUSES WITHIN THE UNIVERSITY SYSTEM OF MARYLAND:**

1. THE UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS; AND

2. THE UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS;

(ii) University of Maryland Baltimore County;

- (iii) [University of Maryland, College Park;
- (iv)] University of Maryland Eastern Shore;
- [(v)] (IV) University of Maryland University College;
- [(vi)] (V) Bowie State University;
- [(vii)] (VI) Coppin State University;
- [(viii)] (VII) Frostburg State University;
- [(ix)] (VIII) Salisbury University;
- [(x)] (IX) Towson University; and
- [(xi)] (X) University of Baltimore.

(7) “President” means the Chief Executive Officer of a constituent institution of the University System of Maryland.

(8) “Quasi–endowment funds” means funds that the University System of Maryland retains and manages in the same manner as an endowment.

(9) “Technology” means the latest state–of–the–art technology products and services, including:

- (i) Copper and fiber optic transmission;
- (ii) Computer;
- (iii) Video and audio laser and CD–ROM discs;
- (iv) Video and audio tapes or other technologies; and
- (v) Technology used for online learning.

(10) “University” [or “University of Maryland”] or “University of Maryland System” means the University System of Maryland.

~~(11) “UNIVERSITY OF MARYLAND” MEANS:~~

~~(i) THE UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS WITHIN THE UNIVERSITY SYSTEM OF MARYLAND; AND~~

~~(H) THE UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS
WITHIN THE UNIVERSITY SYSTEM OF MARYLAND.~~

12-104.

(b) In addition to the powers set forth elsewhere in this title, the University may:

(1) Exercise all the corporate powers granted Maryland corporations under the Maryland General Corporation Law;

(2) Adopt and alter an official seal;

(3) Sue and be sued, complain, and defend in all courts;

(4) ~~¶Maintain an office at the place~~ **OFFICES AT THE PLACES** the Board of Regents may designate;

(5) ~~¶~~ Enter into contracts of any kind, and execute all instruments necessary or convenient with respect to its carrying out the powers in this subtitle to accomplish the purposes of the University;

(6) ~~¶(5)~~ Subject to the provisions of subsection (h) of this section, acquire, hold, lease, use, encumber, transfer, exchange, or dispose of real and personal property;

(7) ~~¶(6)~~ Borrow money from any source to acquire personal property as provided in § 12-105(c) of this subtitle; and

(8) ~~¶(7)~~ In addition to the powers set forth in Title 19 of this article and subject to the approval of the Board of Public Works, borrow money from any source for any corporate purpose, including working capital for its operations, reserve funds or interest, and mortgage, pledge, or otherwise encumber the property or funds of the University, and contract with or engage the services of any person in connection with any financing, including financial institutions, issuers of credit, or insurers.

(B-1) THE UNIVERSITY SYSTEM OF MARYLAND SHALL ~~MAINTAIN ITS ESTABLISH ITS CORPORATE~~ HEADQUARTERS IN BALTIMORE CITY AT A PLACE DESIGNATED BY THE BOARD.

12-105.

(a) (2) After the Board submits the requests for appropriations to the Commission, Governor, and General Assembly, on a date set by the Governor, the ~~President~~ **PRESIDENTS** of the University of Maryland, ~~College Park CAMPUS~~ **CAMPUSES** shall have the opportunity to meet with the Governor to present the institution's annual budget request and proposals for capital projects for the next fiscal year to:

(i) Discuss how the requests for appropriations submitted by the Board impacts the mission of the UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS AND THE University of Maryland, College Park **CAMPUS** as the State's flagship institution; and

(ii) Recommend that the Governor approve or enhance the requests for appropriations submitted by the Board.

12-106.

(a) (1) In consultation with the presidents of the constituent institutions AND THE UNIVERSITY OF MARYLAND CAMPUSES, the Chancellor shall develop an overall plan that:

(iii) Incorporates the following priorities:

1. A. Enhance the mission of the University of Maryland, College Park **CAMPUS** as the State's flagship campus with programs and faculty nationally and internationally recognized for excellence in research and the advancement of knowledge;

B. Admit to the campus freshmen who have academic profiles that suggest exceptional ability;

C. Provide access to the upper division undergraduate level of the campus for students who have excelled in completing lower division study; and

D. Provide the campus with the level of operating funding and facilities necessary to place it among the upper echelon of its peer institutions;

12-109.

(a) **[In] EXCEPT AS PROVIDED IN SUBTITLE 3 OF THIS TITLE,** in consultation with the Chancellor and after a thorough search, the Board of Regents shall appoint a qualified person as president of each constituent institution.

(f) (3) The report of the University of Maryland, College Park **CAMPUS** Board of Visitors shall include:

(i) The Board of Visitors' evaluation of the status of the effort by the University System of Maryland and the State in meeting the requirements of the Maryland Charter for Higher Education set forth in § 10-209 of this article which require the University System of Maryland to:

1. Provide the College Park [campus] **CAMPUS** with the level of operating funding and facilities necessary to place it among the upper echelon of its peer institutions;

2. Maintain and enhance the College Park [campus] **CAMPUS** as the State's flagship campus with programs and faculty nationally and internationally recognized for excellence in research and the advancement of knowledge;

3. Admit as freshmen to the College Park [campus] **CAMPUS** highly qualified students who have academic profiles that suggest exceptional ability; and

4. Provide access to the upper division undergraduate level of the College Park [campus] **CAMPUS** for students who have excelled in completing lower division study;

(ii) A status report on the [University's] effort **OF THE COLLEGE PARK CAMPUS** to achieve national eminence;

(iii) A status report on success in attaining federal research grants, private gifts, and other sources of nonstate revenue; and

(iv) Other matters in support of institutional priorities as determined by the Board of Visitors.

12–116.

(a) There is a University of Maryland Agriculture and Natural Resources Internship Program.

(b) The purpose of the University of Maryland Agriculture and Natural Resources Internship Program is to:

(1) Provide students in the College of Agriculture and Natural Resources at the University of Maryland, College Park **CAMPUS** with at least one semester, where appropriate, of work experience relevant to their major, including on–farm experience for students interested in careers related to production of agriculture; and

(2) Promote careers in agriculture and natural resources in the State.

(c) The University of Maryland, College Park **CAMPUS** or the Dean of the College of Agriculture and Natural Resources at the University of Maryland, College Park **CAMPUS** shall inform the Department of Agriculture on the University's plan to implement the requirements of this section.

SUBTITLE 3. UNIVERSITY OF MARYLAND.**12-301.**

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “CENTER” MEANS THE CENTER FOR MARYLAND ADVANCED VENTURES ESTABLISHED UNDER § 12-305 OF THIS SUBTITLE.

(C) “COUNCIL” MEANS THE UNIVERSITY OF MARYLAND JOINT ~~FACULTY~~ STEERING COUNCIL ESTABLISHED UNDER § 12-304 OF THIS SUBTITLE.

(D) “PRESIDENTS” MEANS THE PRESIDENT OF THE UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS AND THE PRESIDENT OF THE UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS ~~OF THE UNIVERSITY OF MARYLAND~~.

(E) “UMCEED” MEANS THE UNIVERSITY OF MARYLAND CENTER FOR ECONOMIC AND ENTREPRENEURSHIP DEVELOPMENT.

(F) “UNIVERSITY OF MARYLAND” HAS THE MEANING STATED IN § 12-101 OF THIS TITLE.

12-302.**THE GENERAL ASSEMBLY FINDS THAT:**

(1) FUNDAMENTAL RESEARCH IS THE BUILDING BLOCK OF A KNOWLEDGE-BASED ECONOMY;

(2) FEDERAL RESEARCH GRANTS THAT SUPPORT FUNDAMENTAL RESEARCH ARE TRANSITIONING FROM SINGLE-DISCIPLINE GRANTS TO MULTIDISCIPLINE GRANTS THAT SPAN ACADEMIC PROGRAMS;

(3) A SUCCESSFUL KNOWLEDGE-BASED ECONOMY ALSO DEPENDS ON THE TRANSITION OF INNOVATIVE RESEARCH PROJECTS DEVELOPED IN RESEARCH LABS TO COMPANIES IN THE PRIVATE SECTOR FOR COMMERCIALIZATION; AND

(4) THE STATE MUST ENHANCE ITS RESEARCH AND TECHNOLOGY TRANSFER PROGRAMS TO CONTINUE DEVELOPING A STRONG KNOWLEDGE-BASED ECONOMY.

12-303.

(A) (1) THERE IS A UNIVERSITY OF MARYLAND, WHICH IS A STRATEGIC PARTNERSHIP BETWEEN THE FOLLOWING TWO DISTINCT CAMPUSES WITHIN THE UNIVERSITY SYSTEM OF MARYLAND:

(I) THE UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS; AND

(II) THE UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS.

(2) THE UNIVERSITY OF MARYLAND STRATEGIC PARTNERSHIP IS A FORMAL STRATEGIC ALLIANCE WHICH LEVERAGES THE RESOURCES OF EACH CAMPUS WITHIN THE UNIVERSITY OF MARYLAND TO BENEFIT THE STATE AND IMPROVE AND ENHANCE:

(I) ACADEMIC PROGRAMS AND EXPERIENCES FOR STUDENTS;

(II) RESEARCH, TECHNOLOGY, TECHNOLOGY TRANSFER, AND COMMERCIALIZATION FOR ECONOMIC DEVELOPMENT; AND

(III) PUBLIC SERVICE AND THE COMMITMENT TO COMMUNITY DEVELOPMENT.

~~(2) THE UNIVERSITY OF MARYLAND CONSISTS OF A STRATEGIC PARTNERSHIP BETWEEN THE COLLEGE PARK CAMPUS AND THE BALTIMORE CAMPUS.~~

(3) THE UNIVERSITY OF MARYLAND, UNLESS OTHERWISE PROVIDED IN THIS TITLE, IS SUBJECT TO THE PROVISIONS OF DIVISION III OF THIS ARTICLE.

(4) THE UNIVERSITY OF MARYLAND SHALL ENSURE THAT THE RIGHTS, PRIVILEGES, AND AGREEMENTS OF ITS EMPLOYEES UNDER DIVISION I OF THE STATE PERSONNEL AND PENSIONS ARTICLE OR UNDER ANY HIGHER EDUCATION PERSONNEL RULES OR POLICIES ARE NOT IMPAIRED OR REDUCED.

~~(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COLLEGE PARK CAMPUS AND THE BALTIMORE CAMPUS EACH SHALL HAVE A PRESIDENT.~~

~~(2) NOTWITHSTANDING § 10-209 OF THIS ARTICLE, WHEN THE PRESIDENT OF EITHER CAMPUS VACATES THAT POSITION, THE BOARD OF REGENTS HAS THE POWER TO APPOINT A NEW PRESIDENT OR TO DETERMINE THAT ONE PERSON SHALL BE APPOINTED AS PRESIDENT OF BOTH CAMPUSES.~~

~~(B)~~ (1) IN ADDITION TO THE POWERS AND DUTIES ESTABLISHED IN THIS SUBTITLE, THE PRESIDENTS SHALL HAVE THE POWERS AND DUTIES AS PROVIDED IN § 12-109 OF THIS TITLE.

~~(2) THE PRESIDENTS JOINTLY SHALL OPERATE AND MANAGE THE UNIVERSITY OF MARYLAND WITH EACH PRESIDENT THE~~ THE PRESIDENT OF EACH CAMPUS HAVING THE PRIMARY SHALL HAVE THE RESPONSIBILITY FOR ~~ONE~~ THAT CAMPUS WITHIN THE UNIVERSITY OF MARYLAND.

~~(D)~~ (C) (1) THE PRESIDENTS JOINTLY SHALL DEVELOP AND IMPLEMENT A PLAN THAT ENCOURAGES AND PROMOTES ALIGNMENT, COOPERATION, AND COLLABORATION BETWEEN THE COLLEGE PARK CAMPUS AND THE BALTIMORE CAMPUS.

(2) THE PLAN SHALL:

(I) IDENTIFY ALL UNDERGRADUATE AND GRADUATE ACADEMIC AND RESEARCH PROGRAMS THAT MAY BENEFIT FROM ALIGNMENT AND COLLABORATION BETWEEN THE CAMPUSES;

(II) IDENTIFY ~~ASPIRATIONAL~~ COMPETITOR STATE PEERS FOR THE UNIVERSITY OF MARYLAND TO BE USED IN THE FUNDING GUIDELINES DEVELOPED UNDER §§ 10-203 AND 11-105 OF THIS ARTICLE;

~~(III) PROVIDE A TIMELINE AND AN IMPLEMENTATION PROCESS FOR COMBINING THE PERSONNEL SYSTEMS OF EACH CAMPUS~~ PROMOTE EFFECTIVENESS AND EFFICIENCIES BETWEEN THE CAMPUSES, INCLUDING POTENTIAL SAVINGS IN HUMAN RESOURCES, PROCUREMENT, AND INFORMATION TECHNOLOGY; AND

(IV) INCLUDE ANY OTHER INFORMATION AND IMPLEMENTATION PLANS TO ACHIEVE THE PURPOSE OF THE UNIVERSITY OF MARYLAND IDENTIFIED IN THIS SUBTITLE.

~~(E)~~ (D) (1) PROFESSIONAL SCHOOLS OR THEIR ADMINISTRATIVE FUNCTIONS MAY NOT BE RELOCATED OUT OF BALTIMORE CITY.

(2) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, THERE:

(I) SHALL BE COLLABORATION WITH THE PROFESSIONAL SCHOOLS LOCATED IN BALTIMORE CITY; AND

(II) MAY BE PROFESSIONAL SCHOOL COURSES OFFERED AT A LOCATION OTHER THAN BALTIMORE CITY.

(E) (1) NOTHING IN THE STRATEGIC PARTNERSHIP MAY BE CONSTRUED TO PREVENT OR RESTRICT COLLABORATION OR COORDINATION BETWEEN THE UNIVERSITY OF MARYLAND AND, OTHER INSTITUTIONS, AND ENTITIES INCLUDING THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM.

(2) THE PRESIDENTS SHALL ACTIVELY SEEK COLLABORATION WITH OTHER INSTITUTIONS AND ENTITIES, PARTICULARLY IN THE BALTIMORE METROPOLITAN REGION, AS APPROPRIATE, TO BENEFIT THE STATE.

(F) THE PRESIDENTS SHALL REPORT ANNUALLY TO THE UNIVERSITY SYSTEM OF MARYLAND BOARD OF REGENTS AND THE CHANCELLOR OF THE UNIVERSITY SYSTEM OF MARYLAND REGARDING COLLABORATION WITH THE CITY OF BALTIMORE, PRINCE GEORGE’S COUNTY, AND THE CITY OF COLLEGE PARK IN THE AREA OF COMMUNITY DEVELOPMENT.

12-304.

(A) THERE IS A UNIVERSITY OF MARYLAND JOINT STEERING COUNCIL.

(B) THE COUNCIL CONSISTS OF MEMBERS APPOINTED BY THE PRESIDENT OF THE COLLEGE PARK CAMPUS AND THE PRESIDENT OF THE BALTIMORE CAMPUS.

(C) THE COUNCIL SHALL:

(1) DEVELOP GUIDELINES FOR FACULTY APPOINTMENTS THAT ARE JOINT BETWEEN THE COLLEGE PARK CAMPUS AND THE BALTIMORE CAMPUS;

(2) MAKE RECOMMENDATIONS TO THE PRESIDENTS ON JOINT FACULTY APPOINTMENTS;

(3) MAKE RECOMMENDATIONS TO THE PRESIDENTS IDENTIFYING ~~ASPIRATIONAL~~ COMPETITOR STATE PEERS FOR THE UNIVERSITY OF MARYLAND;

~~(4) EVALUATE THE CREATION OF A JOINT FACULTY SENATE;~~

~~(5)~~ (4) ESTABLISH A PROCESS BY WHICH UNDERGRADUATE AND GRADUATE PROGRAMS ARE EVALUATED TO DETERMINE WHETHER THE STUDENTS, THE UNIVERSITY OF MARYLAND, AND THE STATE WOULD BENEFIT FROM ALIGNMENT AND COLLABORATION AND MAKE RECOMMENDATIONS TO THE PRESIDENTS; ~~AND~~

~~(6)~~ (5) CARRY OUT THE PROGRAMS AND POLICIES ESTABLISHED UNDER THE MPOWER PROGRAM AS DIRECTED BY THE PRESIDENTS; AND

~~(6)~~ ~~(7)~~ (6) PERFORM ANY OTHER DUTIES ASSIGNED BY THE PRESIDENTS.

12-305.

(A) (1) THERE IS A CENTER FOR MARYLAND ADVANCED VENTURES AT THE UNIVERSITY OF MARYLAND.

(2) THE CENTER SHALL BE LOCATED ON THE UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS IN BALTIMORE CITY.

(B) THE CENTER SHALL:

(1) PURSUE GRANT FUNDING FOR THE UNIVERSITY OF MARYLAND, INCLUDING INTERDISCIPLINARY GRANT FUNDING;

(2) (I) DEVELOP AND IMPLEMENT GUIDELINES FOR THE TRANSFER OF TECHNOLOGY DEVELOPED BY THE UNIVERSITY OF MARYLAND TO THE PRIVATE SECTOR; AND

(II) INCLUDE IN THE GUIDELINES A PROCESS TO IDENTIFY RESEARCH PROJECTS OCCURRING AT THE UNIVERSITY OF MARYLAND THAT MAY BE VIABLE FOR COMMERCIALIZATION; AND

(3) FACILITATE THE TRANSFER OF TECHNOLOGY FROM THE UNIVERSITY OF MARYLAND TO COMMERCIAL INDUSTRIES BY:

(I) ASSESSING THE VIABILITY AND VALUE OF THE TECHNOLOGY;

(II) DEFINING AND EXPLOITING POTENTIAL MARKETS FOR THE TECHNOLOGY;

(III) IDENTIFYING FUNDING SOURCES TO SUPPORT THE DEVELOPMENT OF THE TECHNOLOGY;

(IV) DEVELOPING COMMERCIALIZATION STRATEGIES; AND

(V) ASSESSING INTELLECTUAL PROPERTY ISSUES, INCLUDING LICENSING AND PATENTS.

(C) (1) THE CENTER ALSO SHALL PROVIDE THE SERVICES IDENTIFIED UNDER SUBSECTION (B) OF THIS SECTION TO ANY PUBLIC INSTITUTION OF HIGHER EDUCATION THAT REQUESTS THE SERVICES.

(2) SUBJECT TO THE APPROVAL OF THE PRESIDENTS, THE CENTER MAY ASSESS A REASONABLE FEE FOR PROVIDING SERVICES TO ANY PUBLIC INSTITUTION OF HIGHER EDUCATION OTHER THAN THE UNIVERSITY OF MARYLAND.

(D) (1) THE PRESIDENTS SHALL APPOINT AN EXECUTIVE DIRECTOR OF THE CENTER.

(2) THE EXECUTIVE DIRECTOR SHALL:

(I) ENSURE THAT THE PROVISIONS OF THIS SECTION ARE CARRIED OUT;

(II) DEVELOP A PLAN TO APPROPRIATELY STAFF THE CENTER IN ORDER TO EFFECTIVELY CARRY OUT THE DUTIES OF THE CENTER;

(III) DEVELOP A WORKING RELATIONSHIP WITH THE SECRETARY OF COMMERCE AND THE EXECUTIVE DIRECTOR OF THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION; AND

(IV) ANNUALLY REPORT TO THE PRESIDENTS:

1. THE NUMBER OF TECHNOLOGY TRANSFER TRANSACTIONS OR PROJECTS FOR WHICH THE CENTER HAS PROVIDED ASSISTANCE;

2. THE AMOUNT AND SOURCE OF FUNDS THE CENTER HAS IDENTIFIED TO ASSIST IN THE DEVELOPMENT OF TECHNOLOGIES;

3. THE PUBLIC INSTITUTIONS OF HIGHER EDUCATION FOR WHICH THE CENTER HAS PROVIDED ASSISTANCE;

4. THE COMMERCIAL VALUE OF TECHNOLOGY THAT WAS TRANSFERRED TO THE COMMERCIAL INDUSTRY;

5. THE ESTIMATED NUMBER OF NEW JOBS CREATED AS A RESULT OF THE CENTER; AND

6. ANY RECOMMENDATIONS FOR IMPROVING THE OVERALL EFFECTIVENESS OF TRANSFERRING TECHNOLOGY THAT IS DEVELOPED BY THE UNIVERSITY OF MARYLAND.

(E) THE MARYLAND TECHNOLOGY DEVELOPMENT CORPORATION MAY ADVISE THE EXECUTIVE DIRECTOR OF THE CENTER ON THE DEVELOPMENT OF THE CENTER.

(F) (1) ~~FOR EACH OF FISCAL YEARS 2018 THROUGH 2022~~ BEGINNING IN FISCAL YEAR 2018 AND IN EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL APPROPRIATE AT LEAST \$3,000,000 IN GENERAL FUNDS TO THE CENTER.

(2) ~~FOR EACH OF FISCAL YEARS 2018 THROUGH 2022~~ BEGINNING IN FISCAL YEAR 2018 AND IN EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL APPROPRIATE AT LEAST \$1,000,000 IN GENERAL FUNDS TO THE CENTER TO BE USED TO ENCOURAGE THE DEVELOPMENT AND LOCATION OF UNIVERSITY CREATED OR SPONSORED TECHNOLOGY COMPANIES IN BALTIMORE CITY.

12-306.

(A) (1) THERE IS A UNIVERSITY OF MARYLAND CENTER FOR ECONOMIC AND ENTREPRENEURSHIP DEVELOPMENT (UMCEED).

(2) UMCEED SHALL BE LOCATED ON THE COLLEGE PARK CAMPUS.

(B) ~~UMCEED~~ FOLLOWING ALL STATE LAW, REGULATIONS, AND PROCESSES FOR PROGRAM REVIEW AND APPROVAL, UMCEED SHALL ADVANCE THE EDUCATION OF STUDENTS BY DEVELOPING DEGREE AND CREDENTIAL PROGRAMS IN THE FOLLOWING FIELDS OF STUDY:

(1) VIRTUAL AND AUGMENTED REALITY;

(2) NEUROSCIENCES;

(3) BIOMEDICAL DEVICES;

~~(3)~~ (4) DATA ANALYTICS; AND

~~(4)~~ (5) CYBERSECURITY.

(C) (1) THE PRESIDENTS SHALL APPOINT AN EXECUTIVE DIRECTOR OF UMCEED.

(2) THE EXECUTIVE DIRECTOR SHALL:

(I) ENSURE THAT THE PROVISIONS OF THIS SECTION ARE CARRIED OUT;

(II) DEVELOP A PLAN TO APPROPRIATELY STAFF UMCEED IN ORDER TO EFFECTIVELY CARRY OUT THE DUTIES OF UMCEED; AND

(III) ANNUALLY REPORT TO THE PRESIDENTS AND TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE NUMBER OF:

1. NEW CERTIFICATE AND DEGREE PROGRAMS CREATED;

2. UNIVERSITY OF MARYLAND GRADUATES WHO ARE EMPLOYED IN MARYLAND-BASED BUSINESSES;

3. PATENTS OR OTHER INTELLECTUAL PROPERTY CREATED WITHIN THE NEW CERTIFICATE OR DEGREE PROGRAMS;

4. NEW COMPANIES THAT ARE DEVELOPED FROM THE NEW CERTIFICATE OR DEGREE PROGRAMS; AND

5. NEW GRANT OR CONTRACT FUNDING THAT IS AWARDED TO FACULTY OF THE NEW CERTIFICATE OR DEGREE PROGRAMS.

~~(D) BEGINNING IN FISCAL YEAR 2018 AND IN EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL APPROPRIATE AT LEAST \$10,000,000 IN GENERAL FUNDS TO UMCEED.~~

(D) THE GOVERNOR SHALL APPROPRIATE AT LEAST THE FOLLOWING AMOUNTS IN GENERAL FUNDS TO UMCEED FOR THE FOLLOWING FISCAL YEARS:

(1) \$2,000,000 FOR FISCAL YEAR 2018;

(2) \$4,000,000 FOR FISCAL YEAR 2019; AND

(3) \$6,000,000 FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER.

13-101.

(d) The University of Maryland University College shall prepare an annual financial information statement for the next following fiscal year and shall submit the statement to the Department of Budget and Management each year before October 1. The annual financial information statement shall include for the next following fiscal year:

(2) An estimate of the value of services which the other units of the University **SYSTEM** of Maryland and other State agencies provide to the University of Maryland University College; and

13-102.

- (d) (1) The University of Maryland is responsible for:
- (i) Selecting and assigning students to the centers; and
 - (ii) Curriculum development and accreditation of the centers.

(2) The University **OF MARYLAND** may assign to those centers that it believes have developed appropriate faculty, facilities, and primary care curricula:

- (i) Third and fourth year medical students;
- (ii) Residency trainees; and
- (iii) Students who are in primary care programs of other health professions.

13-103.

- (a) There is a Maryland Fire and Rescue Institute in the University of Maryland.

- (b) (1) The head of the Institute is the Director.

- (2) The Director:

(i) Shall report directly to the President of the University of Maryland, College Park **CAMPUS**; and

(ii) May adopt rules and regulations necessary to carry out this section.

13-104.

(c) The purpose of the Fund is to provide matching funds for federal grant funds and to support the operations of the Small Business Development Center Network in the University of Maryland, **COLLEGE PARK CAMPUS**.

13-201.

- (a) In this subtitle the following words have the meanings indicated.

(D) **“UNIVERSITY”**, UNLESS THE CONTEXT REQUIRES OTHERWISE, MEANS A CONSTITUENT INSTITUTION OF THE UNIVERSITY SYSTEM OF MARYLAND.

13–202.

(b) If authorized by the Board of Regents or its designee, the campuses of the University **SYSTEM OF MARYLAND** may enter into agreements or understandings with employees who are eligible for overtime compensation under federal law that the employees will receive voluntarily compensatory time off in accordance with the federal Fair Labor Standards Amendments of 1985.

13–204.

A decision may not be made at any step of the grievance procedure that conflicts with or modifies a policy approved by the Board of Regents of the University **SYSTEM OF MARYLAND** or with any applicable statute or with any administrative regulation issued under appropriate statutory authority or that otherwise delimits the lawfully delegated authority of University officials unless prior approval has been obtained from the responsible official.

13–205.

(e) (4) The preliminary hearing shall be limited to the issues of:

(i) Whether suspension without pay is necessary to protect the interests of the University [of Maryland] or the employee pending final disposition of the charges; and

13–301.

(d) **“Board of Regents”** means the Board of Regents of the University **SYSTEM OF MARYLAND**.

(r) **“President”** means the President of the University of Maryland, Baltimore **CAMPUS**.

13–401.

(d) **“Montebello assets”** means all assets allocated to Montebello as shown on the financial statements of Montebello at the transfer date and as more particularly or additionally identified or supplemented by the Medical System Corporation and approved by the Board of Public Works and transferred to the Medical System Corporation and includes:

(3) All personal property at the Montebello site owned by the State except for personal property owned by the Department of Education or the University of Maryland, Baltimore **CAMPUS**.

13-501.

(j) "University" means the University of Maryland, Baltimore **CAMPUS**.

13-503.

(b) The Institute is an independent agency located at the University of Maryland, Baltimore **CAMPUS**.

13-505.

(a) (1) The EMS Board consists of 11 members appointed by the Governor.

(2) Of the 11 members:

(ii) One shall be a representative of the University of Maryland, Baltimore **CAMPUS**, nominated by the Board of Regents;

13-513.

(f) Subject to the approval of the Governor, the President of the University of Maryland, Baltimore **CAMPUS** shall appoint the Director of the Study Center. The Governor shall have 60 days to approve the appointment. If the Governor has not acted within 60 days of being notified of the appointed director, the appointed director shall be deemed approved.

(g) The University of Maryland, Baltimore **CAMPUS** shall receive indirect cost recoveries as stipulated in grants received by the National Study Center.

~~13-601.~~

~~(a) There is a University **SYSTEM** of Maryland Police Force.~~

~~(b) (1) A University **SYSTEM** of Maryland police officer is and has all the powers of a peace and police officer in this State.~~

~~(2) However, a University **SYSTEM** of Maryland police officer may exercise these powers only on property that is owned, leased, operated by, or under the control of the University **SYSTEM** of Maryland. The police officer may not exercise these powers on any other property unless:~~

~~(i) Engaged in fresh pursuit of a suspected offender;~~

~~(ii) Requested or authorized to do so by the chief executive officer or chief police officer of any county;~~

~~(iii) Necessary in order to facilitate the orderly flow of traffic to and from property owned, leased, operated by, or under the control of the University **SYSTEM** of Maryland; or~~

~~(iv) Ordered to do so by the Governor.~~

~~(e) (1) In consultation with the Secretary of State Police and the Maryland Police Training Commission, the Board of Regents shall adopt standards, qualifications, and prerequisites of character, training, education, human and public relations, and experience for University **SYSTEM** of Maryland police officers, including standards for the performance of their duties.~~

~~(2) To the extent practicable, the Board shall adopt standards that are similar to the standards adopted for the Department of State Police.~~

~~(3) Standards adopted on or after July 1, 1975, on minimum hiring qualifications of University **SYSTEM** of Maryland police officers may not affect the status of any individual who was a qualified University **SYSTEM** of Maryland police officer on that date.~~

~~(d) The Board of Regents shall adopt rules and regulations governing the operation and conduct of the University **SYSTEM** of Maryland Police Force and of University **SYSTEM** of Maryland police officers.~~

~~(e) The Board of Regents may authorize the presidents of the constituent institutions to make use of a campus security force or building guards in addition to a campus police force.~~

13-702.

(c) Notwithstanding subsection (a) of this section, any person who finds any currency or item of tangible personal property lost or abandoned on property owned, leased, operated by, or under the control of the University System of Maryland and brings the currency or item to the University **SYSTEM OF MARYLAND** in order that the University **SYSTEM OF MARYLAND** can find the true owner, has a superior claim as to the University **SYSTEM OF MARYLAND** to the unclaimed currency or item, if the claim is preserved within 30 days following the 1-year period in subsection (a) of this section.

13-703.

(b) Recyclable materials that are separated for collection at the University of Maryland, College Park **CAMPUS** become the property of the University of Maryland, College Park **CAMPUS** when placed for collection in or near designated bins or locations.

(c) A person may not remove or cause the removal of any recyclable materials that are owned by the University of Maryland, College Park **CAMPUS** unless authorized by:

(1) The University of Maryland, College Park **CAMPUS**; or

(2) The owner or operator of a company that is authorized by the University of Maryland, College Park **CAMPUS** to remove recyclable materials.

(d) This section may not be construed to prohibit a law enforcement officer from searching and seizing any recyclable materials owned by the University of Maryland, College Park **CAMPUS**.

13–802.

(a) There is a Virginia–Maryland Regional College of Veterinary Medicine.

(c) The College shall be operated under the terms and conditions agreed to in:

(2) The Agreement between Virginia Polytechnic Institute and State University and the University of Maryland, College Park **CAMPUS** for a regional program in veterinary medical education, dated September 27, 1989.

13–803.

(c) The Board shall consist of the following seven members:

(2) The Dean of the College of Agriculture and Natural Resources of the University of Maryland, College Park **CAMPUS**;

(4) The Vice President and Provost of the University of Maryland, College Park **CAMPUS**;

13–804.

(b) The Executive Vice President and Chief Business Officer of the Virginia Polytechnic Institute and State University shall be responsible for providing the Board with the cost data upon which the actual costs of the professional instructional program of the College shall be determined after consulting with the fiscal support staff of the Virginia Polytechnic Institute and State University and the University of Maryland, College Park **CAMPUS**.

17–302.

(d) Payments by the State under this subtitle may not exceed:

(2) \$1,250,000 each to the University of Maryland, College Park **CAMPUS**, the University of Maryland, Baltimore **CAMPUS**, and the University of Maryland Baltimore County;

18–113.

(a) A student may receive one or more awards of student financial assistance administered by the Office if:

(2) The total of all student financial assistance received does not exceed:

(ii) The equivalent annual expenses of a full–time resident undergraduate at the 4–year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore **CAMPUS**, with the highest annual expenses for a full–time resident undergraduate.

18–304.

(b) (2) (ii) The amount of a Guaranteed Access Grant shall be equal to 100 percent of the student’s financial need as determined by the Office, not to exceed the equivalent annual expenses of a full–time resident undergraduate at the 4–year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore **CAMPUS**, with the highest annual expenses for a full–time resident undergraduate.

18–404.

(c) (2) An award for a single year may not be less than \$400 or more than the equivalent annual tuition and mandatory fees of an undergraduate program at the 4–year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore **CAMPUS**, with the highest annual expenses for a full–time resident undergraduate.

18–503.

(b) (2) The annual amount of a scholarship at a private institution or any graduate or professional program may not exceed the equivalent annual tuition and mandatory fees of an undergraduate program at the 4–year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore **CAMPUS**, with the highest annual expenses for a full–time resident undergraduate.

18–506.

(a) As an alternative to the scholarship awards authorized by §§ 18–503 through 18–505 of this subtitle, and subject to the provisions of subsection (b) of this section, during each year in office each Delegate may award scholarships in a total amount equal to four times the tuition and mandatory fees for a full–time undergraduate student enrolled at the University of Maryland, College Park **CAMPUS** for the academic year commencing in that year.

18–601.

(e) A scholarship awarded under this section:

(2) May not:

(i) Exceed the equivalent annual tuition and mandatory fees of a resident undergraduate student at the 4–year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore **CAMPUS**, with the highest annual expenses for a full–time resident undergraduate; and

18–603.1.

(d) A scholarship awarded under this section:

(1) May be used for the tuition and mandatory fees at any eligible institution; and

(2) May be up to 100% of the equivalent annual tuition and mandatory fees of a resident undergraduate student at the 4–year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore **CAMPUS**, with the highest annual expenses for a full–time resident undergraduate for courses credited toward a degree in fire service technology, emergency medical technology, fire service management, or public safety administration with a minor or concentration in fire service technology or fire service management.

18–604.

(e) (2) The annual amount of a scholarship may not exceed 50% of the equivalent annual tuition, mandatory fees, and room and board of a resident undergraduate student at the 4–year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore **CAMPUS**, with the highest annual expenses for a full–time resident undergraduate.

18–708.

(i) (1) In this subsection, “cost of attendance” means the equivalent annual tuition and mandatory fees of a resident undergraduate student at the 4–year public institution of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore CAMPUS, with the highest annual expenses for a full–time resident undergraduate.

18–901.

(a) **IN THIS SECTION, “UNIVERSITY” MEANS THE UNIVERSITY OF MARYLAND, COLLEGE PARK CAMPUS.**

(B) There is a program of fellowships for postgraduate work in the Graduate School of the University [of Maryland, College Park] known as the Judith A. Resnik Memorial Postgraduate Fellowship Program.

[(b)] (C) Each recipient of a fellowship awarded under this section:

(1) Shall be a graduate of a standard 4–year college course in an institution of higher education accredited by the Middle States Association of Colleges and Secondary Schools or an equivalent regional accrediting agency; and

(2) Shall be recommended for graduate study by the executive head of the institution from which [he] **THE RECIPIENT** graduated.

[(c)] (D) If possible, residents of this State shall receive preference in the award of these fellowships.

[(d)] (E) The University [of Maryland] shall cooperate with the accredited institutions of higher education in this State by specifying each year the requirements of the graduate school, the standards for determining eligibility for fellowships, and the fields of greatest need for qualified faculty in the public institutions of higher education in this State.

[(e)] (F) Each fellowship:

(1) May not be for less than \$200 a single year or for more than the highest 10–month stipend for a graduate assistant.

(2) May be held for 3 years if the recipient:

(i) Continues to be a full–time student at the University [of Maryland] and carries at least 12 semester hours of courses each semester;

(ii) In the judgment of the University, is making satisfactory progress towards a degree; and

(iii) Maintains the department standards of the University.

[(f)] (G) (1) Each year, the fellowship committee of the University shall certify not more than 18 fellowships to qualified applicants as the amount appropriated to the program that year allows.

(2) The award of such fellowships shall be made when possible so as to promote compliance with the State of Maryland desegregation goals.

(3) If possible:

(i) The distribution shall be made as wide as possible to graduates of accredited institutions of higher education in this State; and

(ii) Consideration shall be given to the greatest need in securing qualified faculties in the public institutions of higher education in this State.

18–2201.

(b) “Eligible institution” means a:

(2) Private nonprofit institution of higher education in the State that possesses a certificate of approval from the Commission, has a department, school, or college of education, and agrees to provide a matching grant to an undergraduate or graduate student, as appropriate, who receives a Teaching Fellows for Maryland scholarship in the lesser of:

(i) 100% of the annual cost of tuition and mandatory fees at the University of Maryland, College Park **CAMPUS**; or

18–2205.

(a) The annual scholarship award shall be:

(2) Subject to subsection (b) of this section, at a private nonprofit institution of higher education in the State that has a department, school, or college of education, an amount equal to:

(i) The lesser of:

1. 100% of the equivalent annual tuition and mandatory fees of a resident undergraduate student or graduate student, as appropriate, at the University of Maryland, College Park **CAMPUS**; or

18–2901.

(e) A scholarship awarded under this section:

(2) May be in an annual amount up to:

(iii) 50% of the annual average tuition and mandatory fees of a resident undergraduate student at the 4–year public institutions of higher education within the University System of Maryland, other than the University of Maryland University College and University of Maryland, Baltimore **CAMPUS**, if the recipient is enrolled at a 4–year private nonprofit eligible institution; or

~~Article 2B – Alcoholic Beverages~~

~~6–201.~~

~~(e) (12) (iv) A Class B ECF/DS license may only be issued to an individual who is:~~

~~1. Authorized by the University of Maryland, College Park **CAMPUS** to act on its behalf under this license and be subject to the conditions, restrictions, and penalties under this article; and~~

~~(ix) The Board:~~

~~4. Shall require the Department of Dining Services of the University of Maryland, College Park **CAMPUS** to report to the Board at least 5 days in advance of all University related catered functions at which beer, wine, or liquor is intended to be sold or served; and~~

Article – Alcoholic Beverages

26–1009.

(b) The Board may issue the license to an individual who is:

(1) authorized by the University of Maryland, College Park **CAMPUS** to:

(i) act on its behalf under the license; and

(ii) be subject to the penalties, conditions, and restrictions under this title; and

(e) The Board:

(4) shall require the Department of Dining Services of the University of Maryland, College Park CAMPUS to report to the Board at least 5 days before a University-related catered function at which beer, wine, or liquor is intended to be sold or served.

Article – Agriculture

9.5–202.

(a) The Committee consists of the following members:

(1) As ex officio members:

(v) The Dean of the College of Agriculture and Natural Resources at the University of Maryland, College Park CAMPUS, or the Dean’s designee; and

Article – Courts and Judicial Proceedings

1–403.

(a) (2) As designated by the Chief Judge of the Court of Special Appeals, in conjunction with the deans of the University of Maryland School of Law and the University of Baltimore School of Law, the Court of Special Appeals may hold sessions at the University of Maryland [at], Baltimore CAMPUS and the University of Baltimore.

Article – Criminal Law

4–208.

(a) (5) “Law enforcement officer” means:

(iii) a member of the University SYSTEM of Maryland [police force] POLICE FORCE; and

Article – Criminal Procedure

2–101.

(c) “Police officer” means a person who in an official capacity is authorized by law to make arrests and is:

(7) a member of the University SYSTEM of Maryland Police Force or Morgan State University Police Force;

11–113.

(c) The following shall notify a victim of prohibited exposure or the victim's representative of the provisions of Part II of this subtitle:

(3) on the filing of a charging document or delinquency petition for the alleged prohibited exposure:

(x) the police unit of a bicounty unit or the University **SYSTEM** of Maryland.

Article – Economic Development

10–455.

(a) There is a Maryland Innovation Initiative.

(b) The Initiative consists of the following participating members:

(3) subject to subsection (c) of this section, the following members appointed by the respective universities:

(i) one representative of the Johns Hopkins University;

(ii) one representative of Morgan State University;

(iii) [one representative of University of Maryland, Baltimore;

(iv)] one representative of University of Maryland Baltimore County;

and

[(v)] (IV) [one representative] TWO REPRESENTATIVES of THE University of Maryland, [College Park] ONE FROM THE COLLEGE PARK CAMPUS AND ONE FROM THE BALTIMORE CAMPUS.

(c) (3) (i) To qualify for participation in the Initiative, the following universities shall pay an annual contribution of at least \$200,000:

1. Johns Hopkins University;

2. University of Maryland, Baltimore **CAMPUS**; and

3. University of Maryland, College Park **CAMPUS**.

Article – General Provisions

[1–116.

“University of Maryland” means the University System of Maryland established under Title 12 of the Education Article.]

7–316.

The diamondback terrapin (*Malaclemys terrapin*) is the official mascot of the University of Maryland, College Park **CAMPUS**.

Article – Health – General

13–1101.

(hh) “University of Maryland Medical Group” means the University of Maryland Medical System Corporation, the University of Maryland Medical School, and the University of Maryland, Baltimore **CAMPUS**.

13–1303.

(c) The University of Maryland, Baltimore **CAMPUS** may establish a nonprofit corporation to accept any public and private grants or donations made to the Program.

Article – Land Use

1–208.

(a) In this section, “National Center” means the National Center for Smart Growth Research and Education at the University of Maryland, College Park **CAMPUS**.

Article – Natural Resources

4–11A–03.

(d) The University **SYSTEM** of Maryland is the lead agency for research in aquaculture production and shall be responsible for development of education and extension programs which promote aquaculture as an industry.

4–11A–03.2.

(a) There is an Aquaculture Coordinating Council.

(b) The Coordinating Council shall consist of the following 17 members:

(6) 2 representatives of the University of Maryland designated by the President of the University of Maryland, College Park **CAMPUS**:

(i) 1 with expertise in aquaculture research; and

- (ii) 1 representing the Maryland Cooperative Extension;

4–11C–01.

(a) There is a Seafood Program Management Team to be administered by the Maryland Cooperative Extension.

(c) The Team shall consist of the following 18 individuals appointed by the Department:

- (2) 6 advisors, including 1 representative each from:

- (i) The University of Maryland, College Park **CAMPUS**;

8–2A–03.

- (a) (3) The BayStat Subcabinet is composed of:

(vi) The Dean of the College of Agriculture and Natural Resources at the University of Maryland, College Park **CAMPUS**; and

Article – Public Utilities

9–201.

(a) Except as provided in subsection (b) of this section, a motor carrier permit is required for a passenger motor vehicle used in the transportation of persons for hire.

- (b) A motor carrier permit is not required for:

(8) shuttle bus service operated by the University of Maryland, College Park **CAMPUS** for students enrolled at the University of Maryland, College Park **CAMPUS** and, in exchange for payment by a municipal corporation in which the University of Maryland, College Park **CAMPUS** operates shuttle bus service, transportation service on the shuttle bus to residents of the municipal corporation.

Article – State Government

9–603.

- (b) The Trust shall consist of the following advisor nonvoting members:

(7) the Chairman of the History Department of the University of Maryland, College Park **CAMPUS**;

9–1405.

(b) The Office shall:

(7) provide effective public information on smart growth programs and educational activities, including relationships with the National Center for Smart Growth Education and Research at the University of Maryland, College Park **CAMPUS**, and coordination of smart growth outreach efforts to local governments, the general public, and other interest groups;

9–1406.

(c) The Executive Director of the National Center for Smart Growth Education and Research at the University of Maryland, College Park **CAMPUS** shall serve as an ex officio member of the Subcabinet.

9–2203.

(e) The Department of Budget and Management and University of Maryland, College Park **CAMPUS** shall provide staff support to the Board.

9–2204.

(a) There is an “eMaryland” ASP Consortium at the University of Maryland, College Park **CAMPUS**.

(c) (3) The management committee shall be composed of:

(ii) the Chief Information Officer at the University of Maryland, College Park **CAMPUS**;

(iii) the Director of the Supply Chain Management Center at the University of Maryland, College Park **CAMPUS**;

Article – State Personnel and Pensions

26–201.

(a) Except as provided in subsection (b) of this section, this subtitle applies only to:

(5) a member of the University **SYSTEM** of Maryland Police Force who has the powers granted to a police officer under § 13–601 of the Education Article;

(b) This subtitle does not apply to:

(3) a member of the University **SYSTEM** of Maryland Police Force who transferred from the Employees' Retirement System to the Employees' Pension System on or after December 1, 1997;

26–202.

(b) (1) Subject to paragraph (2) of this subsection, membership in the Law Enforcement Officers' Pension System is optional for an individual described in § 26–201 of this subtitle:

(v) who was employed by the University **SYSTEM** of Maryland Police Force on June 30, 1999 and who elects membership on or before December 31, 2002;

Article – Transportation

2–103.

(e) (1) The Secretary is responsible for all planning activities of the Department and for the development and maintenance of a continuing, comprehensive, and integrated transportation planning process.

(2) In accordance with § 2–103.1 of this subtitle, the Secretary shall develop and, with the approval of the Governor, shall adopt a State Report on Transportation to guide program development and to foster efficient and economical transportation services throughout the State.

(3) On or before the 3rd Wednesday of January of each year, the Secretary shall submit the State Report on Transportation to the General Assembly, subject to § 2–1246 of the State Government Article.

2–103.1.

(b) The State Report on Transportation consists of the Consolidated Transportation Program and the Maryland Transportation Plan.

(c) **(3) IN ADDITION TO THE ITEMS LISTED IN PARAGRAPH (1) OF THIS SUBSECTION, THE CONSOLIDATED TRANSPORTATION PROGRAM SHALL INCLUDE A SUMMARY OF CURRENT EFFORTS AND FUTURE PLANS TO INCREASE COMMUTER ACCESS BETWEEN THE CAMPUSES OF THE UNIVERSITY OF MARYLAND, INCLUDING:**

(I) EASING TRAFFIC CONGESTION; AND

(II) USE OF MASS TRANSIT.

16–205.1.

(i) Notwithstanding any other provision of this section, a test for drug or controlled dangerous substance content under this section:

(3) May only be requested as described under subsection (b) of this section, required as described under subsection (c) of this section, or directed as described under subsection (d) of this section:

(i) In the case of a police officer who is a trainee, or who is participating directly or indirectly in a program of training described in paragraph (2) of this subsection, if the police officer is a member of, and is designated as a trainee or a participant by the head of:

8. The Police Force of A UNIVERSITY OF MARYLAND CAMPUS OR ANOTHER INSTITUTION IN the University SYSTEM of Maryland or Morgan State University;

SECTION 3. AND BE IT FURTHER ENACTED, That ~~the~~:

(a) *The University System of Maryland corporate headquarters shall be located in Baltimore City by July 1, 2017, and that the ownership of the current property, including structures, located on Metzert Road in Prince George's County shall be transferred to the University of Maryland, College Park Campus by July 1, 2017.*

(b) (1) *The Chancellor of the University System of Maryland shall develop a plan for moving the corporate headquarters to Baltimore City.*

(2) *On or before December 1, 2016, the Chancellor shall submit the plan developed under paragraph (1) of this subsection, including an estimate of any costs associated with the plan, to the Department of Budget and Management and the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2-1246 of the State Government Article.*

~~SECTION 4. AND BE IT FURTHER ENACTED, That, if the University System of Maryland Board of Regents exercises its authority under § 12-303 of the Education Article as enacted by this Act to appoint one President of both campuses of the University of Maryland, the Board of Regents shall submit legislation in the next legislative session to modify any statutory provisions necessary to fully implement a single President of the University of Maryland.~~

~~SECTION 5. AND BE IT FURTHER ENACTED, That:~~

~~(1) The Presidents of the University of Maryland campuses shall jointly develop a plan to enhance the program offerings at the Universities of Maryland at Shady Grove including joint programs that complement and create economic development activities and employment in the region surrounding the facility; and~~

~~(2) Consistent with the five year Fiscal 2016 Capital Improvement Program, the Governor shall include in the Fiscal 2018 Operating or Capital budgets, an amount not less than \$61,050,000 for the construction of the Biomedical and Engineering Education Facility at the Universities at Shady Grove.~~

SECTION 4. AND BE IT FURTHER ENACTED, That, for each of fiscal years 2018 through 2021, the Governor shall appropriate in the annual budget at least an additional \$4,000,000 to the University System of Maryland Office for the purpose of increasing the estimated funding guideline attainment levels of the primarily residential institutions in the System with the lowest estimated funding guideline attainment levels in fiscal year 2016. The University System of Maryland shall allocate the funds each year in a manner that brings the primarily residential institutions with the lowest estimated funding guideline attainment levels in fiscal year 2016 as close as possible to a 64% estimated funding guideline attainment level by fiscal year 2021. The general funds distributed under this section each year are in addition to the annual appropriation for each institution, and shall be included in each institution's base budget for all fiscal years after the distribution.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(a) (1) The Board of Regents of the University System of Maryland shall work in collaboration with the Senate Budget and Taxation Committee and the House Appropriations Committee to develop a multiyear strategy to enhance the funding guideline attainment for all institutions within the University System of Maryland.

(2) The collaboration required under paragraph (1) of this subsection shall include a progress report on work completed to date submitted on or before September 15, 2016, by the Board of Regents to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2-1246 of the State Government Article.

(b) (1) On or before December 1, 2016, the Board of Regents shall report to the Governor on the multiyear strategy to enhance the funding guideline attainment for all institutions within the University System of Maryland that was developed in consultation with the Senate Budget and Taxation Committee and the House Appropriations Committee.

(2) Copies of the report submitted to the Governor under paragraph (1) of this subsection shall be distributed to the Senate Budget and Taxation Committee and the House Appropriations Committee, in accordance with § 2-1246 of the State Government Article.

SECTION ~~5~~ 6. AND BE IT FURTHER ENACTED, That nothing in this Act shall be construed to alter the academic program approval process established under §§ 11-206 and 11-206.1 of the Education Article.

SECTION ~~6~~ 7. AND BE IT FURTHER ENACTED, That, on or before December 1, 2016, the Presidents of the University of Maryland campuses shall study and recommend to the Chancellor of the University System of Maryland ~~shall evaluate and recommend how to effect~~ mechanisms that would permit the joint reporting for national university rankings

of the campuses of the University of Maryland, including reporting under a unified federal identification number.

SECTION ~~7~~ 8. AND BE IT FURTHER ENACTED, That the University of Maryland Joint Steering Committee created under this Act is the successor group to the MPowering the State Steering Committee established by the President of the University of Maryland, Baltimore and the President of the University of Maryland, College Park.

SECTION ~~8~~ 9. AND BE IT FURTHER ENACTED, That, the Presidents of the University of Maryland campuses *and other campuses serving the Baltimore metropolitan region* shall develop a joint plan ~~that includes the assistance of the professional schools in Baltimore and the Schools of Education, Business, Computer Science, Public Health, and Public Policy located in College Park~~ to advance employment levels in Baltimore City, including the creation of entry level employment opportunities for individuals that includes a plan for on-the-job skills training that will result in a measurable employment skill, certification, or license.

SECTION ~~9~~ 10. AND BE IT FURTHER ENACTED, That, as provided in this Act:

(1) ~~The University of Maryland is the successor of the University of Maryland, College Park and the University of Maryland, Baltimore.~~

(2) ~~In, in every law, executive order, rule, regulation, policy, or document created by an official, an employee, or a unit of this State, the names of those agencies mean the name of the successor agency the University of Maryland, Baltimore and the University of Maryland, College Park mean the University of Maryland.~~

SECTION ~~10~~ 11. AND BE IT FURTHER ENACTED, That nothing in this Act affects the term of office of an appointed or elected member of any commission, office, department, agency, or other unit. An individual who is a member of a unit on the effective date of this Act shall remain a member for the balance of the term to which appointed or elected, unless the member sooner dies, resigns, or is removed under provisions of law.

SECTION ~~11~~ 12. AND BE IT FURTHER ENACTED, That, except as expressly provided to the contrary in this Act, any transaction or employment status affected by or flowing from any change of nomenclature or any statute amended, repealed, or transferred by this Act and validly entered into or existing before the effective date of this Act and every right, duty, or interest flowing from a statute amended, repealed, or transferred by this Act remains valid after the effective date of this Act and may be terminated, completed, consummated, or enforced as required or allowed by any statute amended, repealed, or transferred by this Act as though the repeal, amendment, or transfer had not occurred. If a change in nomenclature involves a change in name or designation ~~of any State unit, the successor unit,~~ *the University of Maryland, the University of Maryland, Baltimore Campus, and the University of Maryland, College Park Campus* shall be considered in all respects as having the powers and obligations granted the former ~~unit~~ *University of Maryland, Baltimore and the University of Maryland, College Park*.

SECTION ~~12~~ 13. AND BE IT FURTHER ENACTED, That, except as expressly provided to the contrary in this Act:

(1) The continuity of every commission, office, department, agency, or other unit is retained; and

(2) The personnel, records, files, furniture, fixtures, and other properties and all appropriations, credits, assets, liabilities, and obligations of each retained unit are continued as the personnel, records, files, furniture, fixtures, properties, appropriations, credits, assets, liabilities, and obligations of the unit under the laws enacted by this Act.

SECTION ~~13~~ 14. AND BE IT FURTHER ENACTED, That:

(a) The General Assembly finds that, because of their position as major anchor institutions and employers in their respective communities, the University of Maryland campuses in Baltimore City and Prince George’s County have a responsibility and an opportunity to provide collaborative leadership, as well as intellectual, and policy, and financial investment support, in the development of their respective communities.

(b) It is the intent of the General Assembly, therefore, that the University of Maryland campuses in Baltimore City and Prince George’s County focus their community development priorities in their respective communities in the areas of health care, housing and development, transportation, public safety, public education, and sustainability.

SECTION 15. AND BE IT FURTHER ENACTED, That State funding for the University of Maryland centers established in accordance with this Act may not be included in the calculations of State funding under §§ 16–305, 16–512, and 17–104 of the Education Article.

SECTION ~~13~~ ~~14~~ 16. 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 or by any other Act of the General Assembly of 2016 that affects provisions enacted by this Act. The publisher shall adequately describe any such correction in an editor’s note following the section affected.

SECTION ~~14~~ ~~15~~ 17. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~ October 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

AN ACT concerning

Baltimore City Board of License Commissioners – Members – Terms and Appointment

FOR the purpose of requiring the Governor, when evaluating an applicant for membership on the Board of License Commissioners for Baltimore City, to consider the need for certain types of diversity on the Board; requiring the Governor to make an appointment to fill a vacancy on the Board within a certain number of days after the vacancy occurs; repealing the requirement that the Governor appoint all of the members of the Board of License Commissioners for Baltimore City; requiring the Mayor of Baltimore City and the President of the City Council of Baltimore City to appoint all of the members of the Board in a certain manner; repealing the requirement that the Governor appoint members of the Board alone under certain circumstances; requiring the Mayor and the President of the City Council to appoint the members of the Board alone under certain circumstances; requiring the Mayor and the President of the City Council to make an appointment to fill a vacancy on the Board within a certain number of days after the vacancy occurs; repealing the requirement that the Governor designate a chair of the Board; requiring the Board to designate a chair from among the regular members of the Board; repealing the authority of the Governor to remove a member of the Board under certain circumstances and in accordance with certain requirements; authorizing the Mayor and the President of the City Council to remove a member of the Board under certain circumstances and in accordance with certain requirements; making certain provisions of this Act effective on a certain date subject to a certain contingency; making this Act an emergency measure; providing for the termination of certain provisions of this Act; and generally relating to the Board of License Commissioners for Baltimore City.

~~BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–101(a)(4)
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)~~

BY repealing and reenacting, with amendments,
Article 2B – Alcoholic Beverages
Section ~~15–101(d)~~ 15–101(a) and (d) and 15–110
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article 2B – Alcoholic Beverages
Section 15–101(d)
Annotated Code of Maryland
(As enacted by Section 1 of this Act)

BY repealing and reenacting, without amendments,

Article – Alcoholic Beverages

Section 12–102

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 12–202 and 12–203

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 724) of the Acts of the General Assembly of 2016)

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

Article 2B – Alcoholic Beverages

15–101.

(a) (4) In the case of any vacancies in the number of the license commissioners in Baltimore City or in any county which occur when the legislature is not in session, the Governor shall appoint some eligible person to fill the vacancy during the remainder of the term of office of the person originally appointed.

(d) (1) This subsection applies in Baltimore City.

(2) (i) The Board of Liquor License Commissioners consists of three regular members and one alternate member.

(ii) The Governor shall appoint all of the members of the Board.

(iii) The appointments shall be made:

1. If the Senate is in session, with the advice and consent of the Senate; or

2. If the Senate is not in session, by the Governor alone.

(iv) The alternate member may serve on the Board if any permanent member of the Board is absent or recused.

(v) Each appointee shall be a resident and voter of Baltimore City and be an individual of high character and integrity and of recognized business capacity.

(vi) At least one appointee shall be a member of the Bar of the Court of Appeals of Maryland.

(VII) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE BOARD, THE GOVERNOR SHALL CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY ON THE BOARD.

(3) (i) The term of a member of the Board is 2 years and begins on July 1.

(ii) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2014.

(iii) At the end of a term, a member continues to serve until a successor is appointed.

(iv) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.

(V) 1. THE GOVERNOR SHALL APPOINT AN ELIGIBLE PERSON TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE OF THE PERSON ORIGINALLY APPOINTED IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION.

2. THE GOVERNOR SHALL MAKE THE APPOINTMENT WITHIN ~~30~~ 15 DAYS AFTER THE VACANCY OCCURS.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

15-101.

(a) (1) For the jurisdictions in which this section is effective, the Governor, biennially, by and with the advice and consent of the Senate, if in session, and if not in session, then the Governor alone, shall appoint three persons who shall constitute and be styled “The Board of License Commissioners for [Baltimore City or] County”, as the case may be.

(2) In making the appointments, the Governor shall designate one of the appointees in [Baltimore City and] each of the counties to be the chairman of the respective boards.

(3) The commissioners shall be residents and voters of Baltimore City or the respective counties, as the case may be, and they shall be persons of high character and integrity and of recognized business capacity.

(4) In the case of any vacancies in the number of the license commissioners in [Baltimore City or in] any county which occur when the legislature is not in session, the Governor shall appoint some eligible person to fill the vacancy during the remainder of the term of office of the person originally appointed.

(d) (1) This subsection applies in Baltimore City.

(2) (i) The Board of Liquor License Commissioners consists of three regular members and one alternate member.

(ii) The [Governor] **MAYOR SHALL APPOINT TWO REGULAR MEMBERS TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL** shall appoint [all of the members of the Board] **ONE REGULAR MEMBER AND ONE ALTERNATE MEMBER TO THE BOARD.**

(iii) The appointments shall be made:

1. If the Senate is in session, with the advice and consent of the Senate; or

2. If the Senate is not in session, by the [Governor] **MAYOR AND THE PRESIDENT OF THE CITY COUNCIL** alone.

(iv) The alternate member may serve on the Board if any permanent member of the Board is absent or recused.

(v) Each appointee shall be a resident and voter of Baltimore City and be an individual of high character and integrity and of recognized business capacity.

(vi) At least one appointee shall be a member of the Bar of the Court of Appeals of Maryland.

(VII) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE BOARD, THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL SHALL CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY ON THE BOARD.

(3) (i) The term of a member of the Board is 2 years and begins on July 1.

(ii) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2014.

(iii) At the end of a term, a member continues to serve until a successor is appointed.

(iv) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.

(v) 1. TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:

A. THE MAYOR, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR

B. THE PRESIDENT OF THE CITY COUNCIL, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.

2. AN APPOINTMENT UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY OCCURS.

(4) THE BOARD SHALL DESIGNATE A CHAIR FROM AMONG THE REGULAR MEMBERS OF THE BOARD.

15-110.

(a) [The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE Governor may remove any member of any board of license commissioners appointed by him under the provisions of this article, for misconduct in office, incompetency or willful neglect of duty, giving him a copy of the charges against him and an opportunity of being publicly heard in person, or by counsel, in his own defense, upon not less than ten days' notice. If any member shall be removed, the Governor shall file in the office of the Secretary of State, a statement of the charges made against such member and his findings thereon.

(b) The board of county commissioners may remove any member of any board of license commissioners appointed by them, for the causes in this section prescribed. In Montgomery County, the County Executive may, with the approval of the County Council, remove any member of the Board of License Commissioners for the causes in this section prescribed.

(c) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.

(2) IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.

(3) THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL MAY REMOVE A MEMBER FOR MISCONDUCT IN OFFICE, INCOMPETENCE, OR WILLFUL NEGLIGENCE OF DUTY.

(4) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.

(5) IF A MEMBER IS REMOVED, THE APPOINTING OFFICER WHO REMOVED THE MEMBER SHALL FILE WITH THE OFFICE OF THE SECRETARY OF STATE A STATEMENT OF CHARGES AGAINST THE MEMBER AND THE GOVERNOR'S FINDINGS MADE ON THE CHARGES.

SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article 2B – Alcoholic Beverages

15–101.

(a) (1) For the jurisdictions in which this section is effective, the Governor, biennially, by and with the advice and consent of the Senate, if in session, and if not in session, then the Governor alone, shall appoint three persons who shall constitute and be styled “The Board of License Commissioners for [Baltimore City or] County”, as the case may be.

(2) In making the appointments, the Governor shall designate one of the appointees in [Baltimore City and] each of the counties to be the chairman of the respective boards.

(3) The commissioners shall be residents and voters of Baltimore City or the respective counties, as the case may be, and they shall be persons of high character and integrity and of recognized business capacity.

(4) In the case of any vacancies in the number of the license commissioners in [Baltimore City or in] any county which occur when the legislature is not in session, the Governor shall appoint some eligible person to fill the vacancy during the remainder of the term of office of the person originally appointed.

(d) (1) This subsection applies in Baltimore City.

(2) (i) The Board of Liquor License Commissioners consists of three regular members and one alternate member.

(ii) The [Governor] MAYOR SHALL APPOINT TWO REGULAR MEMBERS TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL shall appoint [all of the members of the Board] ONE REGULAR MEMBER AND ONE ALTERNATE MEMBER TO THE BOARD.

(iii) The appointments shall be made:

1. If the Senate is in session, with the advice and consent of the Senate; or

2. If the Senate is not in session, by the [Governor] **MAYOR AND THE PRESIDENT OF THE CITY COUNCIL** alone.

(iv) The alternate member may serve on the Board if any permanent member of the Board is absent or recused.

(v) Each appointee shall be a resident and voter of Baltimore City and be an individual of high character and integrity and of recognized business capacity.

(vi) At least one appointee shall be a member of the Bar of the Court of Appeals of Maryland.

(vii) When evaluating an applicant for membership on the Board, the [Governor] **MAYOR AND THE PRESIDENT OF THE CITY COUNCIL** shall consider the need for geographic, political, racial, ethnic, cultural, and gender diversity on the Board.

(3) (i) The term of a member of the Board is 2 years and begins on July 1.

(ii) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2014.

(iii) At the end of a term, a member continues to serve until a successor is appointed.

(iv) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed.

[(v) 1. The Governor shall appoint an eligible person to fill a vacancy that occurs during the term of office of the person originally appointed in accordance with paragraph (2) of this subsection.

2. The Governor shall make the appointment within 15 days after the vacancy occurs.]

(V) 1. TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:

A. THE MAYOR, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR

B. THE PRESIDENT OF THE CITY COUNCIL, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.

2. AN APPOINTMENT UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY OCCURS.

(4) THE BOARD SHALL DESIGNATE A CHAIR FROM AMONG THE REGULAR MEMBERS OF THE BOARD.

15-110.

(a) **[The] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE Governor may remove any member of any board of license commissioners appointed by him under the provisions of this article, for misconduct in office, incompetency or willful neglect of duty, giving him a copy of the charges against him and an opportunity of being publicly heard in person, or by counsel, in his own defense, upon not less than ten days' notice. If any member shall be removed, the Governor shall file in the office of the Secretary of State, a statement of the charges made against such member and his findings thereon.**

(b) **The board of county commissioners may remove any member of any board of license commissioners appointed by them, for the causes in this section prescribed. In Montgomery County, the County Executive may, with the approval of the County Council, remove any member of the Board of License Commissioners for the causes in this section prescribed.**

(C) (1) THIS SUBSECTION APPLIES ONLY IN BALTIMORE CITY.

(2) IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.

(3) THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL MAY REMOVE A MEMBER FOR MISCONDUCT IN OFFICE, INCOMPETENCE, OR WILLFUL NEGLECT OF DUTY.

(4) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.

(5) IF A MEMBER IS REMOVED, THE APPOINTING OFFICER WHO REMOVED THE MEMBER SHALL FILE WITH THE OFFICE OF THE SECRETARY OF STATE A STATEMENT OF CHARGES AGAINST THE MEMBER AND THE GOVERNOR'S FINDINGS MADE ON THE CHARGES.

SECTION 4. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

12–102.

This title applies only in Baltimore City.

12–202.

(a) (1) The Governor shall appoint three regular members and one substitute member to the Board.

(2) The appointments shall be made:

(i) if the Senate is in session, with the advice and consent of the Senate; or

(ii) if the Senate is not in session, by the Governor alone.

(b) (1) Each member of the Board shall be:

(i) a resident and voter of the City; and

(ii) an individual of high character and integrity and of recognized business capacity.

(2) At least one member of the Board shall be a member of the Bar of the Court of Appeals of Maryland.

(3) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE BOARD, THE GOVERNOR SHALL CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY ON THE BOARD.

(c) The substitute member may serve on the Board if a regular member is absent or recused.

(d) (1) The term of a member is 2 years and begins on July 1.

(2) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2016.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(e) (1) (I) The Governor shall appoint an eligible individual to fill a vacancy that occurs during the term of office of the individual originally appointed in accordance with subsection (a) of this section.

(II) THE GOVERNOR SHALL MAKE THE APPOINTMENT WITHIN ~~30~~ 15 DAYS AFTER THE VACANCY OCCURS.

(2) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(f) (1) The Governor may remove a member for misconduct in office, incompetence, or willful neglect of duty.

(2) The Governor shall give a member who is charged a copy of the charges against the member and, with at least 10 days' notice, an opportunity to be heard publicly in person or by counsel.

(3) If a member is removed, the Governor shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings made on the charges.

SECTION 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Alcoholic Beverages

12–102.

This title applies only in Baltimore City.

12–202.

(a) (1) The [Governor] MAYOR SHALL APPOINT TWO REGULAR MEMBERS TO THE BOARD AND THE PRESIDENT OF THE CITY COUNCIL shall appoint [three] ONE regular [members] MEMBER and one substitute member to the Board.

(2) The appointments shall be made:

(i) if the Senate is in session, with the advice and consent of the Senate; or

(ii) if the Senate is not in session, by the [Governor] MAYOR OR PRESIDENT OF THE CITY COUNCIL alone.

(b) (1) Each member of the Board shall be:

(i) a resident and voter of the City; and

(ii) an individual of high character and integrity and of recognized business capacity.

(2) At least one member of the Board shall be a member of the Bar of the Court of Appeals of Maryland.

(3) WHEN EVALUATING AN APPLICANT FOR MEMBERSHIP ON THE BOARD, THE MAYOR AND THE PRESIDENT OF THE CITY COUNCIL SHALL CONSIDER THE NEED FOR GEOGRAPHIC, POLITICAL, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY ON THE BOARD.

(c) The substitute member may serve on the Board if a regular member is absent or recused.

(d) (1) The term of a member is 2 years and begins on July 1.

(2) The terms of the members are staggered as required by the terms provided for members of the Board on July 1, 2016.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(e) (1) [The Governor shall appoint an eligible individual to fill a vacancy that occurs during the term of office of the individual originally appointed in accordance with subsection (a) of this section.] TO FILL A VACANCY THAT OCCURS DURING THE TERM OF OFFICE, AN ELIGIBLE INDIVIDUAL SHALL BE APPOINTED BY:

(I) THE MAYOR, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE MAYOR; OR

(II) THE PRESIDENT OF THE CITY COUNCIL, IF THE VACANCY OCCURS DURING THE TERM OF OFFICE OF AN INDIVIDUAL ORIGINALLY APPOINTED BY THE PRESIDENT OF THE CITY COUNCIL.

(2) AN APPOINTMENT UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE MADE WITHIN 15 DAYS AFTER THE VACANCY OCCURS.

[(2)] (3) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(f) (1) The [Governor] **MAYOR OR PRESIDENT OF THE CITY COUNCIL** may remove a member for misconduct in office, incompetence, or willful neglect of duty.

(2) [The Governor shall give a member who is charged a copy of the charges against the member and, with at least 10 days' notice, an opportunity to be heard publicly in person or by counsel.

(3) If a member is removed, the Governor shall file with the Office of the Secretary of State a statement of charges against the member and the Governor's findings made on the charges.] **IN THIS SUBSECTION, "APPOINTING OFFICER" MEANS THE MAYOR OR THE PRESIDENT OF THE CITY COUNCIL.**

(3) A MEMBER WHO IS CHARGED SHALL BE GIVEN BY THE APPOINTING OFFICER WHO APPOINTED THE MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND, WITH AT LEAST 10 DAYS' NOTICE, AN OPPORTUNITY TO BE HEARD PUBLICLY IN PERSON OR BY COUNSEL.

(4) IF A MEMBER IS REMOVED, THE APPOINTING OFFICER WHO REMOVED THE MEMBER SHALL FILE WITH THE OFFICE OF THE SECRETARY OF STATE A STATEMENT OF CHARGES AGAINST THE MEMBER AND THE GOVERNOR'S FINDINGS MADE ON THE CHARGES.

12-203.

[In making the appointments, the Governor] **THE BOARD** shall designate a chair from among the regular members of the Board.

~~SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall take effect on the taking effect of Chapter (S.B. 724) of the Acts of the General Assembly of 2016. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.~~

SECTION 6. AND BE IT FURTHER ENACTED, That, if Section 1 of this Act does not take effect before April 12, 2016, Section 2 of this Act shall take effect on the later of April 12, 2016, or the effective date of this Act, contingent on the failure of the Governor to appoint, and the Senate of Maryland to confirm, four members to the Board of License Commissioners for Baltimore City before April 12, 2016. If the Governor appoints, and the Senate of Maryland confirms four members to the Board of License Commissioners for Baltimore City before April 12, 2016, Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 7. AND BE IT FURTHER ENACTED, That, if Section 1 of this Act does take effect before April 12, 2016, Section 3 of this Act shall take effect April 12, 2016.

contingent on the failure of the Governor to appoint, and the Senate of Maryland to confirm, four members to the Board of License Commissioners for Baltimore City before April 12, 2016. If the Governor appoints, and the Senate of Maryland confirms four members to the Board of License Commissioners for Baltimore City before April 12, 2016, Section 3 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 8. AND BE IT FURTHER ENACTED, That, if Section 2 of this Act takes effect, Sections 1 and 3 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 9. AND BE IT FURTHER ENACTED, That, if Section 3 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect and Section 2 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 10. AND BE IT FURTHER ENACTED, That, if Section 2 of this Act takes effect, Section 5 of this Act shall take effect on the taking effect of Chapter _____ (S.B. 724) of the Acts of the General Assembly of 2016. If Section 5 takes effect, Section 2 of this Act shall be abrogated and of no further force and effect and Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 11. AND BE IT FURTHER ENACTED, That, if Section 3 of this Act takes effect, Section 5 of this Act shall take effect on the taking effect of Chapter _____ (S.B. 724) of the Acts of the General Assembly of 2016. If Section 5 takes effect, Section 3 of this Act shall be abrogated and of no further force and effect and Section 4 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION 12. AND BE IT FURTHER ENACTED, That, subject to Sections 10 and 11 of this Act, Section 4 of this Act shall take effect on the taking effect of Chapter _____ (S.B. 724) of the Acts of the General Assembly of 2016. If Section 4 takes effect, Section 1 of this Act shall be abrogated and of no further force and effect and Section 5 of this Act shall be null and void without the necessity of further action by the General Assembly.

SECTION ~~4~~ 13. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly and, except as provided in ~~Section 3~~ Sections 6, 7, 10, 11, and 12 of this Act, shall take effect from the date it is enacted.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 7, 2016.

Chapter 27

(Senate Bill 191)

AN ACT concerning

Creation of a State Debt – Maryland Consolidated Capital Bond Loan of 2016, and the Maryland Consolidated Capital Bond Loans of 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, and 2015

FOR the purpose of authorizing the creation of a State Debt in the amount of ~~One Billion, Two Million, Three Hundred Eighty-Five Thousand Dollars (\$1,002,385,000)~~ ~~Nine Hundred and Ninety-Eight Million, Six Hundred and Eighty-Six Thousand Dollars (\$998,686,000)~~ One Billion, Five Million, Seventy-Two Thousand, One Hundred Ninety-Nine Dollars (\$1,005,072,199), the proceeds to be used for certain necessary building, construction, demolition, planning, renovation, conversion, replacement, and capital equipment purchases of the State, for acquiring certain real estate in connection therewith, and for grants to certain subdivisions and other organizations for certain development and improvement purposes, subject to certain requirements that certain matching funds be provided and expended by certain dates; providing generally for the issuance and sale of bonds evidencing the loan; authorizing the creation of State Debt in certain years to be used for certain purposes; imposing a certain tax on all assessable property in the State; requiring that certain grantees convey certain easements under certain circumstances to the Maryland Historical Trust; providing that the proceeds of certain loans must be expended or encumbered by a certain date; authorizing the Board of Public Works, under certain circumstances, to approve certain appropriations, notwithstanding certain technical differences; authorizing certain unexpended appropriations in certain prior capital budgets and bond loans to be expended for other public projects; altering certain requirements for certain programs in certain prior capital budgets and bond loans; providing that the authorizations of State Debt in certain prior capital budgets and bond loans be reduced by certain amounts; requiring that certain projects be constructed at certain locations; repealing certain requirements for certain appropriations; requiring the Comptroller to make certain transfers, adjustments, and reconciliations; repealing certain Maryland Consolidated Capital Bond Loan Preauthorization acts; specifying the use of certain project funds; altering the authorized uses of certain grants; altering the authorized purpose of certain grants; altering the authorized scope of certain grants; altering the names of certain grantees; adding additional grantees to certain grants; altering the matching fund requirements of certain grants; extending the deadline for certain grantees to present evidence of certain matching funds; extending the termination date of certain grants; altering the location of certain capital projects; expressing the intent of the General Assembly; prohibiting the expenditure of certain funds until certain parties execute a memorandum of understanding and submit it to certain committees of the General Assembly; providing that certain committees of the General Assembly have a certain period of time to review and comment on the memorandum of understanding; providing that certain funds may only be spent on certain costs that were eligible under certain rules and regulations; providing that certain recommendations of the Interagency Committee on School Construction are not subject to further appeal; making certain technical corrections; providing for a

delayed effective date for certain provisions of this Act; and generally relating to the financing of certain capital projects.

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007
Section 1(3) Item DB01(A)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 336 of the Acts of the General Assembly of 2008, Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014
Section 1(1)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 485 of the Acts of the General Assembly of 2009 and Chapter 396 of the Acts of the General Assembly of 2011
Section 1(3) Item RM00(B)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 707 of the Acts of the General Assembly of 2009 and Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA01(AS)

BY repealing and reenacting, with amendments,
Chapter 488 of the Acts of the General Assembly of 2007, as amended by Chapter 463 of the Acts of the General Assembly of 2014
Section 1(3) Item ZA03(D)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008
Section 1(3) Item RM00(C), RQ00(C), ZA01(AH) ~~and (BL)~~, (BL), and (BM), ZA02(AW) and (BU), and ZA03(I)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 707 of the Acts of the General Assembly of 2009
Section 1(3) Item ZA01(BQ)

BY repealing and reenacting, with amendments,
Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 372 of the Acts of the General Assembly of 2010

Section 1(3) Item ZA01(AF) and ZA02(AC)

BY repealing and reenacting, with amendments,

Chapter 336 of the Acts of the General Assembly of 2008, as amended by Chapter 485 of the Acts of the General Assembly of 2009, Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, Chapter 463 of the Acts of the General Assembly of 2014, and Chapter 495 of the Acts of the General Assembly of 2015

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, Chapter 463 of the Acts of the General Assembly of 2014, and Chapter 495 of the Acts of the General Assembly of 2015

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009

Section 1(3) Item DW01.08(A)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010 and Chapter 495 of the Acts of the General Assembly of 2015

Section 1(3) Item RC00(A) and 12(3) Item RM00(E)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item DE02.01(D)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 495 of the Acts of the General Assembly of 2015

Section 1(3) Item ML01(A)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 396 of the Acts of the General Assembly of 2011, Chapter 424 of the Acts of the General Assembly of 2013, Chapter 463 of the Acts of the General Assembly of 2014, and Chapter 495 of the Acts of the General Assembly of 2015

Section 12(1)

BY repealing and reenacting, with amendments,

Chapter 485 of the Acts of the General Assembly of 2009, as amended by Chapter 483 of the Acts of the General Assembly of 2010, Chapter 444 of the Acts of the General Assembly of 2012, and Chapter 463 of the Acts of the General Assembly of 2014

Section 12(3) Item RB23(B)

BY repealing and reenacting, with amendments,

Chapter 483 of the Acts of the General Assembly of 2010, as amended by Chapter 639 of the Acts of the General Assembly of 2012, Chapter 430 of the Acts of the General Assembly of 2013, and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item ZA02(BB) and ZA03(AZ)

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011

Section 1(3) Item ZA02(AF) and (BQ-1)

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 444 of the Acts of the General Assembly of 2012, Chapter 424 of the Acts of the General Assembly of 2013, and Chapter 495 of the Acts of the General Assembly of 2015

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 430 of the Acts of the General Assembly of 2013

Section 1(3) Item ZA03(AV)

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item ZA00(T), ZA02(BO), and ZA03(BE)

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 430 of the Acts of the General Assembly of 2013, Chapter 463 of the Acts of the General Assembly of 2014, and Chapter 495 of the Acts of the General Assembly of 2015

Section 1(3) Item ZA02(BJ) and ZA03(AW)

BY repealing

Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 430 of the Acts of the General Assembly of 2013, Chapter 463 of the Acts of

the General Assembly of 2014, and Chapter 495 of the Acts of the General Assembly of 2015

Section 1(3) Item ZA03(AW-1) and (AW-2)

BY repealing and reenacting, with amendments,

Chapter 396 of the Acts of the General Assembly of 2011, as amended by Chapter 495 of the Acts of the General Assembly of 2015

Section 1(3) Item RB31(A)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012

Section 1(3) Item DE02.01(B), ~~DH01.04(A), and RB31(A)~~, RB31(A), ZA02(E), (Q), (AH), (AL), and (AX), and ZA03(G), (N), (S), (Z), (AD), (AI), and (AS)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 430 of the Acts of the General Assembly of 2013

Section 1(3) Item ZA02(I), (J), (Z), and (BP)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 424 of the Acts of the General Assembly of 2013 and Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item MM06(D)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 430 of the Acts of the General Assembly of 2013 and Chapter 495 of the Acts of the General Assembly of 2015

Section 1(3) Item ZA02(AZ) and ZA03(AM)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item ZA02(P)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 463 of the Acts of the General Assembly of 2014 and Chapter 495 of the Acts of the General Assembly of 2015

Section 1(1) and (3) Item DE02.01(D)

BY repealing and reenacting, with amendments,

Chapter 444 of the Acts of the General Assembly of 2012, as amended by Chapter 495 of the Acts of the General Assembly of 2015

Section 1(3) Item PA13.01(A)

BY repealing and reenacting, with amendments,

Chapter 424 of the Acts of the General Assembly of 2013

Section 1(3) Item DE02.01(B), RB26(A), ZA00(AG), and ZA02(B) and (H)

BY repealing and reenacting, with amendments,

Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter 463 of the Acts of the General Assembly of 2014 and Chapter 495 of the Acts of the General Assembly of 2015

Section 1(1)

BY repealing and reenacting, with amendments,

Chapter 424 of the Acts of the General Assembly of 2013, as amended by Chapter 495 of the Acts of the General Assembly of 2015

Section 1(3) Item RM00(B)

BY repealing and reenacting, with amendments,

Chapter 463 of the Acts of the General Assembly of 2014

Section 1(3) Item DE02.01(C) ~~and ZA01(E)~~, ZA00(AU), ZA01(E), ZA02(Q), (AF), (AS), (BG), (CB), and (CC), and ZA03(S), (AH), (AR), (AW), (BE), (BF), and (BQ-1)

BY repealing and reenacting, with amendments,

Chapter 463 of the Acts of the General Assembly of 2014, as amended by Chapter 495 of the Acts of the General Assembly of 2015

Section 1(1) and (3) Item VE01(C), ZA00(AB), and ZA02(AL)

BY repealing and reenacting, with amendments,

Chapter 495 of the Acts of the General Assembly of 2015

Section 1(1) and (3) Item SA25(A) and (D) ~~and ZA00(H) and (P)~~, ZA00(H) and (P), ZA02(P), and ZA03(N) and (U)

BY repealing

Chapter 495 of the Acts of the General Assembly of 2015

Section 12, 13, and 14

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2016 in the total principal amount of ~~\$1,002,385,000~~ ~~\$998,686,000~~ \$1,005,072,199. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 and 8-131.2 of the State Finance and Procurement Article.

(2) The bonds to evidence this loan or installments of this loan may be sold as a single issue of bonds under § 8-122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

EXECUTIVE DEPARTMENT – GOVERNOR

DA02.01	DEPARTMENT OF DISABILITIES (Statewide)	
(A)	Accessibility Modifications. Provide funds to design and construct architectural upgrades at State-owned facilities to improve accessibility for persons with disabilities	750,000
DA07.01	DEPARTMENT OF AGING (Statewide)	
(A)	Senior Centers Capital Grant Program. Provide grants to acquire property and to design, construct, renovate, and equip senior citizen activities centers. The funds appropriated for this purpose shall be administered in accordance with §§ 10–501 through 10–510 of the Human Services Article	1,680,000
<u>DB01</u>	<u>HISTORIC ST. MARY'S CITY COMMISSION</u> <u>(St. Mary's County)</u>	
(A)	<u>Dove Pier. Provide funds for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Dove Pier</u>	300,000
(B)	<u>Visitor Center. Provide funds for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Visitor Center</u>	<u>155,000</u>
DE02.01	BOARD OF PUBLIC WORKS GENERAL STATE FACILITIES	
(A)	Facilities Renewal Fund. Provide funds for the repair and rehabilitation of State-owned capital facilities (Statewide)	15,000,000 <u>0</u>
(B)	Fuel Storage Tank Replacement Program. Provide funds to design, construct, and equip State-owned fuel storage tank replacements (Statewide)	1,700,000

STATE GOVERNMENT CENTER – ANNAPOLIS

- (C) Annapolis Post Office. Provide funds to renovate the Annapolis Post Office, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Anne Arundel County) 750,000

JUDICIARY/MULTISERVICE CENTERS

- (D) New Catonsville District Court. Provide funds to complete design and begin construction of a new district court/multiservice center building in Catonsville and on-site parking garage, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Baltimore County) 28,501,000
- (E) Salisbury District Court Multi-Service Center. Provide funds to acquire land for the Salisbury District Court/Multi-Service Center currently leased from the City of Salisbury (Wicomico County) 400,000

DE02.02 PUBLIC SCHOOL CONSTRUCTION
(Statewide)

- (A) Aging Schools Program. Provide additional grants for capital improvements, repairs, and deferred maintenance work at existing public school buildings. Grants shall be distributed to local boards of education in proportion to grants received under § 5-206 of the Education Article ~~6,100,000~~

0

- (B) Public School Construction Program. Provide funds to construct public school buildings and public school capital improvements in accordance with §§ 5-301 through 5-303 of the Education Article, provided that funds may only be spent on costs that were eligible under the rules and regulations governing the program that were in effect on January 1, 2016.

Further provided that, notwithstanding any other provision of law, the recommendations of the Interagency Committee on School Construction on appeals by local school systems of public school construction funding allocations for the fiscal 2018 Capital Improvement Program are not subject to further appeal

280,000,000

- (C) Nonpublic Aging Schools Program. Provide funds to be distributed as grants to nonpublic schools in Maryland for expenditures eligible under the Aging Schools Program established in § 5–206 of the Education Article, including school security improvements. Provided that grants may only be provided to nonpublic schools eligible to receive Aid to Non–Public Schools R00A03.04 (for the purchase of textbooks or computer hardware and software for loans to students in eligible nonpublic schools), excluding preschools in fiscal 2017, with a maximum amount of \$100,000 and a minimum amount of \$5,000 per eligible school.

Further provided that:

- (a) an eligible school may apply and qualify for a grant as specified below based on the following criteria:
- (1) at least 20% of the school’s students are eligible for free or reduced price meal program;
 - (2) tuition charged to students is less than the statewide average per pupil expenditure for public schools as calculated by the Maryland State Department of Education; and
 - (3) the school has a facility with an average age of 50 years or more; and
- (b) if a school meets:
- (1) all three of the criteria specified above, the school may receive up to \$100,000;
 - (2) two of the three criteria specified above, the school may receive up to \$75,000; and
 - (3) one of the three criteria

specified above, the school
may receive up to \$25,000.

Further provided that if more eligible schools apply and qualify for grants than the total authorizations, the Maryland State Department of Education shall prorate the grants based on the total authorization amount. Further provided that the funds shall be administered by the Maryland State Department of Education and the Interagency Committee on School Construction 3,500,000

(D) Supplemental Capital Grant Program for Local School Systems. Provide funds to local school systems with enrollment growth that over the last 5 years exceeds 150% of the statewide average or with 300 or more relocatable classrooms. These funds shall be administered in accordance with § 5–313 of the Education Article ~~20,000,000~~
40,000,000

DH01.04 MILITARY DEPARTMENT

(A) Havre de Grace Readiness Center. Provide funds to complete construction of a new readiness center at the Havre de Grace Military Reservation (Harford County) 4,115,000

(B) Easton Readiness Center. Provide funds to begin design and construction of a new readiness center in Easton, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Talbot County) 771,000

DEPARTMENT OF PLANNING

DW01.08 JEFFERSON PATTERSON PARK AND MUSEUM
(Calvert County)

(A) Patterson Center Renovations. Provide funds to complete design of renovations to the Patterson Center at Jefferson Patterson Park and Museum 327,000

(B) St. Leonard’s Creek Shoreline Erosion Control. Provide funds to design and construct shoreline erosion control measures and other improvements along St. Leonard’s Creek at Jefferson Patterson Park and Museum 3,091,000

DW01.11 DIVISION OF HISTORICAL AND CULTURAL PROGRAMS
(Statewide)

(A)	Perimeter Security Improvements. Provide funds to begin design of improvements to the Maryland Correctional Institution – Hagerstown’s Perimeter Security and new gatehouse and visiting center	1,042,000
QR02.02	MARYLAND CORRECTIONAL TRAINING CENTER (Washington County)	
(A)	Housing Unit Windows and Heating Systems Replacement. Provide funds to complete construction of the replacement of windows and heating systems for six housing units at the Maryland Correctional Training Center	655,000
QS01.01	DEPARTMENT OF CORRECTIONS (Anne Arundel County)	
(A)	Jessup Region Electrical Infrastructure Upgrade. Provide funds to begin design of upgrades to the electrical infrastructure servicing correctional facilities, support buildings, and offices in the Jessup region	382,000
QS02.08	EASTERN CORRECTIONAL INSTITUTION (Somerset County)	
(A)	Hot Water and Steam System Improvements. Provide funds to construct a replacement high temperature hot water system, mechanical room renovations, and other hot water and steam improvements at the Eastern Correctional Institution	1,945,000
QT04	DIVISION OF PRETRIAL DETENTION (Baltimore City)	
(A)	Demolition of Buildings at the Baltimore City Correctional Complex. Provide funds to begin design and demolition of the buildings at the Baltimore City Correctional Complex, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project	16,581,000 <u>0</u>
(B)	New Baltimore Justice Center. Provide funds to begin design of a new detention center for adult men and women in Baltimore City	18,270,000 <u>0</u>
(C)	New Youth Detention Center. Provide funds to continue to construct and equip a new Youth Detention Center to house	

youth charged as adults by demolishing the Baltimore Pre-Release Unit, partially renovating the Occupational Skills Training Center, and constructing an addition, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project 3,647,000

RA01 STATE DEPARTMENT OF EDUCATION

(A) Public Library Capital Grant Program. Provide grants to acquire land, design, construct, and equip public library facilities, provided that any reallocation of this authorization or prior authorized funds for previously authorized or new projects shall require notification to the General Assembly. The funds appropriated for this purpose shall be administered in accordance with § 23-510 of the Education Article (Statewide) 5,000,000

(B) State Library Resource Center. Provide funds to continue the construction of renovations to the Central Branch of Baltimore City’s Enoch Pratt Free Library System, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Baltimore City) 26,410,000

UNIVERSITY SYSTEM OF MARYLAND

RB21 UNIVERSITY OF MARYLAND, BALTIMORE
(Baltimore City)

(A) Central Electric Substation and Electrical Infrastructure Upgrades. Provide funds to acquire property and begin design of electric substation and electrical infrastructure upgrades for the University of Maryland, Baltimore ~~5,000,000~~
~~3,500,000~~
~~5,000,000~~
4,000,000

(B) Health Sciences Research Facility III and Surge Building. Provide funds to continue construction and equip a new research facility for the University of Maryland, Baltimore School of Medicine, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project ... 81,000,000

RB22 UNIVERSITY OF MARYLAND, COLLEGE PARK
(Prince George’s County)

- | | | |
|-----|---|------------|
| (A) | A. James Clark Hall – New Bioengineering Building. Provide funds to continue construction of the new bioengineering building, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project | 62,455,000 |
| (B) | Brendan Iribe Center for Computer Science and Innovation. Provide funds to continue design and begin construction of a new computer science building, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project | 27,000,000 |
| (C) | Edward St. John Learning and Teaching Center. Provide funds to complete construction and equipping of the new Edward St. John Learning and Teaching Center | 5,100,000 |
| (D) | New Cole Field House. Provide funds to continue design and construction of a human performance and academic research facility, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project | 3,000,000 |

RB23

BOWIE STATE UNIVERSITY
(Prince George's County)

- | | | |
|-----|--|------------|
| (A) | Natural Sciences Center. Provide funds to complete construction and equipping of a new Natural Sciences Center . | 31,501,000 |
|-----|--|------------|

RB24

TOWSON UNIVERSITY
(Baltimore County)

- | | | |
|-----|--|-----------|
| (A) | Science Facility. Provide funds to continue design of a new Science Facility | 6,150,000 |
|-----|--|-----------|

RB25

UNIVERSITY OF MARYLAND EASTERN SHORE
(Somerset County)

- | | | |
|-----|--|------------------|
| (A) | <u>School of Pharmacy and Allied Health Professions. Provide funds to design a new School of Pharmacy and Allied Health Professions building</u> | <u>3,500,000</u> |
|-----|--|------------------|

RB26

FROSTBURG STATE UNIVERSITY
(Allegany County)

- | | | |
|-----|---|--|
| (A) | <u>Education Professions and Health Sciences Center. Provide funds to begin design of a new Education Professions and</u> | |
|-----|---|--|

Health Sciences Center..... 2,500,000

RB28 UNIVERSITY OF BALTIMORE
(Baltimore City)

(A) Langsdale Library. Provide funds to continue design and begin construction and equipping of the renovation of the Langsdale Library, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project 9,300,000

RB29 SALISBURY UNIVERSITY
(Wicomico County)

(A) Sea Gull Stadium. Provide funds to construct the turf field at Sea Gull Stadium ~~575,000~~
0
~~575,000~~
425,000

RB31 UNIVERSITY OF MARYLAND BALTIMORE COUNTY
(Baltimore County)

(A) Interdisciplinary Life Sciences Building. Provide funds to continue design of a new academic facility for interdisciplinary life sciences at the University of Maryland Baltimore County, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project..... ~~2,640,000~~
7,640,000

RB36 UNIVERSITY SYSTEM OF MARYLAND OFFICE
~~(St. Mary's County)~~

(A) Southern Maryland Regional Higher Education Facility. Provide funds to continue design of a third building on the Southern Maryland Higher Education Center Campus to provide academic and research laboratory space (St. Mary's County) 3,061,000

(B) Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Provide funds to construct and equip an academic facility at Shady Grove Educational Center, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Montgomery County) ~~31,700,000~~

36,700,000

RC00	BALTIMORE CITY COMMUNITY COLLEGE (Baltimore City)	
(A)	Liberty Campus: Loop Road, Inner Loop and Entrance Improvements. Provide funds to begin design of loop road and entrance improvements at Baltimore City Community College's Liberty Campus	248,000
RD00	ST. MARY'S COLLEGE OF MARYLAND (St. Mary's County)	
(A)	Campus Infrastructure Improvements. Provide funds to design and construct various campus infrastructure improvement projects	900,000
(B)	Academic Building and Auditorium. Provide funds to begin design of the relocation of the existing athletic field and design of a new Academic Building and Auditorium	1,800,000
RE01	MARYLAND SCHOOL FOR THE DEAF (Frederick County)	
(A)	Water Main Replacement Project. Provide funds to continue design and construct a new water supply system at the Frederick Campus of the Maryland School for the Deaf	2,735,000
RI00	MARYLAND HIGHER EDUCATION COMMISSION (Statewide)	
(A)	Community College Facilities Grant Program. Provide funds to assist the subdivisions in the acquisition of property and in the design, construction, renovation, and equipping of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11-105(j) of the Education Article, provided that notwithstanding Section 6 of this Act, work may commence on each of these projects prior to the appropriation of all funds necessary to complete the project	59,386,000
	(1) Community College of Baltimore County – Catonsville – Hilton Mansion Rehabilitation (Baltimore County)	
	(2) Community College of Baltimore	

- County – Essex – Health Careers and Technology Building Renovation and Expansion Project (Baltimore County)
- (3) Frederick Community College – Monroe Center Renovation (Frederick County)
 - (4) Garrett College – Community Education and Performing Arts Building (Garrett County)
 - (5) Garrett College – Science, Technology, Engineering and Mathematics Building Renovation and Addition (Garrett County)
 - (6) Hagerstown Community College – Learning Resource Center Renovation (Washington County)
 - (7) Harford Community College – Edgewood Hall Renovation and Expansion (Harford County)
 - (8) Howard Community College – New Science, Engineering, and Technology Building Project (Howard County)
 - (9) Montgomery College – Germantown – Science and Applied Studies Building Renovation and Addition (Montgomery County)
 - (10) Montgomery College – Rockville – New Student Center (Montgomery County)
 - (11) Prince George’s Community College – Lanham Hall Renovation and Addition Project (Prince George’s County)
 - (12) Prince George’s Community College – Queen Anne Academic Center

Renovation and Addition Project
(Prince George’s County)

- (13) Wor–Wic Community College – Academic and Administrative Building and Maner Technology Center Renovation Project (Regional)

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

- (A) Behavioral and Social Sciences Building. Provide funds to continue construction and equipping of a new academic and research facility for behavioral and social sciences, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project 35,700,000
- (B) New Student Services Support Building. Provide funds to design a new Student Services Support Building to house student services functions..... 4,700,000

RP00 MARYLAND PUBLIC BROADCASTING COMMISSION
(Statewide)

- (A) Maryland Public Television Transmission Systems Replacement. Provide funds to replace digital transmission and other broadcast equipment 150,000

RQ00 UNIVERSITY OF MARYLAND MEDICAL SYSTEM
(Baltimore City)

- (A) Neonatal Intensive Care Unit (NICU), Labor and Delivery Units, Capital Infrastructure Improvements, and Outpatient Center Building. Provide a grant to the University of Maryland Medical System to assist in the continued design, renovation, and equipping of the ~~NICU~~ NICU, Labor and Delivery ~~Units~~ Units, and infrastructure improvements at the University of Maryland Medical Center, and to assist in the design, construction, and equipping of an Outpatient Center at University of Maryland Medical Center – Midtown Campus 4,000,000
- (B) R Adams Cowley Shock Trauma Center – Phase II. Provide a grant to the University of Maryland Medical System to assist in the continued construction and equipping of Phase II of renovations and upgrades to the R Adams Cowley Shock

Trauma Center 5,250,000

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

SA24 DIVISION OF NEIGHBORHOOD REVITALIZATION (Statewide)

(A) Community Legacy Program. Provide funds to assist neighborhoods with revitalization efforts. The funds shall be administered in accordance with §§ 6–201 through 6–211 of the Housing and Community Development Article and Code of Maryland Regulations (COMAR) 05.17.01. Provided that any financial assistance awarded under this program is not subject to § 8–301 of the State Finance and Procurement Article ~~6,000,000~~ 2,095,000

(B) Neighborhood Business Development Program. Provide funds for grants and loans to fund community-based economic development activities in revitalization areas designated by local governments, including food desert projects in designated food deserts. The funds shall be administered in accordance with §§ 6–301 through 6–311 of the Housing and Community Development Article ~~3,400,000~~ 0

(C) Baltimore Regional Neighborhoods Initiative. Provide funds for grants and loans to nonprofit community development corporations or coalitions to fund comprehensive revitalization strategies for sustainable community areas in Baltimore City, Baltimore County, and Anne Arundel County, *provided that it is the intent of the General Assembly that the Department of Housing and Community Development expand the use of the Baltimore Regional Neighborhoods Initiative funds to include and prioritize interjurisdictional collaborations, and open the program application process to accept Phase II applications* ~~1,500,000~~ 0 1,361,199

SA25 DIVISION OF DEVELOPMENT FINANCE (Statewide)

(A) Homeownership Programs. Provide funds for below-market interest rate mortgages with minimum down payments to low- and moderate-income homebuyers. These funds shall be administered in accordance with §§ 4–501, 4–502, 4–801 through 4–810, and 4–814 through 4–816 of the Housing and

	Community Development Article. Provided that any financial assistance awarded under this program is not subject to § 8–301 of the State Finance and Procurement Article	8,500,000 <u>0</u>
(B)	Housing and Building Energy Programs. Provide funds in the form of loans or grants to promote energy-efficient improvements either through renovation of existing facilities, the construction of new properties, or the installment of equipment and materials for single-family and rental-housing properties to be administered in accordance with § 4–218 of the Housing and Community Development Article	1,000,000 <u>0</u>
(C)	Partnership Rental Housing Program. Provide funds to be credited to the Partnership Rental Housing Fund to be administered in accordance with §§ 4–501, 4–503, and 4–1201 through 4–1209 of the Housing and Community Development Article	6,000,000 <u>0</u>
(D)	Rental Housing Program. Provide funds for rental housing developments that serve low- and moderate-income households. The funds shall be administered in accordance with §§ 4–401 through 4–411, 4–501, and 4–504 of the Housing and Community Development Article. <i>Provided that it is the intent of the General Assembly that the Governor budget a minimum of \$20,000,000 annually in general funds, general obligation bond funds, or a combination of the two funding sources, for the Department of Housing and Community Development Rental Housing Program</i>	10,000,000 <u>0</u> 5,000,000 <u>2,500,000</u>
(E)	Shelter and Transitional Housing Facilities Grant Program. Provide grants to acquire, design, construct, renovate, and equip emergency shelters, transitional housing, and other facilities for homeless individuals and families. The funds shall be administered in accordance with the Code of Maryland Regulations (COMAR) 05.05.09	1,500,000
(F)	Special Loan Programs. Provide funds to low- and moderate-income families, sponsors of rental properties occupied primarily by limited-income families, and nonprofit sponsors of housing facilities, including group homes and shelters to bring housing up to code and remediate lead paint	

(A) Infrastructure Improvement Fund. Provide funds to design, construct, and equip water and wastewater facility improvements for State institutions, provided that notwithstanding Section 6 of this Act, work may commence on a project prior to the appropriation of all funds necessary to complete the project. Expenditures for a project detailed in the Fiscal Year 2017 Capital Budget Volume under this program may not exceed the amount listed therein by more than 7.5% without notification to the General Assembly. Funds may only be spent on the projects listed under this program in the Fiscal Year 2017 Capital Budget Volume or on prior or future authorized projects. Expenditure of any part of this appropriation for a prior or future authorized project shall also require notification to the General Assembly 24,825,000

DEPARTMENT OF JUVENILE SERVICES

VE01 RESIDENTIAL SERVICES

(A) New Female Detention Center. Provide funds to continue design, continue acquiring easements for utility connections, and begin construction for a replacement detention facility for female youths on the grounds of the Thomas O’Farrell Youth Center, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Carroll County) .. 15,168,000

WA01 DEPARTMENT OF STATE POLICE

(A) New Cumberland Barrack and Garage. Provide funds to design a new Cumberland Barrack and Garage (Allegany County)..... 550,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(A) Angel’s Watch Shelter. Provide a grant to the Board of Directors of Catholic Charities of the Archdiocese of Washington, Inc., to assist in funding the design, construction, repair, renovation, reconstruction, and capital equipping of the Angel’s Watch Shelter (Charles County) 750,000

(B) Arthur Perdue Stadium. Provide a grant to the County Executive and County Council of Wicomico County for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of various infrastructure improvements to the Arthur Perdue Stadium, subject to the requirement that the grantee provide an equal and matching

	fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Wicomico County)	775,000
(C)	Center Stage. Provide a grant to the Board of Trustees of Center Stage Associates, Inc. to design and renovate existing spaces for improved functionality and design and construct a new children’s theater, education center, and entryway, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City)	3,000,000
(D)	Charles E. Smith Life Communities. Provide a grant to the Board of Governors of Hebrew Home of Greater Washington, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Revitz House at the Charles E. Smith Life Communities campus (Montgomery County)	400,000
(E)	Chesapeake Bay Maritime Museum. Provide a grant to the Board of Governors of the Chesapeake Bay Maritime Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Bay Maritime Museum, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Talbot County)	250,000
(F)	Historic Annapolis. Provide a grant to the Board of Trustees of Historic Annapolis, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of infrastructure improvements to historic properties leased to Historic Annapolis, Inc. (Anne Arundel County)	1,000,000
(G)	Kennedy Krieger Institute. Provide a grant to the Board of Directors of the Kennedy Krieger Institute, Inc. for the design and construction of a new Comprehensive Center for Autism and Other Neurodevelopmental Disabilities at Kennedy Krieger’s East Baltimore Campus (Baltimore City)	1,750,000
(H)	Maryland Independent College and University Association – Capitol Technology University. Provide a grant equal to the lesser of (i) \$1,400,000 <u>\$1,600,000</u> or (ii) the amount of the matching fund provided, to the Board of Trustees of the Capitol Technology University for the design, construction, and equipping of a Living and Learning Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of	

Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Prince George’s County) ~~1,400,000~~
1,600,000

(I) Maryland Independent College and University Association – Johns Hopkins University. Provide a grant equal to the lesser of (i) ~~\$3,300,000~~ \$4,000,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Johns Hopkins University for the design, construction, and equipping of renovations to Macaulay Hall, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) ~~3,300,000~~
4,000,000

(J) Maryland Independent College and University Association – Maryland Institute College of Art. Provide a grant equal to the lesser of (i) ~~\$3,300,000~~ \$4,000,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Maryland Institute College of Art for the demolition of Dolphin Building and the design, construction, and equipping of a new academic building, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) ~~3,300,000~~
4,000,000

(K) Maryland Zoo in Baltimore. Provide a grant to the Board of Trustees of the Maryland Zoological Society, Inc. to assist in funding the design, construction, and equipping of infrastructure improvements for the exhibits and operations of the Maryland Zoo in Baltimore (Baltimore City) ~~2,500,000~~
3,500,000

(L) National Sailing Hall of Fame. Provide a grant to the Board of Directors of the National Sailing Hall of Fame and Museum, Inc. to design, construct, and equip a new facility for the National Sailing Hall of Fame (Anne Arundel County) 1,000,000

(M) Peale Center. Provide a grant to the Board of Directors of the Baltimore History Center at the Peale, Inc. for the design, construction, repair, renovation, reconstruction, and capital equipping of the Peale Museum, located on Holiday Street in Baltimore City, subject to a requirement that the grantee

provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City) 400,000

(N) Prince George’s Hospital System. Provide funds to the Department of Health and Mental Hygiene for the purpose of providing a grant for site acquisition, design, construction, and capital equipping of a new Regional Medical Center in Prince George’s County. The Department will provide a grant to the owner/operator of the Regional Medical Center (Prince George’s County) 27,500,000

(O) Sinai Hospital of Baltimore. Provide a grant to the Board of Directors of Sinai Hospital of Baltimore, Inc. for the design, construction, repair, renovation, reconstruction, and capital equipping of a community primary and specialty care complex (Baltimore City) 2,000,000

(P) Western Maryland Scenic Railroad. Provide a grant to the Board of Directors of Western Maryland Scenic Railroad Development Corporation for the acquisition, design, construction, repair, renovation, reconstruction, restoration, and equipping of a historic locomotive, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Allegany County) 400,000

(Q) Glen Burnie High School Field House and Concession Stand. Provide a grant equal to the lesser of (i) \$1,000,000 or (ii) the amount of the matching fund provided, to the Board of Education of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the athletic field house and concession stand at Glen Burnie High School, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County)..... 1,000,000

(R) Merriweather Post Pavilion. Provide a grant to the Downtown Columbia Arts and Cultural Commission c/o Merriweather Post Pavilion to assist in funding the design, construction, reconstruction, renovation, repair, and capital equipping of infrastructure improvements at the Merriweather Post

	<u>Pavilion, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Howard County).....</u>	<u>2,000,000</u>
(S)	<u>Community Action Council Food Bank Facility. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Community Action Council of Howard County, Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Action Council Food Bank Facility, located in Howard County (Howard County).....</u>	<u>200,000</u>
(T)	<u>Historic Sotterley Plantation. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Historic Sotterley, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Sotterley Plantation, located in St. Mary's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (St. Mary's County)</u>	<u>100,000</u>
(U)	<u>Eastern Family Resource Center. Provide a grant to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Eastern Family Resource Center (Baltimore County)</u>	<u>1,500,000</u>
(V)	<u>Baltimore County Streetscaping. Provide a grant to County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of streetscaping in Baltimore County (Baltimore County)</u>	<u>5,000,000</u>
(W)	<u>Torah School of Greater Washington. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Torah School of Greater Washington, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Torah School of Greater Washington, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Montgomery County)</u>	<u>200,000</u>
(X)	<u>Talmudical Academy Gymnasium. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund</u>	

	<u>provided, to the Board of Directors of The Talmudical Academy of Baltimore, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Talmudical Academy gymnasium, located in Baltimore County (Baltimore County)</u>	<u>250,000</u>
(Y)	<u>Leadenhall Community Outreach Center. Provide a grant equal to the lesser of (i) \$500,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Leadenhall Baptist Church for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Leadenhall Community Outreach Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City).....</u>	<u>500,000</u>
(Z)	<u>Harbor Point Parks and Infrastructure. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Harbor Point Open Space Corp. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the parks and infrastructure at the Harbor Point development site, including site improvements located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Baltimore City)</u>	<u>250,000</u>
(AA)	<u>Emergency Operations Center. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of County Commissioners of Garrett County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of an emergency operations center, located in Garrett County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Garrett County)</u>	<u>250,000</u>
(AB)	<u>National Cryptologic Museum – Cyber Center of Education and Innovation. Provide a grant to the Board of Directors of The National Cryptologic Museum Foundation, Inc. for the design, construction, and capital equipping of the new Cyber Center of Education and Innovation, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Anne Arundel County)</u>	<u>1,000,000</u>
(AC)	<u>Sheppard Pratt at Elkridge. Provide a grant to the Board of</u>	

	<u>Directors of the Sheppard Pratt Health System, Inc. to assist in the design and construction of the Sheppard Pratt at Elkridge facility, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project. It is the intent of the General Assembly that the State commitment for this project will total \$10,000,000 in the period fiscal 2017 through 2019 (Howard County)</u>	<u>2,500,000</u>
(AD)	<u>YWCA of Annapolis and Anne Arundel County Domestic Violence Shelter. Provide a grant to the governing board of the YWCA of Annapolis and Anne Arundel County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a new Domestic Violence Shelter, located in Anne Arundel County (Anne Arundel County)</u>	<u>300,000</u>
(AE)	<u>Maryland Hall for the Creative Arts. Provide a grant to the Board of Directors of the Maryland Hall for the Creative Arts, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Hall for the Creative Arts, located in Anne Arundel County, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Anne Arundel County)</u>	<u>750,000</u>
(AF)	<u>BARCO North Avenue Arts Building Open Works Project. Provide a grant equal to the lesser of (i) \$500,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Baltimore Arts Realty Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the BARCO North Avenue Arts Building Open Works project, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City)</u>	<u>500,000</u>
(AG)	<u>Innovative Center for Autonomous Systems. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Southern Maryland Navy Alliance and the Board of Commissioners of St. Mary's County to assist in the design, construction, renovation, and capital equipping of office and meeting space for the Innovative Center for Autonomous Systems (St. Mary's County)</u>	<u>250,000</u>

- (AH) Baltimore Food Hub. Provide a grant to the Board of Directors of the American Communities Trust, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a food hub facility, including construction of a food pantry, urban farm, kitchen incubator, food distribution facility, food production facility, and community spaces, located in Baltimore City, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Baltimore City).....

~~75,000~~
150,000
- (AI) Prince George’s County Public High School Athletic Facilities. Provide a grant to the Prince George’s County Office of the County Executive for the planning, design, construction, repair, renovation, reconstruction, site work, and capital equipping of athletic facilities at Prince George’s County public high schools (Prince George’s County)

2,700,000
- (AJ) Maryland SoccerPlex Fields. Provide a grant equal to the lesser of (i) \$500,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Maryland Soccer Foundation Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of soccer fields at the Maryland SoccerPlex, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County)

500,000
- (AK) Randallstown High School Infrastructure Improvements. Provide a grant of \$500,000 to the Baltimore County Board of Education for the design, construction, repair, renovation, reconstruction, and capital equipping of general infrastructure enhancements to Randallstown High School (Baltimore County).....

500,000
- (AL) Worthington Valley Roundabout. Provide a grant equal to the lesser of (i) \$400,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a traffic roundabout at the intersection of Falls Road and Tufton Avenue in Baltimore County (Baltimore County)

400,000
- (AM) Milford Mill High School Athletic Facilities Improvements. Provide a grant to the County Executive and County Council of

	<u>Baltimore County for the planning, design, construction, repair, renovation, reconstruction, site work, and capital equipping of athletic facilities improvements at Milford Mill High School, located in Baltimore County (Baltimore County).....</u>	900,000 <u>450,000</u>
(AN)	<u>Baltimore City Parks. Provide a grant to the Baltimore City Department of Recreation and Parks for the acquisition, planning, design, construction, repair, renovation, reconstruction, site work, and capital equipping of infrastructure improvements at Baltimore City public parks (Baltimore City).....</u>	<u>1,500,000</u>
	(1) <u>Clifton Park</u>	<u>500,000</u>
	(2) <u>Frank C. Bocek Park.....</u>	<u>300,000</u>
	(3) <u>Fred B. Leidig Recreation Center</u>	<u>400,000</u>
	(4) <u>Morrell Park.....</u>	<u>300,000</u>
(AO)	<u>Reisterstown Community Cemetery Project. Provide a grant to the Board of Trustees of the Reisterstown Community Cemetery for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of infrastructure improvements to the Reisterstown Community Cemetery, located in Baltimore County (Baltimore County).....</u>	<u>25,000</u>
(AP)	<u>Chesapeake Math and IT Academy Gymnasium. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Chesapeake Math and IT Academy, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Math and IT Academy gymnasium, located in Prince George's County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Prince George's County)...</u>	<u>250,000</u>
(AQ)	<u>Baltimore Regional Education and Training Center. Provide a grant equal to the lesser of (i) \$300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Southeast Community Development Corporation, the Board of Directors of Casa de Maryland, Inc., and the CASA Baltimore Neighborhood Center, LLC for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Baltimore Regional Education and Training Center, located in Baltimore City. Notwithstanding</u>	

Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City) 300,000

(AR) Downtown Frederick Hotel and Conference Center. Provide a grant of \$1,000,000 to the Mayor and Board of Aldermen of the City of Frederick for the acquisition, planning, design, construction, repair, renovation, and reconstruction of the Downtown Frederick Hotel and Conference Center, located in Frederick County, provided that no funds may be expended until a Memorandum of Understanding (MOU) between the Maryland Stadium Authority, the County Executive and County Council of Frederick County, the Mayor and Board of Aldermen of the City of Frederick, and the private developer is executed and submitted to the budget committees that sets forth the terms and conditions for the development and financing of the Downtown Frederick Hotel and Conference Center that maximizes contributions by Frederick County and the City of Frederick and minimizes any State contribution to the Conference Center and other public components of the project including land acquisition. The budget committees shall have 45 days from the receipt of the MOU to review and comment (Frederick County)..... 1,000,000

(AS) Damascus High School Turf Field. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Damascus High School Athletic Booster Club Inc. and the County Executive and County Council of Montgomery County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a turf field for Damascus High School, including site improvements, located in Montgomery County (Montgomery County)..... 75,000

(AT) Franklin High School Infrastructure Improvements. Provide a grant of \$450,000 to the Baltimore County Board of Education for the design, construction, repair, renovation, reconstruction, and capital equipping of general infrastructure enhancements to Franklin High School (Baltimore County)..... 450,000

ZA01 MARYLAND HOSPITAL ASSOCIATION

(A) Adventist Behavioral Health and Wellness. Provide a grant to the Board of Directors of Adventist Healthcare, Inc., d.b.a., Adventist Behavioral Health and Wellness to assist with renovations to provide space for psychological and physical health services, subject to the requirement that the grantee

- provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Montgomery County)..... 392,000
- (B) Anne Arundel Health System. Provide a grant to the Board of Directors of Anne Arundel Health System, Inc. to assist with upgrades and renovations to the Hospital’s Pathways facility, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Anne Arundel County)..... 500,000
- (C) Doctors Community Hospital. Provide a grant to the Board of Directors of Doctors Hospital, Inc. to assist with renovations to the Lowery Building to establish the Doctors Community Healthcare Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Prince George’s County) 500,000
- (D) Edward W. McCready Hospital. Provide a grant to the Board of Directors of the McCready Foundation, Inc. to assist with renovations to convert a currently unused geriatric psychiatric unit into usable space for inpatient and outpatient behavioral health services, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Somerset County) 239,000
- (E) MedStar Franklin Square Hospital. Provide a grant to the Board of Trustees of Franklin Square Hospital Center, Inc. d.b.a. MedStar Franklin to assist with renovation and relocation of the inpatient cancer unit, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (~~Prince George’s County~~) (Baltimore County) 877,000
- (F) MedStar Montgomery Medical Center. Provide a grant to the Board of Trustees of MedStar Montgomery Medical Center to assist with renovation of the Maternal Newborn Center Special Care Nursery and Inpatient Unit, subject to the requirement

that the grantee provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Montgomery County) 300,000

(G) Shady Grove Medical Center. Provide a grant to the Board of Trustees of Adventist Healthcare, Inc., d.b.a. Shady Grove Medical Center to assist with renovating space to create a new outpatient pediatric rehabilitation area and Neonatal Intensive Care Unit lounge, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Montgomery County) 279,000

(H) University of Maryland Rehabilitation and Orthopedic Institute. Provide a grant to the Board of Directors of the James Lawrence Kernan Hospital, d.b.a., University of Maryland Rehabilitation and Orthopedic Institute, to renovate and enlarge the patient waiting and registration areas, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Baltimore City) 150,000

(I) University of Maryland, St. Joseph Medical Center. Provide a grant to the Board of Directors of University of Maryland, St. Joseph Medical Center, Inc. to assist with renovations to the 3 West area to provide birthing and other maternity services, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Baltimore County) 1,000,000

ZA02

LOCAL SENATE INITIATIVES

(A) Frostburg Museum Relocation Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Frostburg Museum Association for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the former St. Michael’s School to assist in the relocation of the Frostburg Museum, located in Allegany County. Notwithstanding Section 1(5) of this Act, the matching fund

- may consist of real property (Allegany County)..... 50,000
- (B) Lefty Grove Statue. Provide a grant of \$50,000 to the Board of Trustees of The Community Trust Foundation, Inc., the Board of Directors of the Allegany Museum, Inc., and the Mayor and City Council of the City of Lonaconing for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Lefty Grove Statue, located in Allegany County, subject to a requirement that the grantee provide and expend a matching fund of \$50,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Allegany County) 50,000
- (C) 206 West Social Enterprise Project. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Light House, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the former Light House Shelter, including the Light House Bistro and Culinary Training Center, located in Anne Arundel County (Anne Arundel County) 250,000
- (D) Belvoir–Scott’s Plantation Historic Manor House. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Belvoir–Scott’s Plantation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Belvoir–Scott’s Plantation Historic Manor House, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Anne Arundel County).... 75,000
- (E) Downs Park Amphitheater. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Downs Park Amphitheater, including stormwater management and site improvements, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Anne Arundel County) 75,000
- (F) Lake Shore Athletic Association. Provide a grant equal to the

lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Lake Shore Athletic Association, Inc. and the County Executive and County Council of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Lake Shore Athletic Association facilities, including landscaping and site improvements to the building's roof, sports fields, playground area, and parking lot, located in Anne Arundel County (Anne Arundel County)..... 50,000

(G) Woods Community Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Woods Community Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Woods Community Center, including site improvements and renovations to a pool, located in Anne Arundel County (Anne Arundel County)..... 50,000

(H) YWCA Domestic Violence Safe House Shelter. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Young Women's Christian Association of Annapolis and Anne Arundel County, Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the YWCA Domestic Violence Safe House Shelter, located in Anne Arundel County (Anne Arundel County)..... 100,000

(I) A Penn-North Initiative Youth Violence Prevention Center. Provide a grant equal to the lesser of (i) \$30,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Unified Efforts, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a youth violence prevention center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City)..... 30,000

(J) Baltimore Regional Education and Training Center. Provide a grant equal to the lesser of (i) \$132,500 or (ii) the amount of the matching fund provided, to the Board of Directors of the Southeast Community Development Corporation, the Board of Directors of Casa de Maryland, Inc., and the CASA Baltimore Neighborhood Center, LLC for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Baltimore Regional Education and Training Center, located in Baltimore City. Notwithstanding

	<u>Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City).....</u>	<u>132,500</u>
(K)	<u>Berean Child Care Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Berean Baptist Church of Baltimore City, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, <i>demolition</i>, <i>site work</i>, and capital equipping of the Berean Child Care Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Baltimore City).....</u>	<u>100,000</u>
(L)	<u>Dr. Christina Phillips Community Center. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Community Initiatives, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Dr. Christina Phillips Community Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Baltimore City).....</u>	<u>150,000</u>
(M)	<u>Garrett–Jacobs Mansion Access and Safety Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Garrett–Jacobs Mansion Endowment Fund, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Garrett–Jacobs Mansion, including site improvements to the building’s parking lots and sidewalks, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City).....</u>	<u>50,000</u>
(N)	<u>Get Involved Community Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors Trustees of New Miracle Christian Community Church, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Get Involved Community Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds</u>	

	<u>expended prior to the effective date of this Act (Baltimore City)</u>	<u>50,000</u>
(O)	<u>Health Care for the Homeless Dental Clinic. Provide a grant of \$17,500 to the Board of Directors of Health Care for the Homeless, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Homeless Dental Clinic, located in Baltimore City, subject to a requirement that the grantee provide and expend a matching fund of \$12,500 (Baltimore City).....</u>	<u>17,500</u>
(P)	<u>International Black Fire Fighters Museum. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the African American Fire Fighters Historical Society, Inc. and the Mayor and City Council of Baltimore City for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the International Black Fire Fighters Museum, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City).....</u>	<u>50,000</u>
(Q)	<u>James Mosher Baseball League Field Enhancement. Provide a grant equal to the lesser of (i) \$45,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The James Mosher Associates, Inc. and the Baltimore City Board of School Commissioners for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the James Mosher Baseball League, including site improvements, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore City).....</u>	<u>45,000</u>
(R)	<u>Maryland State Boychoir ADA Improvements. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Maryland State Boychoir, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of ADA improvements at the Maryland State Boychoir facility, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City)</u>	<u>125,000</u>
(S)	<u>Orchard Street Church. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Baltimore Urban League, Inc. for</u>	

	<u>the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Orchard Street Church, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City).....</u>	<u>25,000</u>
(T)	<u>Sarah’s Hope. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of St. Vincent de Paul of Baltimore, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Sarah’s Hope homeless facility, including site improvements to the building’s parking lots and sidewalks, landscaping, and the installation of playground equipment, located in Baltimore City (Baltimore City)</u>	<u>25,000</u>
(U)	<u>Woodbourne Center Vocational Program. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Woodbourne Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Woodbourne Center Vocational Program, located in Baltimore City (Baltimore City).....</u>	<u>125,000</u>
(V)	<u>Arbutus Volunteer Fire Department. Provide a grant equal to the lesser of (i) \$130,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Arbutus Volunteer Fire Department of Baltimore County, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Arbutus Volunteer Fire Department building, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore County).....</u>	<u>130,000</u>
(W)	<u>Desert Storm, Operation Enduring Freedom, and Operation Iraqi Freedom Memorial. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Baltimore County Monument Commission, Inc. and the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Desert Storm, Operation Enduring Freedom, and Operation Iraqi Freedom Memorial, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the</u>	

	<u>effective date of this Act (Baltimore County).....</u>	<u>50,000</u>
(X)	<u>Good Shepherd School. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Good Shepherd Services for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Good Shepherd School, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore County).....</u>	<u>50,000</u>
(Y)	<u>HopeWell Cancer Support Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of HopeWell Cancer Support, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the HopeWell Cancer Support Center, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore County)</u>	<u>50,000</u>
(Z)	<u>Irvine Nature Center Native American Village. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Irvine Natural Science Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Native American village site at the Irvine Nature Center, including landscaping and site improvements to the center’s grounds, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore County)</u>	<u>50,000</u>
(AA)	<u>Jemicy School Lower and Middle School Campus Gymnasium. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Jemicy School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the gymnasium at the Jemicy School’s Lower and Middle School Campus, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore County)</u>	<u>100,000</u>
(AB)	<u>Morning Star Family Life Center. Provide a grant equal to the</u>	

- lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of MSBC Five Star Program, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Morning Star Family Life Center, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore County)..... 125,000
- (AC) Radebaugh Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Radebaugh Park, including the installation of playground equipment, landscaping, and site improvements to the park's grounds, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Baltimore County)..... 100,000
- (AD) Sharp Road Community Park. Provide a grant of \$50,000 to the Mayor and Town Council of the Town of Denton for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Sharp Road Community Park, including landscaping and site improvements to the park's grounds and athletic fields, located in Caroline County, subject to a requirement that the grantee provide and expend a matching fund of \$45,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Caroline County)..... 50,000
- (AE) Sykesville Freedom District Fire Department. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Sykesville Freedom District Fire Department, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the carnival grounds of the Sykesville Freedom District Fire Department, including electrical upgrades, located in Carroll County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Carroll County) 50,000
- (AF) The Arc of Carroll County Building Renovation. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Arc of

	<u>Carroll County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Arc of Carroll County building, located in Carroll County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Carroll County)</u>	<u>100,000</u>
(AG)	<u>YMCA of Cecil County Outdoor Pool. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Young Men’s Christian Association of Cecil County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the YMCA of Cecil County, including site improvements, located in Cecil County (Cecil County)</u>	<u>75,000</u>
(AH)	<u>Indian Head Center for the Arts Renovation. Provide a grant equal to the lesser of (i) \$60,000 \$5,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Indian Head Center for the Arts, Inc. and the Mayor and Town Council of the Town of Indian Head for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Indian Head Center for the Arts, located in Charles County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Charles County)</u>	<u>60,000 5,000</u>
(AI)	<u>Maryland Veterans Memorial Museum Land Acquisition. Provide a grant equal to the lesser of (i) \$190,000 \$245,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Maryland Veterans Memorial Museum, Inc. at Charles County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Veterans Memorial Museum, located in Charles County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Charles County)</u>	<u>190,000 245,000</u>
(AJ)	<u>Chesapeake Grove Senior Housing and Intergenerational Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Delmarva Community Services, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Grove</u>	

	<u>Senior Housing and Intergenerational Center, located in Dorchester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Dorchester County)</u>	<u>50,000</u>
(AK)	<u>Dorchester County Family YMCA. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Dorchester County Family YMCA, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Dorchester County Family YMCA building, including repairs to the building's roof, located in Dorchester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Dorchester County)</u>	<u>100,000</u>
(AL)	<u>Brunswick Heritage Museum Building. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Brunswick for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Brunswick Heritage Museum Building, located in Frederick County (Frederick County)</u>	<u>100,000</u>
(AM)	<u>Emergency Family Services Shelter. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Religious Coalition for Emergency Human Needs in Frederick County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Emergency Family Services Shelter, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Frederick County).....</u>	<u>50,000</u>
(AN)	<u>Frederick Memorial Hospital Dental Clinic. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Frederick Memorial Hospital, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Frederick Memorial Hospital Dental Clinic, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Frederick County)</u>	<u>50,000</u>
(AO)	<u>Helen Smith Studio. Provide a grant equal to the lesser of (i)</u>	

\$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Luce Fund for Children, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Helen Smith Studio project, including the relocation of the studio of Helen Smith to the Lucy School, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Frederick County) 25,000

(AP) Friendsville Veterans Memorial. Provide a grant equal to the lesser of (i) \$80,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Garrett Memorial Veterans of Foreign Wars, Post 10,077, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Friendsville Veterans Memorial, located in Garrett County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Garrett County)..... 80,000

(AQ) Aberdeen B&O Railroad Station. Provide a grant of \$50,000 to the Board of Directors of The Aberdeen Room Archives and Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Aberdeen B&O Railroad Station, located in Harford County, subject to a requirement that the grantee provide and expend a matching fund of \$25,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Harford County)..... 50,000

(AR) Center for the Visual and Performing Arts Amphitheater. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Center for the Visual and Performing Arts, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Visual and Performing Arts Amphitheater, located in Harford County (Harford County) 100,000

(AS) Historical Society of Harford County Building Restoration. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Historical Society of Harford County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Historical Society of Harford County headquarters building, located in Harford County. Notwithstanding Section 1(5) of this Act, the matching

	<u>fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Harford County)</u>	<u>50,000</u>
(AT)	<u>Rockfield Park Pavilion. Provide a grant equal to the lesser of (i) \$116,000 or (ii) the amount of the matching fund provided, to the Board of Commissioners of the Town of Bel Air for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the pavilion at Rockfield Park, located in Harford County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Harford County).....</u>	<u>116,000</u>
(AU)	<u>Community Action Council Food Bank Facility. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Community Action Council of Howard County, Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Action Council Food Bank Facility, located in Howard County (Howard County).....</u>	<u>100,000</u>
(AV)	<u>Environmental Education Center Renovation and Expansion. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Howard County Conservancy, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Environmental Education Center, located in Howard County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Howard County)</u>	<u>250,000</u>
(AW)	<u>Vantage House Retirement Community Renovations. Provide a grant equal to the lesser of (i) \$69,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Columbia Vantage House Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Vantage House Retirement Community, located in Howard County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Howard County).....</u>	<u>69,000</u>
(AX)	<u>A Wider Circle Community Service Center. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of A Wider Circle, Inc. for the acquisition, planning, design, construction,</u>	

repair, renovation, reconstruction, and capital equipping of A Wider Circle Community Service Center, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County) 125,000

(AY) Damascus High School Turf Field. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Damascus High School Athletic Booster Club Inc. and the County Executive and County Council of Montgomery County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a turf field for Damascus High School, including site improvements, located in Montgomery County (Montgomery County) 75,000

(AZ) Easter Seals Inter-Generational Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Easter Seals ~~Serving DC/MD/VA, Inc.~~ Greater Washington-Baltimore Region, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Inter-Generational Center, located in Montgomery County (Montgomery County) 75,000

(BA) Friendship Heights Village Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Mayor and Village Council of the Village of Friendship Heights for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Friendship Heights Village Center, located in Montgomery County (Montgomery County) 50,000

(BB) Homecrest House. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Capital B'nai B'rith Housing Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Homecrest House, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County) 75,000

(BC) Jewish Community Center of Greater Washington Children's Playground. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of

	<u>Directors of the Jewish Community Center of Greater Washington, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a children’s playground, including the installation of playground equipment and site improvements to the park, located in Montgomery County (Montgomery County)</u>	<u>50,000</u>
(BD)	<u>Martin Luther King Jr. Recreational Park Improvements. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission and the County Executive and County Council of Montgomery County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Martin Luther King Jr. Recreational Park, including site improvements to the park’s grounds, parking lots, walkways, exercise equipment, and sports fields, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County).....</u>	<u>100,000</u>
(BE)	<u>Maryland SoccerPlex Fields. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Maryland Soccer Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of soccer fields at the Maryland SoccerPlex, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County).....</u>	<u>75,000</u>
(BF)	<u>Maydale Nature Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission and the County Executive and County Council of Montgomery County for the acquisition, planning, design, construction, repair, renovation, reconstruction, demolition, and capital equipping of the Maydale Nature Center, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County)</u>	<u>50,000</u>
(BG)	<u>Melvin J. Berman Hebrew Academy. Provide a grant of \$100,000 to the Board of Directors of the Melvin J. Berman Hebrew Academy for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital</u>	

	<u>equipping of the Melvin J. Berman Hebrew Academy, including the installation of playground equipment and site improvements to the park, located in Montgomery County, subject to a requirement that the grantee provide and expend a matching fund of \$25,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Montgomery County).....</u>	<u>100,000</u>
(BH)	<u>Noyes Children’s Library Renovation and Expansion. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Noyes Children’s Library Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Noyes Children’s Library, located in Montgomery County (Montgomery County)</u>	<u>100,000</u>
(BI)	<u>Olde Towne Park Plaza. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Gaithersburg for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a new park promenade at Olde Towne Park Plaza, located in Montgomery County (Montgomery County)</u>	<u>100,000</u>
(BJ)	<u>Western Piedmont Trail Connectivity. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Western Piedmont Trail, including site improvements, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Montgomery County).....</u>	<u>50,000</u>
(BK)	<u>Accokeek Volunteer Fire Department. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Accokeek Volunteer Fire Department, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Accokeek Volunteer Fire Department building, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George’s County)</u>	<u>150,000</u>
(BL)	<u>American Legion Post 381 Annex. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund</u>	

	<u>provided, to the HWV Enterprises, LLC for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the American Legion Post 381 Annex, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George’s County).....</u>	<u>100,000</u>
<u>(BM)</u>	<u>Bishop McNamara High School Dining Hall and Student Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Bishop McNamara High School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the dining facilities and a new student center at Bishop McNamara High School, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Prince George’s County).....</u>	<u>75,000</u>
<u>(BN)</u>	<u>Camp Springs Elks Lodge No. 2332. Provide a grant equal to the lesser of (i) \$20,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Camp Springs Elks Lodge No. 2332, Benevolent and Protective Order of Elks of the United States of America, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Camp Springs Elks Lodge No. 2332, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Prince George’s County)</u>	<u>20,000</u>
<u>(BO)</u>	<u>Community Support Systems Food Pantry. Provide a grant of \$10,000 to the Board of Directors of the Community Support Systems, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Support Systems Food Pantry, located in Prince George’s County (Prince George’s County).....</u>	<u>10,000</u>
<u>(BP)</u>	<u>Elizabeth Seton High School Athletic Field. Provide a grant of \$30,000 to the Board of Directors of Elizabeth Seton High School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Elizabeth Seton High School athletic field, including site improvement to the field, located in Prince George’s County (Prince George’s County).....</u>	<u>30,000</u>
<u>(BQ)</u>	<u>Hollywood Streetscape. Provide a grant equal to the lesser of (i)</u>	

	<u>\$150,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of College Park for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a streetscape in the Hollywood Commercial District, including site improvements to public areas, located in Prince George’s County (Prince George’s County)</u>	<u>150,000</u>
(BR)	<u>Maryland Multicultural Youth Centers. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Latin American Youth Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Center for Educational Partnership of the Maryland Multicultural Youth Centers, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Prince George’s County)</u>	<u>75,000</u>
(BS)	<u>Mt. Ephraim Multipurpose Room. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Mt. Ephraim Community Non-Profit Development Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Mt. Ephraim Multipurpose Room, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George’s County).....</u>	<u>100,000</u>
(BT)	<u>Piscataway Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Accokeek Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Piscataway Park, including site improvements to the park’s grounds, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Prince George’s County).....</u>	<u>100,000</u>
(BU)	<u>Port Towns Family Health and Wellness Center. Provide a grant of \$120,000 to the Board of Directors of the Access to Wholistic and Productive Living Institute, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Aunt Carol Jane’s House at the Ports Town Port Towns Family Health and Wellness Center, located in Prince George’s County, subject to</u>	

	<u>a requirement that the grantee provide and expend a matching fund of \$50,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Prince George’s County)</u>	<u>120,000</u>
(BV)	<u>Pyramid Atlantic Art Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Pyramid Atlantic, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Pyramid Atlantic Art Center, located in Prince George’s County (Prince George’s County).....</u>	<u>75,000</u>
(BW)	<u>Tabernacle Church of Laurel Gymnasium. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Tabernacle of Laurel, Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the gymnasium at the Tabernacle Church of Laurel, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George’s County).....</u>	<u>25,000</u>
(BX)	<u>The Arc of Prince George’s County. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Arc of Prince George’s County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Arc of Prince George’s County building, located in Prince George’s County (Prince George’s County).....</u>	<u>125,000</u>
(BY)	<u>Girl Scouts of Central Maryland Urban Program and STEM Center. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Girl Scouts of Central Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Girl Scouts of Central Maryland Urban Program and STEM Center, including repairs to the building’s roof, landscaping, and site improvements to the building’s grounds, parking lots, and sidewalks, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Statewide).....</u>	<u>250,000</u>
(BZ)	<u>Patriot Point. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Patriot Point, LLC for the acquisition, planning, design, construction,</u>	

repair, renovation, reconstruction, and capital equipping of the Patriot Point retreat facility, located in Dorchester County (Statewide)..... 250,000

(CA) Port Discovery Children’s Museum. Provide a grant of \$300,000 to the Board of Directors of The Baltimore Children’s Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Port Discovery Children’s Museum, including the installation of exhibits, located in Baltimore City (Statewide) 300,000

(CB) Ulman Cancer Fund Home for Young Adult Cancer Patients and Caregivers. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Ulman Cancer Fund for Young Adults, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Ulman Cancer Fund Home for Young Adult Cancer Patients and Caregivers, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Statewide)..... 200,000

(CC) Doey’s House. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Hospice of Washington County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the hospice facility named Doey’s House, located in Washington County (Washington County) 100,000

(CD) The Maryland Theatre. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Maryland Theatre Association, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Maryland Theatre, located in Washington County (Washington County) 75,000

(CE) Ward Museum of Wildfowl Art. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Ward Foundation, Inc. and Salisbury University for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the John A. Luetkemeyer, Sr. and Thomas F. Mullen, Jr. Legacy Center at the Ward Museum of Wildfowl Art, located in Wicomico County (Wicomico County) 75,000

(CF) Delmarva Discovery Center and Museum. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Pocomoke and the Board of Directors of the Delmarva Discovery Center & Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Delmarva Discovery Center and Museum, including installation of a handicap accessible touch tank, located in Worcester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Worcester County)..... 75,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

~~(A) Legislative Initiatives. Provide funds for projects of political subdivisions and nonprofit organizations 7,500,000~~

(A) Baltimore Museum of Industry. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Baltimore Museum of Industry, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Baltimore Museum of Industry, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Statewide)..... 200,000

(B) Patriot Point. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Patriot Point, LLC for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Patriot Point retreat facility, located in Dorchester County (Statewide)..... 250,000

(C) Port Discovery Children’s Museum. Provide a grant of \$200,000 to the Board of Directors of The Baltimore Children’s Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Port Discovery Children’s Museum, including the installation of exhibits, located in Baltimore City (Statewide)..... 200,000

(D) Friends Aware Facility. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Friends Aware, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Friends Aware facility, located in Allegany County. Notwithstanding Section

1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Allegany County)..... 75,000

(E) Frostburg Museum Relocation Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Frostburg Museum Association for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the former St. Michael’s School to assist in the relocation of the Frostburg Museum, located in Allegany County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Allegany County)..... 50,000

(F) Lefty Grove Statue. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Community Trust Foundation, Inc., the Board of Directors of the Allegany Museum, Inc., and the Mayor and City Council of the City of Lonaconing for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Lefty Grove Statue, located in Allegany County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Allegany County)..... 25,000

(G) Broadneck High School Field House. Provide a grant of \$300,000 to the Board of Directors of the Bruin Athletic Boosters Club, Inc. and the Board of Education of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Broadneck High School Field House, located in Anne Arundel County (Anne Arundel County)..... 300,000

(H) Historic Linthicum Walks. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Friends of Historic Linthicum Walks, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Linthicum Walks historic home and park, including site improvements to the park, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Anne Arundel County)..... 100,000

(I) The Arc of the Central Chesapeake Region. Provide a grant equal to the lesser of (i) \$300,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Arc of

- the Central Chesapeake Region, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Arc of the Central Chesapeake Region Donald Avenue building, located in Anne Arundel County (Anne Arundel County) 300,000
- (J) William Brown House at Historic London Town. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the London Town Foundation, Inc. and the County Executive and County Council of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the William Brown House at Historic London Town, including repairs to the building's roof, located in Anne Arundel County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Anne Arundel County) 125,000
- (K) Woods Community Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Woods Community Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Woods Community Center, including site improvements and renovations to a pool, located in Anne Arundel County (Anne Arundel County) 50,000
- (L) Berean Child Care Center. Provide a grant equal to the lesser of (i) \$60,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Berean Baptist Church of Baltimore City, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, demolition, site work, and capital equipping of the Berean Child Care Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Baltimore City) 60,000
- (M) Community Empowerment and Wellness Center. Provide a grant equal to the lesser of (i) ~~\$175,000~~ \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Bethel Outreach Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Empowerment and Wellness Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Baltimore City) ~~175,000~~

150,000

(N) Creative Alliance Project. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the ~~Fells Point~~ Creative Alliance, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Creative Alliance facility, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City). 250,000

(O) Cylburn Arboretum Carriage House and Nature Museum. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cylburn Arboretum Association, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Cylburn Arboretum Carriage House and Nature Museum, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City). 150,000

(P) Druid Hill Park at Auchentoroly Terrace. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Parks & People Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Druid Hill Park at Auchentoroly Terrace, including landscaping and site improvements to the park, located in Baltimore City (Baltimore City)..... 50,000

(P-1) Garrett–Jacobs Mansion Access and Safety Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Garrett–Jacobs Mansion Endowment Fund, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Garrett–Jacobs Mansion, including site improvements to the building’s parking lots and sidewalks, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City) 50,000

(Q) International Black Fire Fighters Museum. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the African

- American Fire Fighters Historical Society, Inc. and the Mayor and City Council of Baltimore City for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the International Black Fire Fighters Museum, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore City) 200,000
- (R) Lexington Market. Provide a grant equal to the lesser of (i) ~~\$400,000~~ \$350,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Lexington Market, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Lexington Market, located in Baltimore City (Baltimore City)..... ~~400,000~~
350,000
- (R-1) Multifamily Low-Income Housing Project. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of A Step Forward, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of housing for low-income families, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City) 25,000
- (S) Restoration Gardens 2. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Empire Homes of Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Restoration Gardens apartment building for at-risk youth, located in Baltimore City (Baltimore City)..... 200,000
- (T) Scottish Rite Temple Preservation and Restoration. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Maryland Scottish Rite Charitable Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, historic preservation, and capital equipping of the Scottish Rite Temple, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore City). 150,000
- (U) St. Francis Neighborhood Center. Provide a grant equal to the

lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the St. Francis Neighborhood Center Corporation for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the St. Francis Neighborhood Center, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Baltimore City)..... 100,000

(V) Baltimore Humane Society Animal Safety and Energy Efficiency Plan. Provide a grant equal to the lesser of (i) \$165,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Humane Society of Baltimore County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the outdoor dog cages at the shelter and installation of geothermal systems, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore County)..... 165,000

(W) Desert Storm, Operation Enduring Freedom, and Operation Iraqi Freedom Memorial. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Baltimore County Monument Commission, Inc. and the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Desert Storm, Operation Enduring Freedom, and Operation Iraqi Freedom Memorial, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore County)..... 25,000

(X) Good Shepherd School. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Good Shepherd Services for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Good Shepherd School, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore County)..... 50,000

(Y) HopeWell Cancer Support Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of HopeWell Cancer Support,

- Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the HopeWell Cancer Support Center, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore County)..... 50,000
- (Z) Irvine Nature Center Native American Village. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Irvine Natural Science Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Native American village site at the Irvine Nature Center, including landscaping and site improvements to the center's grounds, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore County)..... 100,000
- (AA) Jemicy School Lower and Middle School Campus Gymnasium. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of The Jemicy School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the gymnasium at the Jemicy School's Lower and Middle School Campus, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore County)..... 50,000
- (AB) Jewish Community Center of Baltimore – Gordon Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Jewish Community Center of Baltimore, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Gordon Center for the Performing Arts, located in Baltimore County (Baltimore County)..... 100,000
- (AC) Limekilns and Log House Stabilization Project at Cromwell Valley Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cromwell Valley Park Council, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Limekilns and Log House at Cromwell Valley Park, located in Baltimore County.

Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Baltimore County) 100,000

(AD) Morning Star Family Life Center. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of MSBC Five Star Program, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Morning Star Family Life Center, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Baltimore County)..... 125,000

(AE) Radebaugh Park. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Radebaugh Park, including the installation of playground equipment, landscaping, and site improvements to the park's grounds, located in Baltimore County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Baltimore County)..... 75,000

(AF) Towson Manor Park. Provide a grant equal to the lesser of (i) \$30,000 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Towson Manor Park, including the installation of playground equipment, landscaping, and site improvements to the park's grounds, located in Baltimore County (Baltimore County)..... 30,000

(AG) Sharp Road Community Park. Provide a grant of \$50,000, to the Mayor and Town Council of the Town of Denton for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Sharp Road Community Park, including landscaping and site improvements to the park's grounds and athletic fields, located in Caroline County, subject to a requirement that the grantee provide and expend a matching fund of \$45,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Caroline County)..... 50,000

- (AH) YMCA of Cecil County Outdoor Pool. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Young Men’s Christian Association of Cecil County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the YMCA of Cecil County, including site improvements, located in Cecil County (Cecil County)..... 25,000
- (AI) Hospice House of Charles County. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Hospice of Charles County, Incorporated for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Hospice House of Charles County, located in Charles County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Charles County)..... 150,000
- (AJ) Indian Head Center for the Arts Renovation. Provide a grant equal to the lesser of (i) \$70,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Indian Head Center for the Arts, Inc. and the Mayor and Town Council of the Town of Indian Head for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Indian Head Center for the Arts, located in Charles County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Charles County)..... 70,000
- (AK) Chesapeake Grove Senior Housing and Intergenerational Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Delmarva Community Services, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Chesapeake Grove Senior Housing and Intergenerational Center, located in Dorchester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Dorchester County)..... 100,000
- (AL) Frederick Memorial Hospital Dental Clinic. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Frederick Memorial Hospital, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Frederick Memorial Hospital Dental Clinic, located in Frederick County. Notwithstanding Section

1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Frederick County)..... 25,000

(AM) Tuscarora High School Concession Stand. Provide a grant equal to the lesser of (i) \$45,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Tuscarora High School Athletic Boosters, Inc. and the Board of Education of Frederick County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a permanent concession stand at Tuscarora High School, located in Frederick County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Frederick County)..... 45,000

(AN) Friendsville Veterans Memorial. Provide a grant equal to the lesser of (i) \$20,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Garrett Memorial Veterans of Foreign Wars, Post 10,077, Inc. and the Mayor and Town Council of the Town of Friendsville for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Friendsville Veterans Memorial, located in Garrett County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Garrett County)..... 20,000

(AO) American Indian First Contact Waterfront Heritage Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Havre de Grace for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the American Indian First Contact Waterfront Heritage Park, including site improvements to the park's grounds, located in Harford County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions (Harford County)..... 100,000

(AP) Center for the Visual and Performing Arts Amphitheater. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the Center for the Visual and Performing Arts, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Center for the Visual and Performing Arts Amphitheater, located in Harford

	<u>County (Harford County)</u>	<u>100,000</u>
(AQ)	<u>Huntington Park. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Howard County Department of Recreation and Parks for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Huntington Park, including site improvements to the park, located in Howard County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Howard County).....</u>	<u>150,000</u>
(AR)	<u>Solomon's Lodge #121. Provide a grant equal to the lesser of (i) \$20,000 or (ii) the amount of the matching fund provided, to the Solomon's Lodge #121 A.F. & A.M. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Solomon's Lodge #121 building, including repair of the lodge's roof, located in Howard County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Howard County)...</u>	<u>20,000</u>
(AS)	<u>South Branch Park. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Howard County Department of Recreation and Parks and the County Executive and County Council of Howard County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of South Branch Park, including site improvements to the park, located in Howard County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Howard County).....</u>	<u>100,000</u>
(AT)	<u>A Wider Circle Community Service Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of A Wider Circle, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of A Wider Circle Community Service Center, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County).....</u>	<u>50,000</u>
(AU)	<u>Damascus High School Turf Field. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Damascus High School Athletic Booster Club Inc. and the County Executive and County Council of Montgomery County for the acquisition, planning,</u>	

design, construction, repair, renovation, reconstruction, and capital equipping of a turf field for Damascus High School, including site improvements, located in Montgomery County (Montgomery County)..... 50,000

(AV) Easter Seals Inter-Generational Center. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Easter Seals ~~Serving DC/MD/VA, Inc.~~ Greater Washington-Baltimore Region, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Inter-Generational Center, located in Montgomery County (Montgomery County)..... 25,000

(AW) Friendship Heights Village Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Mayor and Village Council of the Village of Friendship Heights for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Friendship Heights Village Center, located in Montgomery County (Montgomery County)..... 50,000

(AX) Homecrest House. Provide a grant equal to the lesser of (i) \$45,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Capital B'nai B'rith Housing Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Homecrest House, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County)..... 45,000

(AY) Jewish Community Center of Greater Washington Children's Playground. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Jewish Community Center of Greater Washington, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a children's playground, including the installation of playground equipment and site improvements to the park, located in Montgomery County (Montgomery County)..... 100,000

(AZ) Jewish Foundation for Group Homes. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Jewish Foundation for Group Homes, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, site work, and

- capital equipping of multiple group homes within the Jewish Foundation for Group Homes program, located in Montgomery County (Montgomery County) 50,000
- (BA) Maydale Nature Center. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission and the County Executive and County Council of Montgomery County for the acquisition, planning, design, construction, repair, renovation, reconstruction, demolition, and capital equipping of the Maydale Nature Center, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Montgomery County) 25,000
- (BB) Montgomery Hospice Casey House. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Montgomery Hospice, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Montgomery Hospice Casey House, including a new emergency generator and repairs to the building’s roof, located in Montgomery County (Montgomery County)..... 50,000
- (BC) Olde Towne Park Plaza. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Gaithersburg for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a new park promenade at Olde Towne Park Plaza, located in Montgomery County (Montgomery County) 100,000
- (BD) Olney Theatre Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Olney Theatre Center for the Arts, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Olney Theatre Center, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Montgomery County)..... 75,000
- (BE) Our House Youth Home. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Our House Youth Home, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a new dormitory and the Weinberg Building at Our House Youth Home, located in

	<u>Montgomery County (Montgomery County).....</u>	<u>50,000</u>
<u>(BF)</u>	<u>Rockville Swim and Fitness Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Rockville for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the indoor locker rooms at the Rockville Swim and Fitness Center, located in Montgomery County (Montgomery County).....</u>	<u>100,000</u>
<u>(BG)</u>	<u>Sandy Spring Museum. Provide a grant equal to the lesser of (i) \$40,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of Sandy Spring Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Sandy Spring Museum, located in Montgomery County (Montgomery County)</u>	<u>40,000</u>
<u>(BH)</u>	<u>Western Piedmont Trail Connectivity. Provide a grant equal to the lesser of (i) \$55,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Western Piedmont Trail, including site improvements, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act (Montgomery County)</u>	<u>55,000</u>
<u>(BI)</u>	<u>Bishop McNamara High School Dining Hall and Student Center. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Bishop McNamara High School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the dining facilities and a new student center at Bishop McNamara High School, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act (Prince George’s County)</u>	<u>125,000</u>
<u>(BJ)</u>	<u>Fil–American Multicultural Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the National Philippine Cultural Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Fil–American Multicultural Center, located in Prince George’s County. Notwithstanding Section 1(5) of this</u>	

	<u>Act, the matching fund may consist of real property or in kind contributions (Prince George’s County).....</u>	<u>100,000</u>
<u>(BK)</u>	<u>Hillcrest Heights Community Center Pool. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of a pool for the Hillcrest Heights Community Center, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George’s County).....</u>	<u>250,000</u>
<u>(BL)</u>	<u>Joe’s Movement Emporium. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the World Arts Focus, Inc. for the acquisition, planning, design, compensation, repair, renovation, reconstruction, and capital equipping of a performing arts center, located in Prince George’s County (Prince George’s County)</u>	<u>50,000</u>
<u>(BM)</u>	<u>Maryland Multicultural Youth Centers. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Latin American Youth Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Center for Educational Partnership of the Maryland Multicultural Youth Centers, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Prince George’s County).....</u>	<u>125,000</u>
<u>(BN)</u>	<u>Olde Mill Community and Teaching Center. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Olde Mill Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Olde Mill Community and Teaching Center, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Prince George’s County)</u>	<u>75,000</u>
<u>(BO)</u>	<u>Port Towns Family Health and Wellness Center. Provide a grant of \$100,000 to the Board of Directors of the Access to Wholistic and Productive Living Institute, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of Aunt Carol Jean’s</u>	

House at the Port Towns Family Health and Wellness Center, located in Prince George’s County, subject to a requirement that the grantee provide and expend a matching fund of \$50,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Prince George’s County)... 100,000

(BP) Pyramid Atlantic Art Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Pyramid Atlantic, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Pyramid Atlantic Art Center, located in Prince George’s County (Prince George’s County)..... 100,000

(BQ) The Arc of Prince George’s County. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Arc of Prince George’s County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Arc of Prince George’s County building, located in Prince George’s County (Prince George’s County)..... 50,000

(BR) Robert W. Johnson Community Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Robert W. Johnson Community Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Robert W. Johnson Community Center, located in Washington County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions (Washington County)..... 50,000

(BS) Habitat for Humanity of Wicomico County. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Habitat for Humanity of Wicomico County, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of four Habitat for Humanity of Wicomico County properties, located in Wicomico County (Wicomico County)..... 100,000

(BT) Ward Museum of Wildfowl Art. Provide a grant equal to the lesser of (i) \$225,000 or (ii) the amount of the matching fund provided, to the Board of Directors of The Ward Foundation, Inc. and Salisbury University for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the John A. Luetkemeyer, Sr. and Thomas

F. Mullen, Jr. Legacy Center at the Ward Museum of Wildfowl Art, located in Wicomico County (Wicomico County)..... 225,000

(BU) Delmarva Discovery Center and Museum. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Mayor and City Council of the City of Pocomoke and the Board of Directors of the Delmarva Discovery Center & Museum, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Delmarva Discovery Center and Museum, including installation of a handicap accessible touch tank, located in Worcester County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property (Worcester County)..... 50,000

ZB02 LOCAL JAILS AND DETENTION CENTERS

(A) Montgomery County Pre–Release Center. Provide a grant to the County Executive and County Council of Montgomery County to design, construct, and capital equip renovations to the Pre–Release Center’s Dietary Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Montgomery County) 403,000

(B) Prince George’s County Correctional Center. Provide a grant to the County Executive and County Council of Prince George’s County to design, construct, and equip renovations and an expansion to the Correctional Center’s Medical Unit, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Prince George’s County) 2,488,000

(4) An annual tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal of and interest on the bonds, as and when due and until paid in full. The principal shall be discharged within 15 years after the date of issue of the bonds.

(5) (a) Prior to the payment of any matching grant funds under the provisions of Section 1(3), Items ZA00 through ZB02 above, grantees shall provide and expend matching funds as specified. No part of a grantee’s matching fund may be provided, either directly or indirectly, from funds of the State, whether appropriated or unappropriated. Except as otherwise provided, no part of the fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. In case of any dispute as to what money or assets may qualify as matching funds, the Board of Public Works shall determine the matter, and the Board’s decision is final. Grantees have until June 1, 2018, to present evidence satisfactory to the Board of Public Works that the matching fund will be provided. If satisfactory evidence is presented, the Board shall certify this fact to the State Treasurer and the proceeds of the loan shall be expended for the purposes provided

in this Act. If this evidence is not presented by June 1, 2018, the proceeds of the loan shall be applied to the purposes authorized in § 8–129 of the State Finance and Procurement Article.

(b) It is further provided that when an equal and matching fund is specified in Section 1(3), Items ZA00 through ZB02 above, grantees shall provide a matching fund equal to the lesser of (i) the authorized amount of the State grant or (ii) the amount of the matching fund certified by the Board of Public Works. If satisfactory evidence is presented, the Board shall certify this fact and the amount of the matching fund to the State Treasurer and the proceeds of the loan equal to the amount of the matching fund shall be expended for the purposes provided in this Act. If this evidence is not presented by June 1, 2018, the proceeds of the loan shall be applied to the purposes authorized in § 8–129 of the State Finance and Procurement Article. The proceeds of any amount of the loan in excess of the matching fund certified by the Board of Public Works shall also be applied to the purposes authorized in § 8–129 of the State Finance and Procurement Article.

(6) (a) Prior to the issuance of the bonds, unless the Maryland Historical Trust determines that the property to be assisted by a grant under Section 1(3) Items ZA00 through ZB02 of this Act is not significant, is significant only as a contributing property to a historic district listed in the Maryland register of historic properties, is a type that is already adequately represented among the Trust's existing easement properties, is already subject to a perpetual historic preservation easement acceptable to the Trust, or conditions peculiar to the property make an easement impractical, the grantee shall grant and convey to the Maryland Historical Trust a perpetual preservation easement to the extent of its interest:

(i) On the portion of the land necessary to preserve the historic setting of the capital project assisted by the grant; and

(ii) On the exterior and interior, where appropriate, of the historic structures affected by the construction or renovation project assisted by the grant.

(b) If the grantee or beneficiary of the grant holds a lease on the land and structures, the Trust may accept an easement on the leasehold interest.

(c) The easement must be in form and substance acceptable to the Trust, and the extent of the interest to be encumbered must be acceptable to the Trust, and any liens or encumbrances against the land or the structures must be acceptable to the Trust.

(d) (i) A grantee may appeal a perpetual preservation easement determination made by the Maryland Historical Trust or the Director under subparagraph (a) of this paragraph to the Maryland Historical Trust Board of Trustees.

(ii) The decision by the Maryland Historical Trust Board of Trustees is final and is not subject to further administrative appeal or judicial review.

(7) The proceeds of the loan must be expended or encumbered by the Board of

Public Works for the purposes provided in this Act no later than June 1, 2023. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2023, the amount of the unexpended or unencumbered authorization shall be canceled and be of no further force and effect. If bonds have been issued for the loan, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

(8) Multiple grants provided to the same organization in this Section are in addition to one another. Unless otherwise provided, any matching fund requirements apply to each individual grant.

(9) (a) Subject to subparagraphs (b) and (c) of this paragraph, the Board of Public Works may approve an appropriation in Section 1(3) Items ZA00 through ZB02 above notwithstanding technical differences in:

(i) The name of the grantee or the description of the project, provided that the proposed use of funds is consistent with the public purpose of the original appropriation; or

(ii) The location of the project, provided that the proposed location is within the county specified in the original appropriation.

(b) The Department of Budget and Management shall notify the Office of Policy Analysis within the Department of Legislative Services in writing of:

(i) The technical differences between an appropriation in Sections 1(3) Items ZA00 through ZB02 above and the proposed use of the funds; and

(ii) The justification that the proposed use of the funds is consistent with the public purpose of the appropriation.

(c) (i) The Office of Policy Analysis shall have 45 days to review and comment on the proposed use of the funds.

(ii) If the Office of Policy Analysis does not submit written objections within 45 days, the Department of Budget and Management shall provide certification in writing to the Board of Public Works that the proposed use of funds may be approved notwithstanding technical differences in the appropriation in Section 1(3) Items ZA00 through ZB02 above.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Chapter 488 of the Acts of 2007

Section 1(3)

DB01 HISTORIC ST. MARY'S CITY COMMISSION
(St. Mary's County)

- (A) Maryland Heritage Interpretive Center. Provide funds to prepare preliminary plans to construct a new museum and visitor center complex. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS AUTHORIZATION MAY NOT TERMINATE PRIOR TO JUNE 1, 2018** 865,000

Chapter 488 of the Acts of 2007, as amended by Chapter 336 of the Acts of 2008, Chapter 485 of the Acts of 2009, Chapter 483 of the Acts of 2010, Chapter 396 of the Acts of 2011, Chapter 444 of the Acts of 2012, Chapter 424 of the Acts of 2013, and Chapter 463 of the Acts of 2014

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2007 in the total principal amount of ~~[\$816,058,000]~~ **\$815,640,147**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with Sections 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, Section 22 of the Code.

Chapter 488 of the Acts of 2007, as amended by Chapter 485 of the Acts of 2009 and Chapter 396 of the Acts of 2011

Section 1(3)

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

- (B) Campuswide Site Improvements. Provide funds to construct the landscaping of the Hillen Road/Perring Parkway edge and the academic quad, to design and construct softball facilities at the Murray School for the use of Morgan State University, and to design improvements to the exterior campus signage [3,723,000]
3,305,147

Chapter 488 of the Acts of 2007, as amended by Chapter 707 of the Acts of 2009 and Chapter 463 of the Acts of 2014

Section 1(3)

ZA01 LOCAL HOUSE INITIATIVES

(AS) Warren Historical Site – Loving Charity Hall. Provide a grant equal to the lesser of (i) \$175,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Warren Historic Site Committee, Inc. for the reconstruction, repair, renovation, construction, and capital equipping of Loving Charity Hall, located in Martinsburg, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, 2011, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2016] 2018 (Montgomery County) 175,000

Chapter 488 of the Acts of 2007, as amended by Chapter 463 of the Acts of 2014

Section 1(3)

ZA03 MARYLAND HOSPITAL ASSOCIATION

(D) Fort Washington Medical Center. Provide a grant equal to the lesser of (i) \$560,000 or (ii) the amount of the matching fund provided, to the Board of Directors of Fort Washington Medical Center, Inc. for the planning, design, renovation, expansion, repair, construction, and capital equipping of the emergency department at Fort Washington Medical Center, located in Fort Washington. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act and notwithstanding Section 1(7) of this Act, the proceeds of this loan must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, [2016] 2018 (Prince George’s County) 560,000

Chapter 336 of the Acts of 2008

Section 1(3)

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

(C) Campuswide Site Improvements. Provide funds to construct improvements to the exterior campus signage. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS

	AUTHORIZATION MAY NOT TERMINATE PRIOR TO JUNE 1, 2018.....	1,050,000
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RQ00	UNIVERSITY OF MARYLAND MEDICAL SYSTEM (Baltimore City)	
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(C)	New Diagnostic and Treatment Facilities – Phase III. Provide a grant to the University of Maryland Medical System to assist in the construction, renovation, and equipping of the North Hospital	[2,500,000]
		2,217,134

(ZA01)	LOCAL SENATE INITIATIVES	
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(AH)	Heritage Trail and Saint Helena Park. Provide a grant equal to the lesser of (i) [\$175,000] \$0 or (ii) the amount of the matching fund provided, to the County Executive and County Council of Baltimore County for the acquisition, design, construction, and capital equipping of the Heritage Trail and Saint Helena Park, located in Dundalk. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Baltimore County)	[175,000]
		0

(BL)	MacDonald Knolls Center. Provide a grant equal to the lesser of (i) [\$175,000] \$0 or (ii) the amount of the matching fund provided, to the Board of Directors of CHI Centers, Inc. for the repair, renovation, reconstruction, and capital equipping of the MacDonald Knolls Center, located in Silver Spring (Montgomery County)	[175,000]
		0

(BM)	<u>Mansfield Kaseman Health Center. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Community Ministries of Rockville, Inc. for the acquisition, planning, design, construction, renovation, and capital equipping of the Mansfield Kaseman Health Center, located in Rockville. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018 (Montgomery County)....</u>	250,000
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(ZA02)	LOCAL HOUSE INITIATIVES	
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(AW)	MacDonald Knolls Center. Provide a grant equal to the lesser	
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of (i) **[\$250,000] \$0** or (ii) the amount of the matching fund provided, to the Board of Directors of CHI Centers, Inc. for the repair, renovation, reconstruction, and capital equipping of the MacDonald Knolls Center, located in Silver Spring (Montgomery County) **[250,000]**
0

(BU) Bending Water Park. Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Accohannock Indian Tribe, Inc. for the design, construction, and capital equipping of Bending Water Park, located in Marion. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Somerset County)..... **200,000**

(ZA03) MARYLAND HOSPITAL ASSOCIATION

(I) Union Hospital of Cecil County – Outpatient Center. Provide a grant equal to the lesser of (i) **[\$110,000] \$0** or (ii) the amount of the matching fund provided, to the Board of Directors of Union Hospital of Cecil County, Inc. for the planning, design, renovation, expansion, repair, construction, and capital equipping of the outpatient infusion center and the development of an outpatient pain program, located in Elkton. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Cecil County) **[110,000]**
0

Chapter 336 of the Acts of 2008, as amended by Chapter 707 of the Acts of 2009

Section 1(3)

ZA01 LOCAL SENATE INITIATIVES

(BQ) The Arc of Montgomery County Group Homes. Provide a grant equal to the lesser of (i) **[\$125,000] \$0** or (ii) the amount of the matching fund provided, to the Board of Directors of The Arc of Montgomery County, Inc. for the construction, repair, renovation, reconstruction, and capital equipping of group homes, located in Montgomery County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in

kind contributions or funds expended prior to the effective date of this Act (Montgomery County)	[125,000]
	0

Chapter 336 of the Acts of 2008, as amended by Chapter 372 of the Acts of 2010

Section 1(3)

ZA01 LOCAL SENATE INITIATIVES

(AF)	Community Post. Provide a grant equal to the lesser of (i) [\$125,000] \$0 or (ii) the amount of the matching fund provided, to the Board of Directors of the Kingdom Economic System, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Post, located in Dundalk. Provided that the Community Post facility may only be used for the recreational enjoyment of the community and may not be used for residential purposes, a half way house, or reentry from any penal institution. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act and the grantee has until June 1, 2012, to present evidence that a matching fund will be provided (Baltimore County)	[125,000]
		0

ZA02 LOCAL HOUSE INITIATIVES

(AC)	Community Post. Provide a grant equal to the lesser of (i) [\$175,000] \$0 or (ii) the amount of the matching fund provided, to the Board of Directors of the Kingdom Economic System, Inc. for the planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Community Post, located in Dundalk. Provided that the Community Post facility may only be used for the recreational enjoyment of the community and may not be used for residential purposes, a half way house, or reentry from any penal institution. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or funds expended prior to the effective date of this Act and the grantee has until June 1, 2012, to present evidence that a matching fund will be provided (Baltimore County)	[175,000]
		0

Chapter 336 of the Acts of 2008, as amended by Chapter 485 of the Acts of 2009, Chapter 483 of the Acts of 2010, Chapter 396 of the Acts of 2011,

Chapter 444 of the Acts of 2012, Chapter 424 of the Acts of 2013, Chapter 463 of the Acts of 2014, and Chapter 495 of the Acts of 2015

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2008 in the total principal amount of ~~[\$855,256,737]~~ **\$853,838,871**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with Sections 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, Section 22 of the Code.

Chapter 485 of the Acts of 2009

DEPARTMENT OF PLANNING

Section 1(3)

DW01.08 JEFFERSON PATTERSON PARK AND MUSEUM
(Calvert County)

<u>(A)</u>	<u>Riverside Interpretive Trails and Exhibit Stations. Provide funds to design and construct a system of trails and exhibits at the Jefferson Patterson Park and Museum. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS AUTHORIZATION MAY NOT TERMINATE BEFORE JUNE 1, 2018.....</u>	<u>1,876,000</u>
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Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010, Chapter 396 of the Acts of 2011, Chapter 444 of the Acts of 2012, Chapter 424 of the Acts of 2013, Chapter 463 of the Acts of 2014, and Chapter 495 of the Acts of 2015

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2009 in the total principal amount of ~~[\$1,050,560,225]~~ **\$1,049,902,782**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with Sections 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, Section 22 of the Code.

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of

2010 and Chapter 495 of the Acts of 2015

Section 1(3)

RC00 BALTIMORE CITY COMMUNITY COLLEGE
(Baltimore City)

(A) Main Building Renovation – Liberty Campus. Provide funds for a detailed design to complete the final phase of the Main Building Renovation – Liberty Campus, the renovation of the Administration Wing, and reconstruction of the Fine Arts Wing [614,000]
472,193

Section 12(3)

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

(E) New Center for the Built Environment and Infrastructure Studies. Provide funds to construct and equip a new Center for the Built Environment and Infrastructure Studies [26,435,000]
26,185,000

Chapter 485 of the Acts of 2009, as amended by Chapter 463 of the Acts of 2014

Section 1(3)

DE02.01 BOARD OF PUBLIC WORKS

GENERAL STATE FACILITIES

(D) Asbestos Abatement Program. Provide funds to abate asbestos in various State facilities (Statewide) [1,500,000]
1,199,298

Chapter 485 of the Acts of 2009, as amended by Chapter 495 of the Acts of 2015

Section 1(3)

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

ML01 MENTAL HYGIENE ADMINISTRATION
(Statewide)

(A) Patient Safety Improvements. Provide funds to construct

patient safety improvements at psychiatric hospitals and residential treatment centers. These improvements may include, but are not limited to, modifications to bathrooms, doors, ceilings, and fire sprinklers that may pose potentially harmful conditions to patients at psychiatric facilities [3,830,000]
3,615,066

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010, Chapter 396 of the Acts of 2011, Chapter 424 of the Acts of 2013, Chapter 463 of the Acts of 2014, and Chapter 495 of the Acts of 2015

SECTION 12. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2010 in the total principal amount of [\$136,272,820] **\$135,922,021**. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Chapter 485 of the Acts of 2009, as amended by Chapter 483 of the Acts of 2010, Chapter 444 of the Acts of 2012, and Chapter 463 of the Acts of 2014

Section 12(3)

RB23

BOWIE STATE UNIVERSITY
 (Prince George’s County)

(B) New Fine and Performing Arts Building. Provide funds to construct and equip a new Fine and Performing Arts Building [28,808,000]
28,707,201

Chapter 483 of the Acts of 2010, as amended by Chapter 639 of the Acts of 2012, Chapter 430 of the Acts of 2013, and Chapter 463 of the Acts of 2014

Section 1(3)

ZA02

LOCAL SENATE INITIATIVES

(BB) Art Works Now Project. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Art Works Studio School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Art Works Now facility, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, [2016] 2018, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2016] 2019 (Prince George’s County) 100,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(AZ) Art Works Now Project. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Art Works Studio School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Art Works Now facility, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, [2016] 2018, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2016] 2019 (Prince George’s County) 100,000

Chapter 396 of the Acts of 2011

Section 1(3)

ZA02 LOCAL SENATE INITIATIVES

(AF) Bel Alton High School Community Development Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the [Board of Directors of the Bel Alton High School Alumni Association Community Development Corporation] **BOARD OF COUNTY COMMISSIONERS OF CHARLES COUNTY** for the construction, repair, renovation, reconstruction, and capital equipping of a community development center, including window repair, located in La Plata. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions **AND THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE**

JUNE 1, 2019 (Charles County) 100,000

- (BQ-1) Chesterwye Center – Jessie’s House. Provide a grant equal to the lesser of (i) \$125,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Chesterwye Center, Inc. for the planning, design, construction, and capital equipping of Jessie’s House, which will provide full-time residential placement for adults with intellectual disabilities, INCLUDING THE PURCHASE, CONSTRUCTION, AND INSTALLATION OF A STORAGE FACILITY, AND SITE IMPROVEMENTS TO THE GROUNDS, located in Grasonville. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018 (Queen Anne’s County) 125,000

Chapter 396 of the Acts of 2011, as amended by Chapter 444 of the Acts of 2012, Chapter 424 of the Acts of 2013, and Chapter 495 of the Acts of 2015

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2011 in the total principal amount of ~~[\$942,274,129]~~ **\$941,274,129**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Chapter 396 of the Acts of 2011, as amended by Chapter 430 of the Acts of 2013

Section 1(3)

ZA03

LOCAL HOUSE OF DELEGATES INITIATIVES

- (AV) Prince George’s Arts and Humanities Council Creative Business Incubator. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s Arts and Humanities Council, Inc. for the planning, repair, renovation, reconstruction, and capital equipping of the Prince George’s Arts and Humanities Council Creative Business Incubator.

Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, [2015] 2018, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2015] 2019 (Prince George’s County) 150,000

Chapter 396 of the Acts of 2011, as amended by Chapter 463 of the Acts of 2014

Section 1(3)

ZA00 MISCELLANEOUS GRANT PROGRAMS

(T) Reece Road Community Health Center. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Trustees of the People’s Community Health Center, Inc. for the design, construction, and capital equipping of the Reece Road Community Health Center, located in Severn. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, [2016] 2018, to present evidence that a matching fund will be provided. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2023 (Anne Arundel County) 250,000

ZA02 LOCAL SENATE INITIATIVES

(BO) Riverdale Park Town Hall Expansion. Provide a grant equal to the lesser of (i) \$175,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of Riverdale Park for the design, construction, and renovation of the Riverdale Park Town Hall, located in Riverdale Park. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, [2015] 2018, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2015] 2019 (Prince George’s County) 175,000

ZA03 LOCAL HOUSE OF DELEGATES INITIATIVES

(BE) Riverdale Park Town Hall Expansion. Provide a grant equal to

the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of the Town of Riverdale Park for the design, construction, and renovation of the Riverdale Park Town Hall, located in Riverdale Park. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, [2015] 2018, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2015] 2019 (Prince George’s County)

100,000

Chapter 396 of the Acts of 2011, as amended by Chapter 430 of the Acts of 2013, Chapter 463 of the Acts of 2014, and Chapter 495 of the Acts of 2015

Section 1(3)

ZA02

LOCAL SENATE INITIATIVES

(BJ)

Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the [Prince George’s County Boys and Girls Club, Inc.] **CAPITOL HEIGHTS SEAT PLEASANT BOYS AND GIRLS CLUB, INC.** and the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, renovation, and capital equipping of [the scoreboard signs, stands, gym floor, and sports fields] **VARIOUS FACILITIES for the USE OF THE Capitol Heights Seat Pleasant Boys and Girls Club, Inc., INCLUDING THE PURCHASE AND INSTALLATION OF INDOOR AND OUTDOOR SPORTS EQUIPMENT,** located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, [2016] 2018, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2016] 2019 (Prince George’s County)

25,000

ZA03

LOCAL HOUSE OF DELEGATES INITIATIVES

(AW)

Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) \$75,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the [Prince George’s County Boys and Girls Club, Inc.] **CAPITOL HEIGHTS SEAT PLEASANT BOYS AND**

GIRLS CLUB, INC., the Board of Education of Prince George’s County, and the Maryland–National Capital Park and Planning Commission for the acquisition, planning, design, construction, renovation, and capital equipping of [the scoreboard signs, stands, gym floor, and sports fields] VARIOUS FACILITIES for the USE OF THE Capitol Heights Seat Pleasant Boys and Girls Club, Inc., INCLUDING THE PURCHASE AND INSTALLATION OF INDOOR AND OUTDOOR SPORTS EQUIPMENT, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, [2016] 2018, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, [2016] 2019 (Prince George’s County)

[40,000]
75,000

[(AW–1) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) \$5,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s County Boys and Girls Club, Inc. and the Board of Education of Prince George’s County for the acquisition, planning, design, construction, renovation, and capital equipping of the gym at Walker Mills Middle School, including the installation of a scoreboard, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, 2016, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, 2016 (Prince George’s County)

5,000]

[(AW–2) Capitol Heights Seat Pleasant Boys and Girls Club Initiative. Provide a grant equal to the lesser of (i) \$30,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Prince George’s County Boys and Girls Club, Inc. and the Board of Education of Prince George’s County for the acquisition, planning, design, construction, renovation, and capital equipping of the library and gym at Capitol Heights Elementary School, including the installation of a scoreboard, located in Prince George’s County. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property,

in kind contributions, or funds expended prior to the effective date of this Act. Notwithstanding Section 1(5) of this Act, the grantee has until June 1, 2016, to present evidence that a matching fund will be provided. Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, 2016 (Prince George’s County)..... **30,000]**

Chapter 396 of the Acts of 2011, as amended by Chapter 495 of the Acts of 2015

Section 1(3)

RB31 UNIVERSITY OF MARYLAND BALTIMORE COUNTY
(Baltimore County)

(A) New Performing Arts and Humanities Facility. Provide funds to construct and equip a new Performing Arts and Humanities Facility **[30,488,628]**
29,488,628

Chapter 444 of the Acts of 2012

Section 1(3)

DE02.01 BOARD OF PUBLIC WORKS

STATE GOVERNMENT CENTER – ANNAPOLIS
(Anne Arundel County)

(B) Annapolis Post Office. Provide funds for site acquisition and the design **AND CONSTRUCTION** of renovations to the historic Annapolis Post Office building located on Church Circle in Annapolis, provided that no funds may be expended for acquisition until the Department of General Services has provided the budget committees with a complete cost benefit analysis that supports the proposed acquisition and renovation. The budget committees shall have 45 days to review and comment following receipt of the report 3,782,000

DH01.04 MILITARY DEPARTMENT

(A) Dundalk Readiness Center – Alteration and Addition. Provide funds for land acquisition, design, and construction of alterations and an addition to the Dundalk Readiness Center (Baltimore County)..... **[5,691,000]**
5,191,000

RB31 UNIVERSITY OF MARYLAND BALTIMORE COUNTY
(Baltimore County)

(A) New Performing Arts and Humanities Facility. Provide funds to design and construct Phase II of the New Performing Arts and Humanities Facility, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all the funds necessary to complete this project [33,225,000]
32,225,000

ZA02 LOCAL SENATE INITIATIVES
(Statewide)

(E) Allegany Museum. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Allegany Museum, Inc. for the design, construction, renovation, and capital equipping of the Allegany Museum, located in Cumberland, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018 (Allegany County) 100,000

(Q) East Baltimore Historical Library. Provide a grant of \$100,000 to the Board of Directors of East Baltimore Development, Inc. AND THE BOARD OF DIRECTORS OF THE EAST BALTIMORE COMMUNITY SCHOOL, INC. for the renovation of the East Baltimore Historical Library, located in Baltimore City, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018 (Baltimore City)..... 100,000

(AH) The Wharves at Choptank Crossing Heritage and Welcome Center. Provide a grant equal to the lesser of (i) \$165,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Denton Development Corporation and the Mayor and Town Council of Denton for the construction of the Wharves at Choptank Crossing Heritage and Welcome Center, located in Denton. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act.

	<u>NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018 (Caroline County).....</u>	<u>165,000</u>
(AL)	<u>Southern Maryland Carousel PROJECT. Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Southern Maryland Carousel Group, Inc. for the planning and design of the Southern Maryland Carousel PROJECT, located in [La Plata] CHARLES COUNTY. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018 (Charles County).....</u>	<u>25,000</u>
(AX)	<u>Potomac Community Resources Home. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Potomac Community Resources, Inc. for the planning and design of the Potomac Community Resources Home for Individuals with Developmental Differences/Intellectual Disabilities, located in Potomac. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018 (Montgomery County)</u>	<u>50,000</u>
ZA03	<u>LOCAL HOUSE OF DELEGATES INITIATIVES (Statewide)</u>	
(G)	<u>Allegany Museum. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Allegany Museum, Inc. for the design, construction, renovation, and capital equipping of the Allegany Museum, located in Cumberland, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018 (Allegany County).....</u>	<u>100,000</u>
(N)	<u>East Baltimore Historical Library. Provide a grant of \$150,000 to the Board of Directors of East Baltimore Development, Inc. AND THE BOARD OF DIRECTORS OF THE EAST BALTIMORE COMMUNITY CENTER for the renovation of the East Baltimore Historical Library, located in Baltimore City, subject to a requirement that the grantee grant and convey a</u>	

historic easement to the Maryland Historical Trust. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Baltimore City)..... 150,000

(S) Roland Water Tower Stabilization. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the [Mayor and City Council of the City of Baltimore] **ROLAND PARK COMMUNITY FOUNDATION** for the planning, design, repair, renovation, and restoration of the Roland Water Tower, located in Baltimore City. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2019** (Baltimore City) 250,000

(Z) Jacob Tome Gas House. Provide a grant equal to the lesser of (i) \$80,000 or (ii) the amount of the matching fund provided, to the Mayor and Town Council of Port Deposit for the planning, design, and reconstruction of the Jacob Tome Gas House, located in Port Deposit. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Cecil County) 80,000

(AD) Downtown Frederick Hotel and Conference Center. Provide a grant of \$250,000 to the Mayor and Board of Aldermen of the City of Frederick for the acquisition, planning, and design of the Downtown Frederick Hotel and Conference Center, located in Frederick, subject to a requirement that the grantee grant and convey a historic easement to the Maryland Historical Trust. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Frederick County) 250,000

(AI) Lower Montgomery County Bikesharing System. Provide a grant of \$250,000 to the County Executive and County Council of Montgomery County for the construction and capital equipping of the Lower Montgomery County Bikesharing System, located in Montgomery County. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Montgomery County).... 250,000

(AS) Hamilton Street Parking. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Hyattsville Community Development Corporation for the planning, design, and reconstruction of the Hamilton Street Parking Garage, located in Hyattsville. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Prince George’s County) 250,000

Chapter 444 of the Acts of 2012, as amended by Chapter 430 of the Acts of 2013

Section 1(3)

ZA02 LOCAL SENATE INITIATIVES
(Statewide)

(I) Meade High School Concession Stand. Provide a grant equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided, to the Board of Education of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the concession stand and bathrooms at Meade High School, located in Fort Meade. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Anne Arundel County) 150,000

(J) Samaritan House [Addition]. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Samaritan Houses, Inc. for the design, construction, and capital equipping of the Samaritan House, located in Annapolis. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE MATCHING FUND MAY CONSIST OF FUNDS EXPENDED ON OR BEFORE JUNE 1, 2012. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Anne Arundel County) 100,000

(Z) Lansdowne Volunteer Fire Department. Provide a grant equal to the lesser of (i) \$20,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Lansdowne Volunteer Fire Association No. 1, Inc. for the acquisition,

planning, design, site-development, and construction of a facility, located in Lansdowne. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Baltimore County)..... 20,000

(BP) Lockhouse 44, Lock 44, and Western MD Railroad Lift Bridge. Provide a grant equal to the lesser of (i) \$175,000 or (ii) the amount of the matching fund provided, to the National Park Service, U.S. Department of the Interior for the planning, design, repair, and renovation of the Lockhouse 44, Lock 44, and Western MD Railroad Lift Bridge, located in Williamsport. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Washington County)..... 175,000

Chapter 444 of the Acts of 2012, as amended by Chapter 424 of the Acts of 2013 and Chapter 463 of the Acts of 2014

Section 1(3)

MM06 DEVELOPMENTAL DISABILITIES ADMINISTRATION
(Statewide)

(D) Secure Evaluation and Therapeutic Treatment Center (SETT). Provide funds to complete design of and construct a Secure Evaluation and Therapeutic Treatment Center (SETT), provided that no funds may be expended for project design until the Department of Health and Mental Hygiene provides the budget committees with a report that includes a detailed plan to alter the scope of the proposed SETT unit, including what the appropriate bed capacity for the facility should be. Furthermore, the report shall advise the committees on how the Department plans to utilize therapeutic treatment homes to meet its mission of serving individuals in the least restrictive setting, including whether these homes will be used as step-down units. The report shall include how many therapeutic treatment homes would be needed based on the modified size of the SETT unit, including operating costs to serve these individuals in therapeutic homes in comparison to serving individuals in the SETT unit. The Department shall advise on its efforts to work with community providers to establish therapeutic treatment homes in the State. The budget

lighting, located in Montgomery County. [Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions.] Notwithstanding Section 1(7) of this Act, this grant may not terminate before December 1, 2017 (Montgomery County) 62,000

Chapter 444 of the Acts of 2012, as amended by Chapter 463 of the Acts of 2014

Section 1(3)

ZA02 LOCAL SENATE INITIATIVES
(Statewide)

(P) Community Resource Center. Provide a grant of \$175,000 to the Board of Directors of L.A.M.B., Inc. for the planning, design, construction, renovation, reconstruction, and capital equipping of the Community Resource Center, located in Baltimore. **NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2018** (Baltimore City)..... 175,000

Chapter 444 of the Acts of 2012, as amended by Chapter 463 of the Acts of 2014 and Chapter 495 of the Acts of 2015

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2012 in the total principal amount of ~~[\$1,107,463,767]~~ ~~**\$1,104,113,767**~~ **\$1,103,613,767**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Section 1(3)

DE02.01 BOARD OF PUBLIC WORKS
STATE GOVERNMENT CENTER – BALTIMORE
(Baltimore City)

(D) William Donald Schaefer Tower – Replace Fire Alarm System. Provide funds to replace the fire alarm system at the William Donald Schaefer Tower [1,200,000]

the Green Branch Management Group Corp. for the acquisition, planning, design, site development, construction, repair, renovation, reconstruction, and capital equipping of the Green Branch Athletic Complex, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to appropriation of all of the funds necessary to complete this project]. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions] (Prince George’s County) 1,000,000

ZA02 LOCAL SENATE INITIATIVES

(B) Little Sisters of the Poor – St. Martin’s Home. Provide a grant equal to the lesser of (i) \$250,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Little Sisters of the Poor of Baltimore, Inc. for the planning, design, construction, renovation, reconstruction, and capital equipping of [the roof and windows at] St. Martin’s Home. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Statewide)..... 250,000

(H) Meade High School Concession Stand. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Education of Anne Arundel County for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the concession stand and bathrooms at Meade High School. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Anne Arundel County) 50,000

Chapter 424 of the Acts of 2013, as amended by Chapter 463 of the Acts of 2014 and Chapter 495 of the Acts of 2015

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2013 in the total principal amount of ~~[\$1,104,119,000]~~ ~~**\$1,103,990,762**~~ **\$1,102,990,762**. This loan shall be evidenced by the issuance, sale, and

delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 of the State Finance and Procurement Article and Article 31, § 22 of the Code.

Chapter 424 of the Acts of 2013, as amended by Chapter 495 of the Acts of 2015

Section 1(3)

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

(B) Soper Library Demolition. Provide construction funds for the demolition of Soper Library, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project [3,550,000]
3,421,762

Chapter 463 of the Acts of 2014

Section 1(3)

DE02.01 BOARD OF PUBLIC WORKS

STATE GOVERNMENT CENTER – ANNAPOLIS
(Anne Arundel County)

(C) State House Complex Security Upgrades. Provide funds to design, construct, renovate, and equip security upgrades to the State House Complex [250,000]
0

ZA00 MISCELLANEOUS GRANT PROGRAMS

(AU) Kingsville Volunteer Fire Company. Provide a \$100,000 grant [equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided,] to the Board of Directors of The Kingsville Volunteer Fire Company for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Kingsville Volunteer Fire Company Community Hall[. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act] (Baltimore County) 100,000

ZA01 MARYLAND HOSPITAL ASSOCIATION

(E) Meritus Medical Center. Provide a grant to the governing board of the Meritus Medical Center, Inc. to construct a new Outpatient Physical Rehabilitation facility at the Meritus Medical Center, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding the provisions of Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act (Washington County) [500,000]
0

ZA02 LOCAL SENATE INITIATIVES

(Q) East Baltimore Historical Library. Provide a grant of \$50,000 to the Board of Directors of the East Baltimore Community School, Inc. AND THE BOARD OF DIRECTORS OF THE EAST BALTIMORE COMMUNITY SCHOOL, INC. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the East Baltimore Historical Library, subject to a requirement that the grantee provide and expend a matching fund of \$25,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of in kind contributions. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE OF A MATCHING FUND (Baltimore City)..... 50,000

(AF) Kingsville Volunteer Fire Company. Provide a \$150,000 grant [equal to the lesser of (i) \$150,000 or (ii) the amount of the matching fund provided,] to the Board of Directors of The Kingsville Volunteer Fire Company for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of The Kingsville Volunteer Fire Company Community Hall[. Notwithstanding Section 1(5) of this Act, the matching fund may consist of funds expended prior to the effective date of this Act] (Baltimore County) 150,000

(AS) Barbara Hauer Fritchie Foundation Facility. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the [Board of Directors of the Barbara Hauer Fritchie Foundation, Inc.] BOARD OF TRUSTEES OF THE AUSERMAN FAMILY FOUNDATION for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Barbara Hauer Fritchie Foundation Facility.

NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2019 (Frederick County) 50,000

(BG) Muslim [Community Center] SENIOR FACILITY. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Trustees and Board of Directors of The Muslim Community Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of [the Muslim Community Center] A FACILITY FOR SENIORS. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE OF A MATCHING FUND (Montgomery County)..... 50,000

(CB) New Carrollton Playground and Open Space Project. Provide a grant of \$100,000 to the Mayor and City Council of the City of New Carrollton for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the New Carrollton Playground and related open space, subject to a requirement that the grantee provide and expend a matching fund of \$20,000. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property or in kind contributions. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE OF A MATCHING FUND (Prince George’s County) 100,000

(CC) Riverdale Welcome Center. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of CASA de Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Riverdale Welcome Center. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County)..... 50,000

- (S) East Baltimore Historical Library. Provide a grant of \$50,000 to the Board of Directors of the East Baltimore Community School, Inc. **AND THE BOARD OF DIRECTORS OF THE EAST BALTIMORE DEVELOPMENT, INC.** for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the East Baltimore Historical Library. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Baltimore City) 50,000
- (AH) Piscataway Indian Museum. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Cedarville Band of Piscataway Indians, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Piscataway Indian Museum. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED** (Charles County) 100,000
- (AR) [Head Start Program Retrofitting.] **COMMUNITY ACTION COUNCIL FOOD BANK FACILITY.** Provide a grant equal to the lesser of (i) \$200,000 or (ii) the amount of the matching fund provided, to the [County Executive and County Council of Howard County] **BOARD OF DIRECTORS OF THE COMMUNITY ACTION COUNCIL OF HOWARD COUNTY, MARYLAND, INC.** for the acquisition, planning, design, construction, repair, renovation, reconstruction, [retrofitting.] and capital equipping of the [Head Start Program facilities] **COMMUNITY ACTION COUNCIL FOOD BANK FACILITY. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2023** (Howard County) 200,000
- (AW) Muslim [Community Center] **SENIOR FACILITY.** Provide a grant equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided, to the Board of Trustees and Board of

- Directors of The Muslim Community Center, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of [the Muslim Community Center] A FACILITY FOR SENIORS. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Montgomery County)** 25,000
- (BE) Art Works Now Project. Provide a grant equal to the lesser of (i) \$50,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the Art Works Studio School, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Art Works Now facility. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED (Prince George’s County)**
- 50,000
- (BF) [Bowie Boys and Girls Club Pole Barn Structure.] **WHITEMARSH PARK.** Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the [Board of Directors of the Bowie Boys and Girls Club, Inc.] **MAYOR AND CITY COUNCIL OF THE CITY OF BOWIE** for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of [the Bowie Boys and Girls Club Pole Barn Structure] **RESTROOMS AND A CONCESSION BUILDING AT WHITEMARSH PARK, INCLUDING SITE IMPROVEMENTS TO THE PARK. NOTWITHSTANDING SECTION 1(5) OF THIS ACT, THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED. NOTWITHSTANDING SECTION 1(7) OF THIS ACT, THIS GRANT MAY NOT TERMINATE BEFORE JUNE 1, 2023 (Prince George’s County)**
- 100,000
- (BQ-1) Riverdale Welcome Center. Provide a grant equal to the lesser of (i) \$100,000 or (ii) the amount of the matching fund provided, to the Board of Directors of the CASA de Maryland, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of the Riverdale Welcome Center. **NOTWITHSTANDING SECTION 1(5) OF THIS ACT,**

THE GRANTEE HAS UNTIL JUNE 1, 2018, TO PRESENT EVIDENCE THAT A MATCHING FUND WILL BE PROVIDED

(Prince George’s County)..... 100,000

Chapter 463 of the Acts of 2014, as amended by Chapter 495 of the Acts of 2015

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2014 in the total principal amount of **[\$1,178,078,377 \$1,177,028,377]**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article.

Section 1(3)

DEPARTMENT OF JUVENILE SERVICES

VE01 RESIDENTIAL SERVICES

(C) Lower Shore Treatment Center. Provide funds for land acquisition and preliminary design for the Lower Shore Treatment Center (Wicomico County) **[300,000]**
0

ZA00 MISCELLANEOUS GRANT PROGRAMS

(AB) National Sailing Hall of Fame. Provide a grant to the Board of Directors of the National Sailing Hall of Fame and Museum, Inc. to design, construct, and equip a new facility for the National Sailing Hall of Fame, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Anne Arundel County)..... **[70,000]**
250,000

ZA02 LOCAL SENATE INITIATIVES

(AL) Omaha Beach Chapter, No. 7, Disabled American Veterans Building. Provide a \$25,000 grant [equal to the lesser of (i) \$25,000 or (ii) the amount of the matching fund provided,] to the Board of Directors of the Omaha Beach Chapter, No. 7, Disabled American Veterans, Inc. for the acquisition, planning,

design, construction, repair, renovation, reconstruction, and capital equipping of the Omaha Beach Chapter, No. 7, Disabled American Veterans Building. [Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act and the grantee has until June 1, 2017, to present evidence that a matching fund will be provided.] Notwithstanding Section 1(7) of this Act, this grant may not terminate before June 1, 2022 [(Calvert County)] (PRINCE GEORGE’S COUNTY)..... 25,000

Chapter 495 of the Acts of 2015

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan of 2015 in the total principal amount of ~~[\$1,063,670,134]~~ ~~\$1,063,420,134~~ **\$1,063,470,134**. This loan shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article.

Section 1(3)

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

SA25 DIVISION OF DEVELOPMENT FINANCE (Statewide)

(A) Homeownership Programs. Provide funds for below–market interest rate mortgages with minimum down payments to low– and moderate–income homebuyers. These funds shall be administered in accordance with §§ 4–501, 4–502, 4–801 through 4–810, and 4–814 through 4–816 of the Housing and Community Development Article. Provided that any financial assistance awarded under this program is not subject to § 8–301 of the State Finance and Procurement Article **[4,800,000]**
7,800,000

(D) Special Loan Programs. Provide funds to low– and moderate–income families, sponsors of rental properties occupied primarily by limited income families, and nonprofit sponsors of housing facilities, including group homes and

shelters to bring housing up to code and remediate lead paint hazards. These funds shall be administered in accordance with §§ 4-501, 4-505, 4-601 through 4-612, 4-701 through 4-712, 4-901 through 4-923, 4-926 through 4-931, and 4-933 of the Housing and Community Development Article. Provided that any financial assistance awarded under this program is not subject to § 8-301 of the State Finance and Procurement Article

[5,850,000]
2,850,000

ZA00

MISCELLANEOUS GRANT PROGRAMS

(H) Maryland Food Bank. Provide a grant to the Board of Directors of the Maryland Food Bank, Inc. to assist in funding the acquisition, design, construction, and equipping of two new food bank branches in [southern and northern Maryland] **CECIL COUNTY AND THE CITY OF SALISBURY**, subject to the requirement that the grantee provide an equal and matching fund for this purpose. Notwithstanding Section 1(5) of this Act, the matching fund may consist of real property, in kind contributions, or funds expended prior to the effective date of this Act (Statewide)

3,500,000

(P) ~~Sports Legends Museum Renovations~~ **BABE RUTH BIRTHPLACE MUSEUM RENOVATION**. Provide a grant to the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. to assist in funding the design, construction, and equipping of renovations of ~~the Sports Legends Museum Exhibit and the Babe Ruth Birthplace Museum, subject to the requirement that the grantee provide an equal and matching fund for this purpose, provided that this authorization may not be encumbered or expended until:~~

(a) ~~The Maryland Stadium Authority (MSA) provides the budget committees with written certification that the Board of Directors of the Babe Ruth Birthplace Foundation, Inc. has either fully paid all rents due and owed under its lease with MSA for space leased at Camden Station at Camden Yards or reached a satisfactory agreement on the disposition of outstanding rental payments under the lease; and~~

(b) ~~The Board of Directors of the Babe Ruth Birthplace Foundation, Inc. and MSA have developed and submitted a long term funding sustainability plan to the budget committees that addresses improvements to the Sports Legends Museum's financial stability.~~

Consolidated Capital Bond Loan Preauthorization Act of 2016 in total principal amount of \$378,723,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

DE02.01 BOARD OF PUBLIC WORKS

STATE GOVERNMENT CENTER – BALTIMORE
(Baltimore City)

(A) Saratoga State Center – Garage Improvements. Provide funds to construct garage improvements at the Saratoga State Center 2,225,000

DH01.04 MILITARY DEPARTMENT

(A) Havre de Grace Combined Support Maintenance Shop Automotive Maintenance Facility. Provide funds to complete design and continue to construct a new Maryland Army National Guard automotive maintenance facility within the existing combined support maintenance shop complex at the Havre de Grace Readiness Center, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project (Harford County) 1,650,000

(B) Easton Readiness Center. Provide funds to continue construction of a new Maryland Army National Guard Readiness Center in Easton (Talbot County)..... 2,000,000

(C) Havre de Grace Readiness Center. Provide funds to complete construction of a new readiness center at the Havre de Grace Military Reservation (Harford County) 4,100,000

DEPARTMENT OF NATURAL RESOURCES

KA05	CAPITAL GRANTS AND LOANS ADMINISTRATION	
(A)	Natural Resources Development Fund. Provide funds to design, construct, and equip capital development projects on Department of Natural Resources property in accordance with Section 5–903(g) of the Natural Resources Article. Funds may be spent only on the projects listed below or on projects authorized under the Natural Resources Development Fund or Department of Natural Resources Capital Development projects	1,000,000
	(1) Bloede Dam Removal (Howard County) 1,000,000	
	DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES	
QS02.08	EASTERN CORRECTIONAL INSTITUTION (Somerset County)	
(A)	Hot Water and Steam System Improvements. Provide funds to design and construct a replacement high temperature hot water system, mechanical room renovations, and other hot water and steam improvements at the Eastern Correctional Institution	2,000,000
QT03.02	DIVISION OF PRETRIAL RELEASE SERVICES (Baltimore City)	
(A)	New Youth Detention Center. Provide funds to complete construction of a new Youth Detention Center to house youth charged as adults by demolishing the Baltimore Pre–Release Unit, partially renovating the Occupational Skills Training Center, and constructing an addition	3,300,000
RA01	STATE DEPARTMENT OF EDUCATION (Baltimore City)	
(A)	State Library Resource Center. Provide funds to continue renovation of the Central Branch of Baltimore City’s Enoch Pratt Free Library System (Baltimore City)	23,200,000
	UNIVERSITY SYSTEM OF MARYLAND	
RB21	UNIVERSITY OF MARYLAND, BALTIMORE (Baltimore City)	
(A)	Health Sciences Research Facility III. Provide funds to continue construction of a new research facility for the Schools	

of Medicine, Pharmacy, and Dentistry at the University of Maryland, Baltimore 70,500,000

RB22 UNIVERSITY OF MARYLAND, COLLEGE PARK
(Prince George's County)

(A) Edward St. John Learning and Teaching Center. Provide funds to complete partial demolition and renovation of existing buildings, and complete construction of the new Edward St. John Learning and Teaching Center 500,000

(B) New Bioengineering Building. Provide funds to continue construction of a new bioengineering building 45,350,000

(C) Brendan Iribe Center for Computer Science and Innovation. Provide funds to design, construct, and equip a new facility for the Department of Computer Science and the University of Maryland Institute for Advanced Computer Studies 27,000,000

RB23 BOWIE STATE UNIVERSITY
(Prince George's County)

(A) New Natural Sciences Center. Provide funds to complete construction of a new academic and research facility for natural sciences, nursing, and mathematics 28,250,000

RB27 COPPIN STATE UNIVERSITY
(Baltimore City)

(A) Percy Julian Science Building. Provide funds to design renovations and an addition to the Percy Juilian Science Building to house the School of Business and School of Graduate Studies programs (Baltimore City) 3,400,000

RB36 UNIVERSITY SYSTEM OF MARYLAND OFFICE
(Montgomery County)

(A) Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Provide funds to continue construction of an academic facility at Shady Grove Educational Center 72,000,000

RI00 MARYLAND HIGHER EDUCATION COMMISSION
(Statewide)

(A) Community College Facilities Grant Program. Provide funds to assist the subdivisions in the continued construction of local

and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11–105(j) of the Education Article 50,945,000

- (1) Garrett College – Science, Technology, Engineering, and Mathematics Building Renovation and Addition 3,623,000
- (2) Harford Community College – Edgewood Hall Renovation and Expansion..... 529,000
- (3) Howard Community College – Science, Engineering, and Technology Building 6,214,000
- (4) Montgomery College – Science and Applied Studies Building Renovation and Addition..... 9,370,000
- (5) Prince George’s Community College – Lanham Hall Renovation and Addition..... 8,626,000
- (6) Prince George’s Community College – Queen Anne Academic Center Renovation and Addition..... 18,286,000
- (7) Community College of Baltimore County – Historic Hilton Mansion Rehabilitation Project..... 1,244,000
- (8) Wor–Wic Community College – Academic and Administrative Building and Maner Technology Center Renovation 3,053,000

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

(A) New Behavioral and Social Sciences Building. Provide funds to complete construction of a new academic and research facility for behavioral and social sciences 30,150,000

UB00 MARYLAND ENVIRONMENTAL SERVICE

(A)	Infrastructure Improvement Fund. Provide funds to design, construct and equip water and wastewater facility improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent on the projects listed below or on prior or future authorized projects. Expenditure of any part of this appropriation for a prior or future authorized project shall also require notification to the General Assembly	14,058,000
	(1) Eastern Correctional Institution – Wastewater Treatment Plant (Somerset County)	8,943,000
	(2) Eastern Correctional Institution – Co-Generation Plant Upgrades (Somerset County)	2,000,000
	(3) Maryland Correctional Institution – Hagerstown – Wastewater Treatment Plant Upgrade (Washington County)	2,000,000
	(4) Southern Pre-Release Unit – Wastewater Treatment Plant Improvements (Charles County).....	285,000
	(5) Western Correctional Institution – Wastewater Pump Station Improvements (Allegany County) ..	830,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(A)	Angel’s Watch Shelter. Provide a grant to Catholic Charities Archdiocese of Washington to assist in funding the design, construction, repair, renovation, reconstruction, and capital equipping of the Angel’s Watch Shelter (Charles County).....	500,000
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(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2023. If any funds

authorized by this Act remain unexpended or unencumbered after June 1, 2023, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.]

[SECTION 13. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2017 in total principal amount of \$271,004,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

DH01.04

MILITARY DEPARTMENT

- (A) Combined Support Maintenance Shop Automotive Maintenance Facility. Provide funds to complete construction of a new Maryland Army National Guard automotive maintenance facility within the existing combined support maintenance shop complex at the Havre de Grace Readiness Center (Harford County) 1,000,000
- (B) Easton Readiness Center. Provide funds to complete construction of a new Maryland Army National Guard Readiness Center in Easton (Talbot County) 1,500,000

RA01

STATE DEPARTMENT OF EDUCATION
(Baltimore City)

- (A) State Library Resource Center. Provide funds to continue renovation of the Central Branch of Baltimore City’s Enoch Pratt Free Library System 23,200,000

UNIVERSITY SYSTEM OF MARYLAND

RB21	UNIVERSITY OF MARYLAND, BALTIMORE (Baltimore City)	
(A)	Health Sciences Research Facility III. Provide funds to complete construction of a new research facility for the Schools of Medicine, Pharmacy, and Dentistry at the University of Maryland, Baltimore	2,000,000
RB22	UNIVERSITY OF MARYLAND, COLLEGE PARK (Prince George’s County)	
(A)	New Bioengineering Building. Provide funds to complete construction of a new bioengineering building	54,100,000
(B)	Brendan Iribe Center for Computer Science and Innovation. Provide funds to design, construct, and equip a new facility for the Department of Computer Science and the University of Maryland Institute for Advanced Computer Studies	67,500,000
RB31	UNIVERSITY OF MARYLAND BALTIMORE COUNTY (Baltimore County)	
(A)	Interdisciplinary Life Sciences Building. Provide funds to construct a new academic facility for interdisciplinary life sciences	53,000,000
RB36	UNIVERSITY SYSTEM OF MARYLAND OFFICE (Montgomery County)	
(A)	Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Provide funds to complete construction of an academic facility at Shady Grove Educational Center (Montgomery County)	56,050,000
RI00	MARYLAND HIGHER EDUCATION COMMISSION (Statewide)	
(A)	Community College Facilities Grant Program. Provide funds to assist the subdivisions in the continued construction of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11–105(j) of the Education Article	8,288,000
	(1) Prince George’s Community College – Queen Anne Academic Center	

Renovation and Addition 8,288,000

UB00 MARYLAND ENVIRONMENTAL SERVICE

(A) Infrastructure Improvement Fund. Provide funds to design, construct and equip water and wastewater facility improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without General Assembly notification. Funds may only be spent on the projects listed below or on prior or future authorized projects. Expenditure of any part of this appropriation for a prior or future authorized project shall also require notification to the General Assembly 4,366,000

(1) Eastern Correctional Institution – Wastewater Treatment Plant (Somerset County) 2,772,000

(2) Eastern Correctional Institution – Co-Generation Plant Upgrades (Somerset County) 1,594,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2024. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2024, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.]

[SECTION 14. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2018 in total principal amount of \$57,953,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under §

8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

RA01	STATE DEPARTMENT OF EDUCATION (Baltimore City)	
(A)	State Library Resource Center. Provide funds to complete renovation of the Central Branch of Baltimore City’s Enoch Pratt Free Library System	14,550,000
RB31	UNIVERSITY OF MARYLAND BALTIMORE COUNTY (Baltimore County)	
(A)	Interdisciplinary Life Sciences Building. Provide funds to construct a new academic facility for interdisciplinary life sciences	43,000,000
UB00	MARYLAND ENVIRONMENTAL SERVICE	
(A)	Infrastructure Improvement Fund. Provide funds to design, construct and equip water and wastewater facility improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without General Assembly notification. Funds may only be spent on the projects listed below or on prior or future authorized projects. Expenditure of any part of this appropriation for a prior or future authorized project shall also require notification to the General Assembly	403,000
	(1) Eastern Correctional Institution – Wastewater Treatment Plant (Somerset County)	403,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2025. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2025, the amount of the unencumbered or unexpended authorization shall be canceled and be of no

further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.]

SECTION 3. AND BE IT FURTHER ENACTED, That the General Assembly declares that it is the public policy of this State to manage State general obligation bond debt in a manner that will maintain Maryland’s AAA bond rating. The General Assembly further declares that legislative oversight, control, and review of all forms of State obligations are essential to maintenance of the State’s existing bond rating and protection of the fiscal integrity of the State.

SECTION 4. AND BE IT FURTHER ENACTED, That, before work may commence pursuant to any supplement to any appropriation contained in this Act, satisfactory evidence must be given to the Board of Public Works that the project can be completed with the aggregate of the funds in this Act and previously appropriated for the stated purpose.

SECTION 5. AND BE IT FURTHER ENACTED, That:

(1) with the approval of the Department of Budget and Management, any appropriation for design provided in this Act may be used to fund construction if the amount of the appropriation exceeds the amount required for design expenses, including allowances for contingencies; and

(2) with the approval of the Department of Budget and Management, any appropriation for construction provided in this Act may be used to purchase capital equipment if the amount of the appropriation exceeds the amount required for construction expenses, including allowances for contingencies.

SECTION 6. AND BE IT FURTHER ENACTED, That, except as otherwise provided in this Act, before a State agency or institution named in this Act as responsible for an individual item may begin work with funds appropriated by this Act, the agency or institution shall provide satisfactory evidence to the Board of Public Works that the work described in the individual item can be completed with the funds specified for that item.

SECTION 7. AND BE IT FURTHER ENACTED, That, with the approval of the Department of Budget and Management, any appropriation under the provisions of this Act that is in excess of the amount needed for a project may be credited to the Construction Contingency Fund under § 3–609 of the State Finance and Procurement Article.

SECTION 8. AND BE IT FURTHER ENACTED, That, if federal funds are available to help accomplish any project identified in this Act, the State agency or institution responsible for the project shall make efforts through proper administrative procedures to obtain these federal funds. Before spending any funds appropriated by this Act, the agency or institution shall certify its efforts to the Board of Public Works and state the reason for any failure to obtain federal funds. If federal funds are obtained, they shall be used to defray the costs of the project described in this Act and not to expand its scope.

SECTION 9. AND BE IT FURTHER ENACTED, That:

(1) for any appropriation for the planning of a State-owned project provided in this Act, if a program required by § 3-602(d) of the State Finance and Procurement Article has not been submitted, the State agency or institution responsible for the project shall submit a program to the Department of Budget and Management for approval before funds may be expended from the appropriation; and

(2) for any appropriation for the construction of a State-owned project provided in this Act, if preliminary plans and outline specifications required by § 3-602(f)(2)(i) of the State Finance and Procurement Article have not been prepared, the State agency or institution responsible for the project shall submit preliminary plans and outline specifications to the Department of Budget and Management for approval before funds may be expended from the appropriation.

SECTION 10. AND BE IT FURTHER ENACTED, That no portion of the proceeds of a loan or any of the matching funds provided for a project funded under this Act may be used for the furtherance of sectarian religious instruction, or in connection with the design, acquisition, construction, or equipping of any building used or to be used as a place of sectarian religious worship or instruction, or in connection with any program or department of divinity for any religious denomination. Upon the request of the Board of Public Works, a recipient of the proceeds of a loan under this Act shall submit evidence satisfactory to the Board that none of the proceeds of the loan or any matching funds has been or is being used for a purpose prohibited by this Act.

SECTION 11. AND BE IT FURTHER ENACTED, That the Comptroller may advance funds to any loan funds account established pursuant to a general obligation bond loan enabling Act for any expenditure authorized by that Act, provided that if general obligation bonds have not been issued under the authority of that Act, the next ensuing sale of general obligation bonds shall include the issuance of bonds under the authority of that Act in an amount at least equivalent to the amount of the funds so advanced.

SECTION 12. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2017 in total principal amount of ~~\$282,208,000~~ ~~\$437,208,000~~ ~~\$446,008,000~~ \$466,508,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8-117 through 8-124 and 8-131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8-122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

DE02.01 BOARD OF PUBLIC WORKS

STATE GOVERNMENT CENTER – ANNAPOLIS
(Anne Arundel County)

(A) Annapolis Post Office. Provide funds to complete construction of renovations to the Annapolis Post Office 4,200,000

JUDICIARY/MULTISERVICE CENTERS

(B) New Catonsville District Court. Provide funds to continue construction of a new district court building/multiservice center in Catonsville and on-site parking garage (Baltimore County). 40,853,000

DH01.04 MILITARY DEPARTMENT

(A) Easton Readiness Center. Provide funds to complete construction of a new Maryland Army National Guard Readiness Center in Easton (Talbot County) ~~4,403,000~~
3,632,000

(B) Havre de Grace Combined Support Maintenance Shop Automotive Maintenance Facility. Provide funds to complete design and continue to construct a new Maryland Army National Guard automotive maintenance facility within the existing combined support maintenance shop complex at the Havre de Grace Readiness Center, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project 1,645,000

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

MA01 OFFICE OF THE SECRETARY

(A) Rosewood Property Environmental Abatement. Provide funds to design and construct environmental abatement of property at the Rosewood Center, including the demolition of buildings, removal and disposal of hazardous debris, disconnection and capping or removal of utilities, site restoration, and the demolition of the existing roadway and construction of a new

roadway (Baltimore County)..... 10,000,000

DEPARTMENT OF PUBLIC SAFETY AND
CORRECTIONAL SERVICES

QT04 DIVISION OF PRETRIAL DETENTION
(Baltimore City)

(A) Demolition of Buildings at the Baltimore City Correctional Complex. Provide funds to complete construction to demolish the buildings at the Baltimore City Correctional Complex ~~16,925,000~~
~~25,925,000~~
26,925,000

RA01 STATE DEPARTMENT OF EDUCATION
(Baltimore City)

(A) State Library Resource Center. Provide funds to continue renovation of the Central Branch of Baltimore City’s Enoch Pratt Free Library System, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project 30,528,000

UNIVERSITY SYSTEM OF MARYLAND

RB21 UNIVERSITY OF MARYLAND, BALTIMORE
(Baltimore City)

(A) Health Sciences Research Facility III. Provide funds to complete construction of a new research facility for the Schools of Medicine, Pharmacy, and Dentistry at the University of Maryland, Baltimore 3,400,000

RB22 UNIVERSITY OF MARYLAND, COLLEGE PARK
(Prince George’s County)

(A) A. James Clark Hall – New Bioengineering Building. Provide funds to continue construction of a new bioengineering building, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project 11,227,000

(B) Brendan Iribe Center for Computer Science *and Innovation*. Provide funds to complete construction of a new computer science building 69,550,000

- (C) New Cole Field House. Provide funds to continue construction of a human performance and academic research facility located at the University of Maryland, College Park, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project 12,185,000
- (D) New School of Public Affairs. Provide funds to design, construct, and equip the New School of Public Affairs..... 3,000,000

RB27 COPPIN STATE UNIVERSITY
(Baltimore City)

- (A) Percy Julian Science Building. Provide funds to design renovations and an addition to the Percy Julian Science Building to house the School of Business and School of Graduate Studies programs (Baltimore City) 1,300,000

RB28 UNIVERSITY OF BALTIMORE
(Baltimore City)

- (A) Langsdale Library. Provide funds to complete construction of the renovation of the Langsdale Library 3,150,000

RB31 UNIVERSITY OF MARYLAND BALTIMORE COUNTY
(Baltimore County)

- (A) Interdisciplinary Life Sciences Building. Provide funds to continue construction of an Interdisciplinary Life Sciences Building, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project..... 60,000,000

RB36 UNIVERSITY SYSTEM OF MARYLAND OFFICE
(Montgomery County)

- (A) Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Provide funds to continue the construction of an academic facility at Shady Grove Educational Center, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all of the funds necessary to complete this project. ~~83,000,000~~
88,000,000

RI00 MARYLAND HIGHER EDUCATION COMMISSION
(Statewide)

- (A) Community College Facilities Grant Program. Provide funds to assist the subdivisions in the continued construction of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11-105(j) of the Education Article 45,817,000
 - (1) Community College of Baltimore County – Essex Health Careers and Technology Building Renovation and Expansion Project
 - (2) Frederick Community College – Monroe Center Renovation Project
 - (3) Garrett College – Performing Arts and Community Education Renovation and Expansion Project
 - (4) Montgomery College – New Rockville Student Center Project
 - (5) Prince George’s Community College – Queen Anne Academic Center Renovation and Addition

RM00 MORGAN STATE UNIVERSITY
(Baltimore City)

- (A) New Behavioral and Social Sciences Building. Provide funds to complete construction and equipping of a new academic and research facility for behavioral and social sciences 2,800,000

UB00 MARYLAND ENVIRONMENTAL SERVICE

- (A) Infrastructure Improvement Fund. Provide funds to design, construct and equip water and wastewater facility improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent on the projects listed below or on prior or future authorized projects. Expenditure of any part of this appropriation for a prior or future authorized project shall also require notification to the General Assembly 6,767,000
 - (1) Camp Fretterd – Water and Wastewater Treatment Plants and Water Distribution System

	Upgrades (Baltimore County)	1,000,000
(2)	Cunningham Falls State Park – Water Treatment Plant (Frederick County)	1,095,000
(3)	Eastern Correctional Institution – Co-Generation Plant Upgrades (Somerset County)	800,000
(4)	Eastern Correctional Institution – Wastewater Treatment Plant (Somerset County)	2,772,000
(5)	Eastern Pre-Release – Wastewater Treatment Plant (Queen Anne’s County)	1,100,000

DEPARTMENT OF JUVENILE SERVICES

VE01

RESIDENTIAL SERVICES

(A)	New Female Detention Center. Provide funds to continue construction for a replacement detention facility for female youths on the grounds of the Thomas O’Farrell Youth Center, provided that notwithstanding Section 6 of this Act, work may commence on this project prior to the appropriation of all funds necessary to complete this project (Carroll County)	28,758,000
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ZA00

MISCELLANEOUS GRANT PROGRAMS

(A)	<u>Downtown Frederick Hotel and Conference Center. Provide a grant of \$7,500,000 to the Mayor and Board of Aldermen of the City of Frederick for the acquisition, planning, design, construction, repair, renovation, and reconstruction of the Downtown Frederick Hotel and Conference Center, located in Frederick County (Frederick County)</u>	<u>7,500,000</u>
(B)	<u>Strathmore Hall Performing Arts Center. Provide a grant to the Board of Directors of Strathmore Hall Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of infrastructure improvements to the Strathmore Hall Performing Arts Center, located in Montgomery County, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Montgomery County)</u>	<u>3,000,000</u>

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2024. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2024, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

SECTION 13. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2018 in total principal amount of ~~\$42,631,000~~ ~~\$116,631,000~~ ~~\$105,631,000~~ \$121,131,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects’ and engineers’ fees:

DH01.04

MILITARY DEPARTMENT

- (A) Havre de Grace Combined Support Maintenance Shop Automotive Maintenance Facility. Provide funds to complete construction of a new Maryland Army National Guard automotive maintenance facility within the existing combined support maintenance shop complex at the Havre de Grace Readiness Center (Harford County) 1,000,000

DEPARTMENT OF HEALTH AND MENTAL HYGIENE

MA01

OFFICE OF THE SECRETARY

(A) Rosewood Property Environmental Abatement. Provide funds to design and construct environmental abatement of property at the Rosewood Center, including the demolition of buildings, removal and disposal of hazardous debris, disconnection and capping or removal of utilities, site restoration, and the demolition of the existing roadway and construction of a new roadway (Baltimore County)..... 5,000,000

RA01 STATE DEPARTMENT OF EDUCATION
(Baltimore City)

(A) State Library Resource Center. Provide funds to complete renovations of the Central Branch of Baltimore City’s Enoch Pratt Free Library System 3,512,000

UNIVERSITY SYSTEM OF MARYLAND

RB22 UNIVERSITY OF MARYLAND, COLLEGE PARK
(Prince George’s County)

(A) A. James Clark Hall – New Bioengineering Building. Provide funds to complete construction of a new bioengineering building 3,533,000

(B) New Cole Field House. Provide funds to continue construction of a human performance and academic research facility located at the University of Maryland, College Park 6,013,000

(C) New School of Public Affairs. Provide funds to design, construct, and equip a new School of Public Affairs at the University of Maryland, College Park..... 17,000,000

RB31 UNIVERSITY OF MARYLAND BALTIMORE COUNTY

(A) Interdisciplinary Life Sciences Building. Provide funds to continue construction of an Interdisciplinary Life Sciences Building, provided that notwithstanding Section 6 of this Act, work may continue on this project prior to the appropriation of all funds necessary to complete this project..... 40,000,000

RB36 UNIVERSITY SYSTEM OF MARYLAND OFFICE
(Montgomery County)

(A) Shady Grove Educational Center – Biomedical Sciences and Engineering Education Building. Provide funds to continue the construction of an academic facility at Shady Grove Educational Center, provided that notwithstanding Section 6

of this Act, work may continue on this project prior to the appropriation of all of the funds necessary to complete this project.

~~17,000,000~~

6,000,000

RI00 MARYLAND HIGHER EDUCATION COMMISSION
(Statewide)

(A) Community College Facilities Grant Program. Provide funds to assist the subdivisions in the continued construction of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11-105(j) of the Education Article

13,492,000

(1) Community College of Baltimore County – Essex Health Careers and Technology Building Renovation and Expansion Project

(2) Garrett College – Community Education and Performing Arts Building (Garrett County)

UB00 MARYLAND ENVIRONMENTAL SERVICE

(A) Infrastructure Improvement Fund. Provide funds to design, construct and equip water and wastewater facility improvements for State institutions. Expenditures for any of the following projects may not exceed the amount listed below by more than 7.5% without notification to the General Assembly. Funds may only be spent on the project listed below or on prior or future authorized projects. Expenditure of any part of this appropriation for a prior or future authorized project shall also require notification to the General Assembly

702,000

(1) Eastern Correctional Institution – Co-Generation Plant Upgrades (Somerset County) 702,000

DEPARTMENT OF JUVENILE SERVICES

VE01 RESIDENTIAL SERVICES

(A) New Female Detention Center. Provide funds to complete construction for a replacement detention facility for female

youths on the grounds of the Thomas O’Farrell Youth Center (Carroll County) 14,379,000

ZA00 MISCELLANEOUS GRANT PROGRAMS

(A) Downtown Frederick Hotel and Conference Center. Provide a grant of \$7,500,000 to the Mayor and Board of Aldermen of the City of Frederick for the acquisition, planning, design, construction, repair, renovation, and reconstruction of the Downtown Frederick Hotel and Conference Center, located in Frederick County (Frederick County) 7,500,000

(B) Strathmore Hall Performing Arts Center. Provide a grant to the Board of Directors of Strathmore Hall Foundation, Inc. for the acquisition, planning, design, construction, repair, renovation, reconstruction, and capital equipping of infrastructure improvements to the Strathmore Hall Performing Arts Center, located in Montgomery County, subject to the requirement that the grantee provide an equal and matching fund for this purpose (Montgomery County) 3,000,000

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2025. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2025, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8–129 of the State Finance and Procurement Article.

SECTION 14. AND BE IT FURTHER ENACTED, That:

(1) The Board of Public Works may borrow money and incur indebtedness on behalf of the State of Maryland through a State loan to be known as the Maryland Consolidated Capital Bond Loan Preauthorization Act of 2019 in total principal amount of \$10,500,000. These loans shall be evidenced by the issuance, sale, and delivery of State general obligation bonds authorized by a resolution of the Board of Public Works and issued, sold, and delivered in accordance with §§ 8–117 through 8–124 and 8–131.2 of the State Finance and Procurement Article of the Annotated Code of Maryland.

(2) The bonds to evidence these loans or installments of these loans may be sold as a single issue or may be consolidated and sold as part of a single issue of bonds under § 8–122 of the State Finance and Procurement Article.

(3) The cash proceeds of the sale of the bonds shall be paid to the Treasurer and first shall be applied to the payment of the expenses of issuing, selling, and delivering the bonds, unless funds for this purpose are otherwise provided, and then shall be credited on the books of the Comptroller and expended, on approval by the Board of Public Works, for the following public purposes, including any applicable architects' and engineers' fees:

RI00	MARYLAND HIGHER EDUCATION COMMISSION (Statewide)	
(A)	Community College Facilities Grant Program. Provide funds to assist the subdivisions in the continued construction of local and regional community college buildings, site improvements, and facilities. The funds appropriated for this purpose shall be administered in accordance with § 11-105(j) of the Education Article	10,500,000
	(1) Community College of Baltimore County – Essex Health Careers and Technology Building Renovation and Expansion Project	

(4) An annual State tax is imposed on all assessable property in the State in rate and amount sufficient to pay the principal and interest on the bonds as and when due and until paid in full. The principal shall be discharged within 15 years after the date of the issuance of the bonds.

(5) The proceeds of these loans must be expended or encumbered by the Board of Public Works for the purposes provided in this Act no later than June 1, 2026. If any funds authorized by this Act remain unexpended or unencumbered after June 1, 2026, the amount of the unencumbered or unexpended authorization shall be canceled and be of no further effect. If bonds have been issued for these loans, the amount of unexpended or unencumbered bond proceeds shall be disposed of as provided in § 8-129 of the State Finance and Procurement Article.

SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding Section 6 of this Act, work may commence on the demolition of buildings at the Baltimore City Correctional Complex prior to the appropriation of all funds necessary to complete this project using general fund pay-as-you-go capital appropriations restricted for this purpose in the State Reserve Fund in combination with general obligation bond funds for this project pre-authorized in this Act for the Maryland Consolidated Capital Bond Loan of 2017.

SECTION ~~15~~ 16. AND BE IT FURTHER ENACTED, That the net new debt to be authorized by legislation in fiscal year 2017 may not exceed ~~\$993,762,801~~ ~~\$990,113,801~~ \$995,000,000 as evidenced by the following:

FY 2017 debt to be authorized by this Act	1,002,385,000
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	<u>998,686,000</u>
	<u>\$1,005,072,199</u>
Subtotal.....	1,002,385,000
	<u>998,686,000</u>
	<u>\$1,005,072,199</u>
Reductions in previously authorized State Debt made in this bill	8,622,199
	<u>8,572,199</u>
	<u>10,072,199</u>
Net new debt to be authorized in FY 2017.....	993,762,801
	<u>990,113,801</u>
	<u>995,000,000</u>

SECTION ~~16~~ 17. AND BE IT FURTHER ENACTED, That Section 12 of this Act shall take effect June 1, 2017.

SECTION ~~17~~ 18. AND BE IT FURTHER ENACTED, That Section 13 of this Act shall take effect June 1, 2018.

SECTION ~~18~~ 19. AND BE IT FURTHER ENACTED, That Section 14 of this Act shall take effect June 1, 2019.

SECTION ~~19~~ 20. AND BE IT FURTHER ENACTED, That, except as provided in Sections ~~16, 17, and 18~~ 17, 18, and 19 of this Act, this Act shall take effect June 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 8, 2016.

Chapter 28

(House Bill 3)

AN ACT concerning

**Public Utilities – Transportation Network Services and For-Hire
Transportation – Clarifications**

FOR the purpose of clarifying certain provisions relating to transportation network services and for-hire transportation; expanding the types of insurers writing motor vehicle liability insurance that may exclude certain coverage under certain circumstances; altering the entities that may conduct a certain criminal history records check for sedan companies, limousine companies, taxicab companies, and transportation network companies; delaying the date by which the Public Service Commission may

not require a certain applicant for a for-hire driver's license or transportation network operator's license to comply with a certain criminal history records check; authorizing certain taxicabs to be equipped with a certain device approved by the Commission; allowing the ~~Public Service~~ Commission to disclose certain records or information required by certain orders; allowing the Commission to disclose to the Comptroller certain records or information that relate to certain assessments or obligations; requiring the Commission to provide certain information to the Comptroller on request; clarifying that a certain license hearing officer may hold certain hearings involving certain violations by a transportation network operator, transportation network partner, or transportation network driver licensed or otherwise authorized to provide transportation network services; allowing a certain license hearing officer to hold certain hearings involving certain violations by a sedan company, limousine company, taxicab company, or transportation network company; clarifying that the For-Hire Driving Services Enforcement Fund may be used solely for certain activities related to for-hire driving services; prohibiting a transportation network company from operating in the State unless the transportation network company has been issued a certain permit; requiring the Commission to promptly notify a transportation network company of a certain order under certain circumstances; prohibiting an exempt jurisdiction from imposing more than one assessment or similar charge on a transportation network service; specifying that the sum of certain assessments may not exceed a certain amount; specifying whether a certain county or municipal corporation may impose an assessment; requiring a certain county to notify certain municipal corporations under certain circumstances; requiring a certain municipal corporation to notify a certain county under certain circumstances; specifying when a municipal corporation has certain priority over a county to impose an assessment; specifying when a county has certain priority over a certain municipal corporation; requiring a county and a municipal corporation that enter into a certain agreement to provide a copy of the agreement to the Comptroller; providing the time period and notification requirement before a certain assessment or change in assessment is to take effect; requiring, at the Comptroller's discretion, the Comptroller to distribute assessments in a certain manner; prohibiting the Comptroller from disclosing certain records or information except under certain circumstances; authorizing the Comptroller to review or inspect certain information in a certain manner; requiring that certain provisions of law govern the administration, collection, enforcement, and appeals of certain revenues; requiring the Comptroller to enforce certain provisions of law; clarifying that a person is prohibited from operating a vehicle that provides passenger-for-hire services in the State unless the person is licensed or otherwise authorized by the Commission as a transportation network operator, transportation network partner, or transportation network driver; prohibiting a person from operating a transportation network company unless the person has been issued a certain permit by the Commission; altering a certain definition; altering a certain intent of the General Assembly; making stylistic changes; making technical corrections; making this Act an emergency measure; and generally relating to transportation network services and for-hire transportation.

BY repealing and reenacting, with amendments,

Article – Insurance

Section 19–517(c)(1), (2), and (5) and (d)(2) and (3) and 19–517.1
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Utilities

Section 10–101(a), (d), (g), and (m), 10–104.1(a), 10–210(a), and 10–404(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Article – Public Utilities

Section 10–101(l), 10–104.1(b), (d), (e), and (h), 10–110(b), 10–112(e), 10–210(b),
10–404(b), (d), (e), and (h), 10–406, and 10–502
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, ~~without~~ with amendments,

Article – Public Utilities

Section 10–101(n)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)
(As enacted by Chapter 204 of the Acts of the General Assembly of 2015)

BY adding to

Article – Public Utilities

Section 10–403.1
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,

Chapter 204 of the Acts of the General Assembly of 2015
Section 2

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

Article – Insurance

19–517.

(c) (1) An ~~authorized~~ insurer that writes motor vehicle liability insurance in the State **AND THE MARYLAND AUTOMOBILE INSURANCE FUND** may exclude any and all coverage and the duty to defend afforded under an owner’s or operator’s personal motor vehicle insurance policy for any loss or injury that occurs while the vehicle operator is providing transportation network services.

(2) [A motor vehicle] **IF AN** insurer that **WRITES MOTOR VEHICLE LIABILITY INSURANCE IN THE STATE** defends or indemnifies a claim against a driver for which coverage is excluded under the terms of its policy, **THE INSURER** shall have a right of contribution against other insurers that provide insurance to the same driver in satisfaction of the requirements of § 10–405 of the Public Utilities Article at the time of the loss.

(5) If [a motor vehicle] **AN** insurer **THAT WRITES MOTOR VEHICLE LIABILITY INSURANCE IN THE STATE** excludes coverage for providing transportation network services, the [motor vehicle] insurer shall provide written notice to the named insured stating that the policy excludes coverage for providing transportation network services:

(i) for a policy initially purchased on or after January 1, 2016, at the time of issuance; and

(ii) for a policy in force before January 1, 2016, at the time the policy first renews after January 1, 2016.

(d) (2) Coverage under a motor vehicle insurance policy maintained by a transportation network company may not be dependent on a personal [motor vehicle] insurer **THAT WRITES MOTOR VEHICLE LIABILITY INSURANCE IN THE STATE** first denying a claim, nor may a personal motor vehicle insurance policy be required to first deny a claim.

(3) Nothing in this section or § 10–405 of the Public Utilities Article precludes [a motor vehicle] **AN** insurer **THAT WRITES MOTOR VEHICLE LIABILITY INSURANCE IN THE STATE** from providing coverage for an operator's motor vehicle while the operator is providing transportation network services if the [motor vehicle] insurer elects to do so by contract or endorsement.

19–517.1.

(a) Beginning July 1, 2017, and annually thereafter through July 1, 2021, the Commissioner shall make a determination whether, with regard to the required coverages under § 10–405(a) of the Public Utilities Article, there is a viable, affordable, and adequate market of [admitted carriers] **AUTHORIZED INSURERS** in the State, **INCLUDING THE MARYLAND AUTOMOBILE INSURANCE FUND**, available to provide the required coverages to the transportation network services industry.

(b) To the extent that the Commissioner makes an affirmative finding of availability, and in accordance with the provisions of Title 3, Subtitle 3 of this article, it is the intent of the General Assembly that required coverages be obtained from [admitted] **AUTHORIZED** insurers **AND THE MARYLAND AUTOMOBILE INSURANCE FUND**.

Article – Public Utilities

10–101.

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

(d) “For–hire driver’s license” includes:

(1) a passenger–for–hire license; and

(2) a taxicab driver’s license.

(g) “Provide passenger–for–hire services” includes:

(1) providing limousine services;

(2) providing sedan services; and

(3) providing transportation network services.

(l) “Transportation network company” means a company that [has been issued a permit by the Commission and] operates in the State using a digital network to connect passengers to transportation network operators or transportation network partners for transportation network services.

(m) “Transportation network operator”, “transportation network partner”, or “transportation network driver” means an individual who:

(1) has been issued a transportation network operator’s license, or is otherwise authorized, by the Commission to provide transportation network services;

(2) receives, through a transportation network company’s digital network application, a connection to a potential passenger to transport the passenger between points chosen by the passenger in exchange for the payment of a fee to the transportation network company; and

(3) uses a motor vehicle that is owned, leased, or otherwise authorized for use by the individual and is approved for use in providing transportation network services by the Commission.

(n) (1) “Transportation network services” means the activities of an operator during:

(i) transportation network coverage period one, during which the operator is logged onto and ready to accept a prearranged ride request made through a transportation network company’s digital network application;

(ii) transportation network coverage period two, during which the operator accepts a ride request from a passenger that is prearranged through a transportation network company's digital network application, and is traveling to a predetermined location to pick up the passenger; and

(iii) transportation network coverage period three, during which the operator transports the passenger and continuing until the passenger departs the motor vehicle.

(2) "Transportation network services" does not include:

(I) providing taxicab services, sedan services, or limousine services;

OR

(II) ANY SHARED EXPENSE CARPOOL ARRANGEMENT OR SERVICE OR OTHER TYPE OF ARRANGEMENT OR SERVICE IN WHICH A DRIVER RECEIVES A FEE THAT DOES NOT EXCEED THE DRIVER'S COSTS ASSOCIATED WITH PROVIDING A RIDE.

10-104.1.

(a) An applicant for a for-hire driver's license may not provide sedan services, limousine services, or taxicab services unless the Commission has authorized the applicant to operate on a provisional basis or has issued a valid temporary or permanent driver's license to provide sedan services, limousine services, or taxicab services.

(b) The Commission may approve an applicant and issue a temporary driver's license to the applicant if:

(1) the applicant provides all information that the Commission requires for the application, including the information specified in item (2) of this subsection; and

(2) the Commission is satisfied with the successful submission of the applicant's:

(i) national criminal history records check:

1. conducted by [the National Association of Professional Background Screeners] **A CONSUMER REPORTING AGENCY AS DEFINED UNDER § 14-1201 OF THE OF THE COMMERCIAL LAW ARTICLE** or a comparable entity approved by the Commission; and

2. that includes:

A. a Multi-State Multi-Jurisdiction Criminal Records Database Search or a search of a similar nationwide database with validation;

- Registry; and
- B. a search of the Sex Offender [and Crimes Against Minors]
- C. a search of the U.S. Department of Justice’s National Sex Offender Public Web site; and
- (ii) driving record check that includes a driving history research report.

(d) Before [April 1, 2016] **DECEMBER 15, 2016**, the Commission may not require an applicant for a for-hire driver’s license to comply with subsection (c) of this section if a sedan company or limousine company for which the applicant will provide services, at the time it applies for a permit, provides to the Commission details of the process the sedan company or limousine company uses to collect, review, and submit the information specified in subsection (b)(2) of this section.

(e) (1) A sedan company or limousine company may request that the Commission waive the requirement to comply with subsection (c) of this section and instead comply with subsection (b)(2) of this section for applicants and drivers of the sedan company or limousine company.

(2) On receipt of a request under paragraph (1) of this subsection, the Commission shall:

(i) determine whether the sedan company’s or limousine company’s process for complying with subsection (b)(2) of this section can be shown to be as comprehensive and accurate as complying with the supplemental criminal background check as set forth under § 10–104(b) of this subtitle; and

(ii) within 3 months [of] **AFTER** receiving the request, determine whether to:

1. grant the waiver;
2. deny the waiver; or
3. approve an alternative process.

(h) (1) ~~{Records} EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, RECORDS OR INFORMATION~~ provided to the Commission by a sedan company, limousine company, or taxicab company under this section are not subject to release under the Maryland Public Information Act [or any other law].

(2) The Commission may not disclose records or information provided to the Commission under this section to any person unless the disclosure is required by ~~subpoena [or]~~ court order, **OR ORDER OF THE MARYLAND TAX COURT.**

(3) ~~If a subpoena [or], A court order, OR AN ORDER OF THE MARYLAND TAX COURT requires the Commission to disclose information provided to the Commission under this section~~ **ON NOTICE THAT A PERSON IS SEEKING RECORDS OR INFORMATION UNDER PARAGRAPH (2) OF THIS SUBSECTION,** the Commission shall promptly notify the sedan company, limousine company, or taxicab company before disclosing the **RECORDS OR** information.

10-110.

(b) The license hearing officer may hold a hearing involving a violation of this division or the Commission's regulations:

(1) by a for-hire driver licensed by the Commission, **INCLUDING A TRANSPORTATION NETWORK OPERATOR, TRANSPORTATION NETWORK PARTNER, OR TRANSPORTATION NETWORK DRIVER LICENSED OR OTHERWISE AUTHORIZED BY THE COMMISSION TO PROVIDE TRANSPORTATION NETWORK SERVICES; [and]**

(2) except for a violation relating to rates, by a holder of a taxicab permit issued by the Commission; **AND**

(3) **BY A SEDAN COMPANY, LIMOUSINE COMPANY, TAXICAB COMPANY, OR TRANSPORTATION NETWORK COMPANY.**

10-112.

(e) The Fund is to be used solely for statewide enforcement activities of the Commission relating to [taxicab services, limousine services, and sedan] **FOR-HIRE DRIVING** services.

10-210.

(a) (1) A taxicab permit holder shall post in each of its taxicabs a schedule of its fares on a rate card.

(2) The rate card shall be printed and arranged in a way that allows a passenger to determine readily the exact fare payable by the passenger.

(3) A person may not collect a fare other than a fare appearing on or determinable from the rate card posted in the taxicab.

(b) (1) This subsection does not apply to a taxicab operating in the City of Hagerstown.

(2) [(i)] Except as provided in subsection (c) of this section, while in service, each taxicab for which a permit is required shall be equipped with:

(I) an accurate taximeter that is properly installed and connected[.];
OR

(ii) [The taximeter shall be the exclusive means of] ANOTHER DEVICE THE COMMISSION APPROVES FOR measuring the charges for service [and is subject to inspection and testing by the Commission.]

10-403.1.

A TRANSPORTATION NETWORK COMPANY MAY NOT OPERATE IN THE STATE UNLESS THE COMMISSION HAS ISSUED A PERMIT TO THE TRANSPORTATION NETWORK COMPANY.

10-404.

(a) An operator may not provide transportation network services unless the Commission has authorized the operator to operate on a provisional basis or has issued a valid temporary or permanent transportation network operator's license to provide transportation network services.

(b) The Commission may approve an applicant to be an operator and issue a temporary transportation network operator's license to the applicant if:

(1) the applicant provides all information that the Commission requires for the application, including the information specified in item (2) of this subsection; and

(2) the Commission is satisfied with the successful submission of the applicant's:

(i) national criminal history records check:

1. conducted by [the National Association of Professional Background Screeners] **A CONSUMER REPORTING AGENCY AS DEFINED UNDER § 14-1201 OF THE COMMERCIAL LAW ARTICLE** or a comparable entity approved by the Commission; and

2. that includes:

A. a Multi-State Multi-Jurisdiction Criminal Records Database Search or a search of a similar nationwide database with validation;

B. a search of the Sex Offender [and Crimes Against Minors] Registry; and

C. a search of the U.S. Department of Justice's National Sex Offender Public Web site; and

(ii) driving record check that includes a driving history research report.

(d) Before [April 1, 2016] **DECEMBER 15, 2016**, the Commission may not require an applicant for a permanent transportation network operator's license to comply with subsection (c) of this section if a transportation network company for which the applicant will provide services, at the time it applies for a permit, provides to the Commission details of the process the transportation network company uses to collect, review, and submit the information specified in subsection (b)(2) of this section.

(e) (1) A transportation network company may request that the Commission waive the requirement to comply with subsection (c) of this section and instead require compliance with subsection (b)(2) of this section for applicants and operators of the transportation network company.

(2) On receipt of a request under paragraph (1) of this subsection, the Commission shall:

(i) determine whether the transportation network company's process for complying with subsection (b)(2) of this section can be shown to be as comprehensive and accurate as complying with the supplemental criminal background check as set forth under § 10-104(b) of this title; and

(ii) within 3 months [of] **AFTER** receiving the request, determine whether to:

1. grant the waiver;
2. deny the waiver; or
3. approve an alternative process.

(h) (1) ~~[Records] **EXCEPT AS PROVIDED IN PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, RECORDS OR INFORMATION**~~ provided to the Commission by a transportation network company under this section are not subject to release under the Maryland Public Information Act [or any other law].

(2) The Commission may not disclose records or information provided to the Commission under this section to any person unless:

(I) the disclosure is required by ~~subpoena [or];~~ court order; **OR ORDER OF THE MARYLAND TAX COURT; OR**

(II) **THE DISCLOSURE IS TO THE COMPTROLLER UNDER § 10-406(G)(5) OF THIS SUBTITLE.**

(3) ~~If a subpoena [or], court order, OR ORDER OF THE MARYLAND TAX COURT requires the Commission to disclose information provided to the Commission under this section~~ **ON NOTICE THAT A PERSON IS SEEKING RECORDS OR INFORMATION UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION,** the Commission shall promptly notify the transportation network company before disclosing the **RECORDS OR** information.

10-406.

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

(2) “Assessment” means a charge imposed by a local jurisdiction on each transportation network service that includes a passenger trip during transportation network coverage period three as described in § 10-101(n)(1)(iii) of this title.

(3) “Exempt jurisdiction” means a county or [municipality] **MUNICIPAL CORPORATION** that imposed a tax, fee, or charge on for-hire transportation services provided on a per ride or per passenger basis in that county or [municipality] **MUNICIPAL CORPORATION** on or before January 1, 2015.

(b) (1) [This] **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THIS** section does not limit the authority of an exempt jurisdiction to impose an assessment, a tax, a fee, or a charge on for-hire transportation services, including transportation network services.

(2) **AN EXEMPT JURISDICTION MAY NOT IMPOSE MORE THAN ONE ASSESSMENT OR SIMILAR CHARGE ON A TRANSPORTATION NETWORK SERVICE.**

(c) (1) In accordance with subsections (d) and (e) of this section, a county or ~~municipality~~ **MUNICIPAL CORPORATION** may impose an assessment under this section.

(2) Except in an exempt jurisdiction, an assessment **BY A COUNTY OR MUNICIPAL CORPORATION** authorized by this section may not exceed 25 cents per trip.

(3) (I) Except as provided in subsection [(e)(2)]**(E)(5)** of this section [and subject to the limitation in paragraph (2) of this subsection], an assessment may not be imposed on a transportation network service by both a county and a [municipality] **MUNICIPAL CORPORATION.**

(II) IF BOTH A COUNTY AND A MUNICIPAL CORPORATION IMPOSE AN ASSESSMENT ON A TRANSPORTATION NETWORK SERVICE IN ACCORDANCE WITH SUBSECTION (E)(5) OF THIS SECTION, THE SUM OF THE ASSESSMENTS IMPOSED BY BOTH JURISDICTIONS MAY NOT EXCEED 25 CENTS PER TRIP.

(4) The revenue generated from an assessment authorized under this section shall be used for transportation purposes.

(d) **(1) [A] THIS SUBSECTION APPLIES TO A county or [municipality] MUNICIPAL CORPORATION** that licensed or regulated taxicab services on or before January 1, 2015, either directly or through the Commission as provided in § 10–202 of this title[.].

(2) (I) A COUNTY, IN ACCORDANCE WITH SUBPARAGRAPH (II) OF THIS PARAGRAPH, OR A MUNICIPAL CORPORATION may impose an assessment on trips that originate [within] IN the county or [municipality] MUNICIPAL CORPORATION.

(II) A COUNTY AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION:

1. MAY IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN ANY AREA OF THE COUNTY; BUT

2. MAY NOT IMPOSE AN ASSESSMENT IN A MUNICIPAL CORPORATION THAT IS AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION.

(3) IF A COUNTY OR MUNICIPAL CORPORATION AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION HAS NOT ~~IMPOSED~~ AUTHORIZED AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE COUNTY OR MUNICIPAL CORPORATION BY JULY 1, 2016, THE COUNTY OR MUNICIPAL CORPORATION IS SUBJECT TO SUBSECTION (E) OF THIS SECTION.

(4) (I) IF A COUNTY AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION PLANS TO IMPOSE AN ASSESSMENT UNDER THIS SECTION, THE COUNTY SHALL NOTIFY THE MUNICIPAL CORPORATIONS IN THE COUNTY OF THE COUNTY'S INTENT TO IMPOSE AN ASSESSMENT.

(II) IF A MUNICIPAL CORPORATION AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION PLANS TO IMPOSE AN ASSESSMENT UNDER THIS SECTION, THE MUNICIPAL CORPORATION SHALL NOTIFY THE COUNTY OF THE MUNICIPAL CORPORATION'S INTENT TO IMPOSE AN ASSESSMENT.

(e) (1) This subsection applies to a county **OR MUNICIPAL CORPORATION** that:

(i) is not authorized to impose an assessment under subsection (d) of this section; **[and] OR**

(ii) **1. IS AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER SUBSECTION (D) OF THIS SECTION; BUT**

2. has not ~~imposed~~ AUTHORIZED an assessment by July 1, 2016.

(2) IN ACCORDANCE WITH PARAGRAPH (3) OF THIS SUBSECTION AND SUBSECTIONS (F) AND (G) OF THIS SECTION, A COUNTY OR MUNICIPAL CORPORATION MAY IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE COUNTY OR MUNICIPAL CORPORATION.

(3) (I) EXCEPT AS PROVIDED UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH:

1. A MUNICIPAL CORPORATION HAS PRIORITY OVER THE COUNTY WHERE THE MUNICIPAL CORPORATION IS LOCATED TO IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION; AND

2. THE COUNTY MAY NOT IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION.

(II) A COUNTY HAS PRIORITY OVER A MUNICIPAL CORPORATION TO IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION, AND THE MUNICIPAL CORPORATION MAY NOT IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION, IF:

1. THE COUNTY HAS ~~IMPOSED~~ AUTHORIZED AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE COUNTY UNDER SUBSECTION (D) OF THIS SECTION BY JULY 1, 2016; AND

2. THE MUNICIPAL CORPORATION IS NOT AUTHORIZED TO IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION UNDER SUBSECTION (D) OF THIS SECTION.

(III) A MUNICIPAL CORPORATION THAT IS NOT AUTHORIZED TO IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION UNDER SUBSECTION (D) OF THIS SECTION AND THAT IS LOCATED IN A COUNTY THAT IS AUTHORIZED TO IMPOSE AN ASSESSMENT ON TRIPS THAT

ORIGINATE IN THE COUNTY UNDER SUBSECTION (D) OF THIS SECTION MAY IMPOSE AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION UNDER THIS SUBSECTION AFTER JULY 1, 2016, IF THE COUNTY HAS NOT ~~IMPOSED~~ AUTHORIZED AN ASSESSMENT ON TRIPS THAT ORIGINATE IN THE COUNTY BY JULY 1, 2016.

[(2)] (4) (I) Before [the] A county may impose an assessment ON TRIPS THAT ORIGINATE in a [municipality] MUNICIPAL CORPORATION UNDER THIS SUBSECTION, the county shall:

[(i)] 1. notify the [municipality] MUNICIPAL CORPORATION of the county's intent to impose an assessment on transportation network services that originate in the [municipality] MUNICIPAL CORPORATION; and

[(ii)] 2. provide the [municipality] MUNICIPAL CORPORATION reasonable time to pass an ordinance authorizing the imposition of an assessment.

[(3)] (II) Before a [municipality] MUNICIPAL CORPORATION may impose an assessment ON TRIPS THAT ORIGINATE IN THE MUNICIPAL CORPORATION UNDER THIS SUBSECTION, the [municipality] MUNICIPAL CORPORATION shall:

[(i)] 1. notify the county of the [municipality's] MUNICIPAL CORPORATION'S intent to impose an assessment; and

[(ii)] 2. if the county imposes an assessment, provide the county reasonable time to notify the Comptroller before the [municipality's] MUNICIPAL CORPORATION'S assessment becomes effective.

[(4)] (5) (I) Notwithstanding [paragraphs (2) and (3)] PARAGRAPH (4) of this subsection[,] AND SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, BOTH a county and [municipality] A MUNICIPAL CORPORATION AUTHORIZED TO IMPOSE AN ASSESSMENT UNDER THIS SUBSECTION may IMPOSE AN ASSESSMENT ON A TRANSPORTATION NETWORK SERVICE IF THE COUNTY AND THE MUNICIPAL CORPORATION enter into an agreement:

1. to share revenues; and

2. THAT SPECIFIES THE ALLOCATION OF THE REVENUES [allocate them in any manner].

(II) A COUNTY AND A MUNICIPAL CORPORATION THAT ENTER INTO AN AGREEMENT UNDER THIS PARAGRAPH TO IMPOSE AN ASSESSMENT ON A TRANSPORTATION NETWORK SERVICE BY BOTH JURISDICTIONS SHALL PROVIDE A COPY OF THE AGREEMENT TO THE COMPTROLLER.

(III) IF BOTH A COUNTY AND A MUNICIPAL CORPORATION IMPOSE AN ASSESSMENT ON A TRANSPORTATION NETWORK SERVICE UNDER THIS PARAGRAPH, THE SUM OF THE ASSESSMENTS IMPOSED BY BOTH JURISDICTIONS MAY NOT EXCEED THE AMOUNT UNDER SUBSECTION (C)(3)(II) OF THIS SECTION.

(f) (1) AT LEAST 120 DAYS BEFORE AN ASSESSMENT IS TO TAKE EFFECT, A COUNTY OR MUNICIPAL CORPORATION THAT INTENDS TO IMPOSE AN ASSESSMENT SHALL NOTIFY THE COMPTROLLER:

(I) OF THE AMOUNT OF THE ASSESSMENT;

(II) OF THE EFFECTIVE DATE OF THE ASSESSMENT; AND

(III) THAT THE NOTICE REQUIRED UNDER SUBSECTION (E)(4) OF THIS SECTION WAS PROVIDED TO THE COUNTY OR MUNICIPAL CORPORATION.

(2) A county or [municipality] MUNICIPAL CORPORATION that imposes an assessment shall notify the Comptroller AT LEAST 120 DAYS BEFORE ANY CHANGE IN AN ASSESSMENT IS TO TAKE EFFECT [of]:

[(1)] (I) OF the amount of the NEW assessment; [and]

[(2)] (II) [any change in] OF THE EFFECTIVE DATE OF the NEW assessment [amount at least 120 days before the new amount takes effect]; AND

(III) THAT THE NOTICE REQUIRED UNDER SUBSECTION (E)(4) OF THIS SECTION WAS PROVIDED TO THE COUNTY OR MUNICIPAL CORPORATION.

(g) (1) This subsection governs the collection, remittance, accounting, and use of revenues from assessments imposed by a county or [municipality] MUNICIPAL CORPORATION under this section.

(2) A transportation network company shall:

(i) collect assessments on behalf of an operator who accepts a request for a ride made through the transportation network company's digital network;

(ii) collect any assessment, fee, charge, or tax imposed by an exempt jurisdiction on a transportation network service; and

(iii) submit to the Comptroller no later than 30 days after the end of a calendar quarter, or as otherwise specified by the Comptroller in regulations:

1. the assessments and other revenues collected by the transportation network company on behalf of the transportation network operators;

2. the allocation of the assessments and other revenues attributable to each county or [municipality] **MUNICIPAL CORPORATION** that has imposed an assessment based on where the trip originated; and

3. under oath, a certification that it has submitted the correct amount of assessments and revenues.

(3) (i) Subject to subparagraph (ii) of this paragraph, from the assessments and revenues imposed by counties and [municipalities] **MUNICIPAL CORPORATIONS**, the Comptroller shall distribute each quarter the amount necessary to administer the assessments to an administrative cost account.

(ii) The amount distributed to the administrative cost account may not exceed 5% of the revenue from the assessments and other revenue.

(4) After making the distribution required by paragraph ~~(2)~~ **(3)** of this subsection, within 45 days of the end of each calendar quarter, the Comptroller shall distribute the remaining revenue to:

(I) the county or [municipality] **MUNICIPAL CORPORATION** that is the source of the revenue; **OR**

(II) AT THE DISCRETION OF THE COMPTROLLER, THE COUNTY THAT IS THE SOURCE OF THE REVENUE FOR THE COUNTY TO DISTRIBUTE TO THE SOURCE OF REVENUE IN THE COUNTY OR MUNICIPAL CORPORATION.

[(5) (i) The Comptroller may inspect, at a transportation network company's place of business or a mutually agreed location, no more than annually, records necessary to ensure that the transportation network company has remitted to the comptroller the correct revenues and allocations.]

(5) THE COMMISSION SHALL DISCLOSE:

(I) ON THE REQUEST OF THE COMPTROLLER, RECORDS OR INFORMATION THAT RELATE TO THE COLLECTION, REMITTANCE, ACCOUNTING OF REVENUES FROM ASSESSMENTS, OR THE ENFORCEMENT OF THE OBLIGATIONS UNDER THIS SECTION THAT ARE:

1. PROVIDED TO THE COMMISSION UNDER THIS SUBTITLE; OR

2. CREATED, ISSUED, OR MAINTAINED BY THE COMMISSION IN THE COURSE OF ADMINISTERING THIS SUBTITLE; AND

(II) RECORDS OR INFORMATION REQUIRED BY ~~A SUBPOENA, A COURT ORDER, OR AN ORDER OF THE MARYLAND TAX COURT.~~

(6) (I) 1. THE COMPTROLLER MAY REVIEW OR INSPECT EACH YEAR, AT A TRANSPORTATION NETWORK COMPANY'S PLACE OF BUSINESS OR A MUTUALLY AGREED LOCATION, RECORDS NECESSARY TO ENSURE THAT THE TRANSPORTATION NETWORK COMPANY HAS REMITTED TO THE COMPTROLLER THE CORRECT REVENUES AND ALLOCATIONS.

2. NOTHING IN THIS SUBPARAGRAPH IS INTENDED TO LIMIT THE PERIOD COVERED BY THE COMPTROLLER'S REVIEW OR INSPECTION, WHICH MAY INCLUDE MORE THAN 1 YEAR.

(ii) ~~[Records]~~ ~~EXCEPT AS PROVIDED IN SUBPARAGRAPHS (III) AND (IV) OF THIS PARAGRAPH, RECORDS~~ OR INFORMATION provided to the Comptroller by a transportation network company under this subsection are not subject to release under the Maryland Public Information Act [or any other law].

(iii) ~~Subject to subparagraph (iv) of this paragraph, the~~ **THE** Comptroller may not disclose records or information provided by a transportation network company unless the disclosure is required by [a] ~~subpoena [or]~~, court order, **OR ORDER OF THE MARYLAND TAX COURT.**

(iv) ~~1. If a subpoena [or], A court order, OR AN ORDER OF THE MARYLAND TAX COURT requires the Comptroller to disclose information provided by a transportation network company~~ **ON NOTICE THAT A PERSON IS SEEKING RECORDS OR INFORMATION UNDER SUBPARAGRAPH (III) OF THIS PARAGRAPH,** the Comptroller shall promptly notify the transportation network company before disclosing the information.

(V) **THE COMPTROLLER MAY DISCLOSE RECORDS OR INFORMATION PROVIDED BY THE COMMISSION OR A TRANSPORTATION NETWORK COMPANY TO:**

1. **THE MARYLAND TAX COURT;**

2. **A LEGAL REPRESENTATIVE OF THE STATE, TO REVIEW THE ASSESSMENT INFORMATION ABOUT A TRANSPORTATION NETWORK COMPANY:**

A. THAT APPLIES FOR REVIEW UNDER TITLE 13 UNDER THE TAX – GENERAL ARTICLE;

B. THAT APPEALS FROM A DETERMINATION UNDER TITLE 13 OF THE TAX – GENERAL ARTICLE; OR

C. AGAINST WHICH AN ACTION TO RECOVER AN ASSESSMENT, AN INTEREST, OR A PENALTY IS PENDING OR WILL BE INITIATED UNDER TITLE 13 OF THE TAX – GENERAL ARTICLE; ~~AND OR~~

3. ANY LICENSE-ISSUING AUTHORITY OF THE STATE REQUIRED BY STATE LAW TO VERIFY THROUGH THE COMPTROLLER THAT:

A. AN APPLICANT HAS PAID ALL UNDISPUTED TAXES AND UNEMPLOYMENT INSURANCE CONTRIBUTIONS PAYABLE TO THE COMPTROLLER OR THE SECRETARY OF LABOR, LICENSING, AND REGULATION; OR

B. THE APPLICANT HAS PROVIDED FOR PAYMENT IN A MANNER SATISFACTORY TO THE UNIT RESPONSIBLE FOR COLLECTION.

(VI) 1. ~~EXCEPT AS PROVIDED UNDER SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, RECORDS~~ RECORDS OR INFORMATION DISCLOSED UNDER SUBPARAGRAPH (V)2 ~~AND OR~~ 3 OF THIS PARAGRAPH ARE NOT SUBJECT TO RELEASE UNDER THE MARYLAND PUBLIC INFORMATION ACT.

2. A PERSON THAT RECEIVES RECORDS OR INFORMATION UNDER SUBPARAGRAPH (V)2 ~~AND OR~~ 3 OF THIS PARAGRAPH MAY NOT DISCLOSE THE RECORDS OR INFORMATION UNLESS THE DISCLOSURE IS REQUIRED BY ~~SUBPOENA~~, COURT ORDER, OR ORDER OF THE MARYLAND TAX COURT.

3. ON NOTICE THAT A THIRD PARTY IS SEEKING RECORDS OR INFORMATION UNDER ~~SUBPARAGRAPH (V)2~~ SUBSUBPARAGRAPH 2 OF THIS ~~PARAGRAPH~~ SUBPARAGRAPH, THE PERSON THAT RECEIVES RECORDS OR INFORMATION UNDER SUBPARAGRAPH (V)2 OR 3 OF THIS PARAGRAPH SHALL PROMPTLY NOTIFY THE TRANSPORTATION NETWORK COMPANY BEFORE DISCLOSING THE INFORMATION.

(7) (I) EXCEPT TO THE EXTENT OF ANY INCONSISTENCY WITH THIS ~~SUBSECTION~~ SECTION, THE PROVISIONS OF ~~TITLES 11 AND~~ TITLE 13 OF THE TAX – GENERAL ARTICLE THAT APPLY TO THE SALES AND USE TAX SHALL GOVERN THE ADMINISTRATION, COLLECTION, ENFORCEMENT, AND APPEALS OF THE REVENUES FROM ASSESSMENTS UNDER THIS SECTION.

(II) THE LIMITATIONS GOVERNING THE SALES AND USE TAX UNDER § 13-1102 OF THE TAX – GENERAL ARTICLE APPLY TO THE ASSESSMENTS IMPOSED UNDER THIS SECTION.

[(6)] (8) The Comptroller may adopt regulations or other requirements or procedures to carry out the provisions of this section, including requirements and procedures regarding the administration, collection, and enforcement of the assessment.

(H) THE COMPTROLLER SHALL ENFORCE THIS SECTION AND § 10-407 OF THIS SUBTITLE.

10-502.

(a) A person may not operate a vehicle that provides passenger-for-hire services in the State:

(1) unless the person is licensed as a passenger-for-hire driver by the Commission, **INCLUDING A PERSON WHO IS LICENSED OR OTHERWISE AUTHORIZED BY THE COMMISSION AS A TRANSPORTATION NETWORK OPERATOR, TRANSPORTATION NETWORK PARTNER, OR TRANSPORTATION NETWORK DRIVER;** or

(2) in violation of this title or Title 9, Subtitle 2 of this article.

(b) A person may not operate a vehicle that provides taxicab services in the State:

(1) unless the person is licensed as a taxicab driver by the Commission or a county or municipal corporation; or

(2) that is under the jurisdiction of the Commission, in violation of this title.

(c) **A PERSON MAY NOT OPERATE A TRANSPORTATION NETWORK COMPANY IN THE STATE UNLESS THE PERSON HAS BEEN ISSUED A PERMIT AS A TRANSPORTATION NETWORK COMPANY BY THE COMMISSION.**

(D) Subject to the hearing provisions of § 3-102(c) of this article, the Commission may impose on a person who violates this section a civil penalty not exceeding \$500 for each violation.

Chapter 204 of the Acts of 2015

SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that:

(1) the insurance coverages for transportation network companies and transportation network operators required under this Act be provided, to the extent available, by ~~insurance carriers admitted in the State~~ **AUTHORIZED INSURERS AND THE MARYLAND AUTOMOBILE INSURANCE FUND;** and

(2) the Maryland Insurance Administration expedite review of applications by ~~authorized~~ insurers AND THE MARYLAND AUTOMOBILE INSURANCE FUND for approval of insurance products for transportation network services, and that these products become available for purchase by July 1, 2016.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 8, 2016.

Chapter 29

(House Bill 684)

AN ACT concerning

Baltimore Regional Neighborhood Initiative Program – Codified

FOR the purpose of establishing the Baltimore Regional Neighborhood Initiative Program; providing for the administration and purpose of the Program; establishing the type of community enhancement projects eligible to receive Program funds; authorizing certain community development organizations to apply to receive Program funds; requiring a community development organization's application to contain certain information; providing that community enhancement projects may be located in more than one political subdivision; requiring the Department of Housing and Community Development to establish a certain quantitative system to evaluate each application; providing for the review of each application; requiring certain ~~approval~~ notification to certain political subdivisions before an application may be approved; requiring the Department and the recipient of Program funds to enter into a certain agreement; authorizing the Department to exercise certain powers necessary to implement the Program and determine certain terms and conditions of the financial assistance; requiring the recipient of financial assistance from the Program to submit a certain quarterly progress report; establishing the Baltimore Regional Neighborhood Initiative Program Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Secretary of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; providing for the investment of money in and expenditures from the Fund; requiring the Governor, in certain fiscal years, to include a certain appropriation in the annual budget bill to the Fund; requiring the Governor to include a certain appropriation for a certain fiscal year; defining certain terms; requiring the Department to issue a certain request

for proposals on or before a certain date; and generally relating to establishing the Baltimore Regional Neighborhood Initiative Program.

BY adding to

Article – Housing and Community Development
Section 6–501 through 6–510 to be under the new subtitle “Subtitle 5. Baltimore Regional Neighborhood Initiative Program”
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)84. and 85.
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)86.
Annotated Code of Maryland
(2015 Replacement Volume)

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

Article – Housing and Community Development

SUBTITLE 5. BALTIMORE REGIONAL NEIGHBORHOOD INITIATIVE PROGRAM.

6–501.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION” HAS THE MEANING STATED IN 12 U.S.C. § 4702.

(C) “COMMUNITY DEVELOPMENT ORGANIZATION” MEANS AN ENTITY THAT MEETS THE REQUIREMENTS SET FORTH UNDER § 6–504(A) OF THIS SUBTITLE.

(D) (1) “FINANCIAL ASSISTANCE” MEANS A GRANT, A LOAN, OR AN INVESTMENT PROVIDED UNDER THIS SUBTITLE.

(2) “FINANCIAL ASSISTANCE” INCLUDES:

(I) AN ASSURANCE;

(II) A GUARANTEE;

(III) A PREPAYMENT OF INTEREST ON A SUBORDINATE OR SUPERIOR LOAN OR PORTION OF A LOAN;

(IV) A REDUCTION IN THE PRINCIPAL OBLIGATION OF OR RATE OF INTEREST PAYABLE ON A LOAN OR A PORTION OF A LOAN; AND

(V) ANY OTHER FORM OF CREDIT ENHANCEMENT.

(E) “PROGRAM” MEANS THE BALTIMORE REGIONAL NEIGHBORHOOD INITIATIVE PROGRAM.

(F) “SUSTAINABLE COMMUNITY” MEANS AN AREA DESIGNATED AS A SUSTAINABLE COMMUNITY UNDER § 6-205 OF THIS TITLE.

6-502.

(A) THERE IS A BALTIMORE REGIONAL NEIGHBORHOOD INITIATIVE PROGRAM.

(B) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

(C) THE PURPOSE OF THE PROGRAM IS TO:

(1) PROVIDE STRATEGIC INVESTMENT IN LOCAL HOUSING AND BUSINESSES TO ENCOURAGE HEALTHY, SUSTAINABLE COMMUNITIES WITH A GROWING TAX BASE AND ENHANCED QUALITY OF LIFE; AND

(2) FOCUS ON AREAS WHERE MODEST INVESTMENT AND COORDINATED STRATEGIES WILL HAVE AN APPRECIABLE NEIGHBORHOOD REVITALIZATION IMPACT.

6-503.

(A) THE COMMUNITY ENHANCEMENT PROJECTS ELIGIBLE TO RECEIVE PROGRAM FUNDS INCLUDE:

(1) DOWN PAYMENT ASSISTANCE FOR HOMEBUYERS TO PURCHASE AND REHABILITATE HOMES;

(2) PROGRAMS TO ACQUIRE ~~AND REHABILITATE VACANT HOMES FOR RESALE TO NEW HOMEBUYERS~~ OR REHABILITATE VACANT OR BLIGHTED PROPERTIES;

(3) PROGRAMS TO IMPROVE EXISTING RESIDENTIAL AND BUSINESS PROPERTIES;

(4) PROGRAMS TO ACHIEVE ENERGY EFFICIENCY THROUGH WEATHERIZATION AND ENERGY RETROFITS;

(5) DEVELOPMENT OF MIXED-USE PROJECTS THAT COMBINE HOUSING, RETAIL, AND OFFICE SPACE;

(6) DEVELOPMENT OR ENHANCEMENT OF COMMUNITY OPEN SPACE OR PUBLIC INFRASTRUCTURE; ~~AND~~

(7) WORKFORCE AND EMPLOYMENT DEVELOPMENT PROGRAMS; AND

(8) STRATEGIC DEMOLITION.

(B) PROGRAM FUNDS MAY BE USED FOR OPERATING COSTS NECESSARY TO IMPLEMENT A COMMUNITY ENHANCEMENT PROJECT.

(C) THE SECRETARY MAY ESTABLISH ADDITIONAL COMMUNITY ENHANCEMENT PROJECTS ELIGIBLE TO RECEIVE PROGRAM FUNDS.

6-504.

(A) A CORPORATION, A FOUNDATION, OR ANY OTHER LEGAL ENTITY IS A COMMUNITY DEVELOPMENT ORGANIZATION ELIGIBLE TO APPLY FOR PROGRAM FUNDS IF:

(1) THE PURPOSE OF THE ORGANIZATION IS TO IMPLEMENT A CLEAR REVITALIZATION STRATEGY IN A NEIGHBORHOOD OR SET OF NEIGHBORHOODS WITHIN BALTIMORE CITY OR THE INNER-BELTWAY COMMUNITIES OF BALTIMORE COUNTY OR ANNE ARUNDEL COUNTY; AND

(2) NO PART OF THE ORGANIZATION'S NET EARNINGS INURES TO THE BENEFIT OF A PRIVATE SHAREHOLDER OR AN INDIVIDUAL HOLDING AN INTEREST IN THE ENTITY.

(B) THE COMMUNITY DEVELOPMENT ORGANIZATION'S APPLICATION MUST CONTAIN A NEIGHBORHOOD REVITALIZATION PLAN THAT INCLUDES COMMUNITY ENHANCEMENT PROJECTS LOCATED WITHIN A SUSTAINABLE COMMUNITY.

(C) A COMMUNITY DEVELOPMENT ORGANIZATION MAY APPLY WITH ANOTHER COMMUNITY DEVELOPMENT ORGANIZATION OR WITH A COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION THAT HAS THE CAPACITY AND EXPERIENCE TO ASSIST IN THE FINANCING OF REAL ESTATE PROJECTS WITHIN THE COMMUNITY.

(D) THE COMMUNITY ENHANCEMENT PROJECTS FOR WHICH A COMMUNITY DEVELOPMENT ORGANIZATION APPLIES FOR PROGRAM FUNDS MAY BE LOCATED IN MORE THAN ONE POLITICAL SUBDIVISION.

6-505.

(A) (1) A COMMUNITY DEVELOPMENT ORGANIZATION MAY APPLY TO THE DEPARTMENT TO RECEIVE PROGRAM FUNDS FOR COMMUNITY ENHANCEMENT PROJECTS.

(2) THE DEPARTMENT SHALL ESTABLISH THE APPLICATION PROCESS.

(3) THE APPLICATION SHALL CONTAIN:

(I) THE NEIGHBORHOOD REVITALIZATION PLAN;

(II) A DESCRIPTION OF EACH COMMUNITY ENHANCEMENT PROJECT;

(III) A LOCAL GOVERNMENT RESOLUTION OF SUPPORT OR LETTER OF SUPPORT;

(IV) ORGANIZATIONAL DOCUMENTS FOR THE COMMUNITY DEVELOPMENT ORGANIZATION; AND

(V) ANY OTHER INFORMATION THE DEPARTMENT REQUIRES.

(B) (1) THE DEPARTMENT, BY REGULATION, SHALL ESTABLISH A QUANTITATIVE SYSTEM TO EVALUATE EACH APPLICATION.

(2) THE QUANTITATIVE EVALUATION SYSTEM SHALL EVALUATE EACH APPLICATION BASED ON:

(I) THE NEIGHBORHOOD REVITALIZATION PLAN AND HOW THE PLAN RELATES TO THE GOALS OUTLINED IN THE COMMUNITY'S LARGER SUSTAINABLE COMMUNITIES PLAN;

(II) THE DESCRIPTION OF THE COMMUNITY CONDITIONS AND THE APPROPRIATENESS OF OUTLINED STRATEGIES TO ADDRESS THOSE CONDITIONS;

(III) THE ABILITY OF EACH PROPOSED COMMUNITY ENHANCEMENT PROJECT TO ADDRESS IDENTIFIED CHALLENGES WITHIN THE COMMUNITY; AND

(IV) THE CAPACITY AND EXPERIENCE OF THE APPLICANT AND THE APPLICANT'S PARTNERS TO COMPLETE THE PROPOSALS AND LEVERAGE ADDITIONAL FINANCING.

(C) THE DEPARTMENT MAY GIVE ADDITIONAL CONSIDERATION TO APPLICATIONS THAT INCLUDE:

(1) OPPORTUNITIES THAT PROMOTE COMPACT REDEVELOPMENT AND CONNECT HOUSING AND JOB OPPORTUNITIES WITH TRANSPORTATION OPTIONS;

(2) ACTIVITIES IN SPECIALLY DESIGNATED DISTRICTS THAT ENCOURAGE RESIDENTIAL REINVESTMENT THAT REINFORCES THE SUCCESS OF THE BUSINESSES IN THE DISTRICTS;

(3) COMMUNITY ENHANCEMENT PROJECTS THAT ENCOURAGE OR INCORPORATE ELEMENTS THAT ADDRESS ENVIRONMENTAL RESPONSIBILITY AND STEWARDSHIP INTO THE SITE AND PROJECT DEVELOPMENT, DESIGN, AND CONSTRUCTION;

(4) COMMUNITY ENHANCEMENT PROJECTS THAT INCORPORATE ADDITIONAL STATE AND LOCAL REVITALIZATION AND SMART GROWTH PROGRAMS AND FINANCING TOOLS; ~~AND~~

(5) CAPITAL INVESTMENTS AND BUSINESS PRACTICES THAT INCORPORATE INCLUSIONARY HIRING PRACTICES THAT INCREASE LOCAL WORKFORCE OPPORTUNITIES; AND

(6) PROJECTS WHOSE PURPOSE IS TO IDENTIFY FOR ACQUISITION, ACQUIRE, DEVELOP, OR PROMOTE THE DEVELOPMENT OF VACANT OR BLIGHTED PROPERTIES.

6-506.

(A) THE DEPARTMENT SHALL:

(1) REVIEW EACH APPLICATION SUBMITTED UNDER § 6-505 OF THIS SUBTITLE AND MAY REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT;

(2) ACCEPT PUBLIC INPUT ON EACH APPLICATION; AND

(3) CONSIDER THE RECOMMENDATION OF ANY STATE UNIT.

(B) (1) THE DEPARTMENT MAY NOT APPROVE AN APPLICATION ~~UNLESS UNTIL THE DEPARTMENT HAS PROVIDED WRITTEN NOTICE AND A REASONABLE OPPORTUNITY TO COMMENT TO THE POLITICAL SUBDIVISION WHERE THE PROPOSED COMMUNITY ENHANCEMENT PROJECT IS LOCATED APPROVES THE APPLICATION BY:~~

~~(I) RESOLUTION; OR~~

~~(II) LETTER DELIVERED TO THE DEPARTMENT BY THE POLITICAL SUBDIVISION.~~

(2) IF THE APPLICATION AFFECTS A NEIGHBORHOOD ENTIRELY WITHIN A MUNICIPAL CORPORATION, THE DEPARTMENT MUST PROVIDE NOTICE AND A REASONABLE OPPORTUNITY TO COMMENT TO THE MUNICIPAL CORPORATION AND NOT THE SURROUNDING COUNTY ~~MUST APPROVE THE APPLICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~

(3) IF AN APPLICATION AFFECTS A NEIGHBORHOOD WITHIN MORE THAN ONE POLITICAL SUBDIVISION, THE DEPARTMENT MUST PROVIDE NOTICE AND A REASONABLE OPPORTUNITY TO COMMENT TO EACH POLITICAL SUBDIVISION ~~MUST APPROVE THE APPLICATION BY:~~

~~(I) RESOLUTION; OR~~

~~(II) LETTER DELIVERED TO THE DEPARTMENT BY THE POLITICAL SUBDIVISION.~~

(C) THE SECRETARY SHALL AWARD FINANCIAL ASSISTANCE TO AN APPLICANT:

(1) IN THE AMOUNT AND OF THE TYPE THAT THE SECRETARY DETERMINES; AND

(2) UNDER THE TERMS OF A PROGRAM AGREEMENT.

6-507.

(A) THE DEPARTMENT AND A RECIPIENT OF FINANCIAL ASSISTANCE FROM THE PROGRAM SHALL EXECUTE A PROGRAM AGREEMENT.

(B) THE RECIPIENT OF FINANCIAL ASSISTANCE FROM THE PROGRAM SHALL COMPLY WITH THE TERMS OF THE PROGRAM AGREEMENT.

(C) THE PROGRAM AGREEMENT MAY NOT ALLOW FOR MORE THAN ~~15%~~ 40% OF THE TOTAL FINANCIAL ASSISTANCE THAT THE PROGRAM PROVIDES TO BE USED FOR OPERATING EXPENDITURES.

(D) THE DEPARTMENT MAY EXERCISE ANY REMEDY PROVIDED UNDER THE PROGRAM AGREEMENT OR BY LAW IF THE RECIPIENT OF FINANCIAL ASSISTANCE FROM THE PROGRAM:

(1) VIOLATES ANY PROVISION OF THE AGREEMENT; OR

(2) CEASES TO MEET ANY REQUIREMENT OF THIS SUBTITLE.

6-508.

(A) THE DEPARTMENT HAS THE POWERS NECESSARY TO IMPLEMENT THE PROGRAM.

(B) (1) THE DEPARTMENT MAY DETERMINE THE TERMS AND CONDITIONS OR ESTABLISH TIME LIMITS FOR THE USE OF FINANCIAL ASSISTANCE AWARDED UNDER THIS SUBTITLE.

(2) THE FINANCIAL ASSISTANCE AWARDED UNDER THIS SUBTITLE MAY BE SECURED BY A MORTGAGE, A LIEN, OR ANY OTHER SECURITY INTEREST THAT IS SUPERIOR TO OR SUBORDINATE TO OTHER MORTGAGES, LIENS, OR OTHER SECURITY INTERESTS.

(C) (1) THE DEPARTMENT MAY ENFORCE THE TERMS AND CONDITIONS OF THE FINANCIAL ASSISTANCE AWARDED UNDER THIS SUBTITLE.

(2) IF ANY FINANCIAL ASSISTANCE AWARDED UNDER THIS SUBTITLE IS SECURED BY A FIRST OR SUBORDINATE MORTGAGE OR OTHER LIEN, THE DEPARTMENT MAY:

(I) BEGIN AN ACTION TO PROTECT OR ENFORCE ANY RIGHT GIVEN BY LAW, CONTRACT, OR OTHER AGREEMENT;

(II) FORECLOSE ON PROPERTY;

(III) PURCHASE PROPERTY AT ANY FORECLOSURE OR OTHER SALE, OR ACQUIRE OR TAKE POSSESSION OF THE PROPERTY THROUGH CONVEYANCE IN LIEU OF FORECLOSURE OR OTHERWISE, AND CONVEY PROPERTY AFTER ACQUIRING IT;

(IV) SETTLE OR COMPROMISE ANY DEBT OR OBLIGATION OWED TO THE DEPARTMENT;

(V) PAY THE PRINCIPAL OF AND INTEREST ON ANY OBLIGATION INCURRED IN CONNECTION WITH THE PROPERTY AND DISPOSE OF OR OTHERWISE DEAL WITH THE PROPERTY TO PROTECT THE INTERESTS OF THE PROGRAM; OR

(VI) RELEASE OR SELL ANY MORTGAGE, OBLIGATION, OR PROPERTY THAT THE DEPARTMENT HOLDS AT PUBLIC OR PRIVATE SALE, WITH OR WITHOUT PUBLIC BIDDING.

(D) (1) THE DEPARTMENT MAY CONTRACT WITH ANY PERSON OR GOVERNMENTAL UNIT FOR PROPERTY OR SERVICES NECESSARY TO OPERATE THE PROGRAM.

(2) THE DEPARTMENT MAY CONTRACT FOR AND ACCEPT ANY GRANT, CONTRIBUTION, OR LOAN OF MONEY, PROPERTY, OR OTHER AID FROM THE FEDERAL GOVERNMENT AND MAY DO ALL THINGS CONSISTENT WITH THIS SUBTITLE TO QUALIFY FOR THE AID.

(E) IN CONNECTION WITH ANY LOANS THAT THE DEPARTMENT MAKES, THE DEPARTMENT MAY:

(1) REQUIRE AND OBTAIN APPRAISALS, CREDIT INFORMATION, AND OTHER PERTINENT INFORMATION; AND

(2) CHARGE INTEREST.

(F) THE DEPARTMENT MAY CONSENT TO THE MODIFICATION OF ANY PROVISION OF A PROGRAM AGREEMENT IF THE MODIFICATION IS IN THE BEST INTEREST OF THE PROGRAM.

(A) THE RECIPIENT OF FINANCIAL ASSISTANCE FROM THE PROGRAM SHALL SUBMIT TO THE DEPARTMENT QUARTERLY PROGRESS REPORTS ON THE DEVELOPMENT OF A COMMUNITY ENHANCEMENT PROJECT.

(B) (1) ON OR BEFORE OCTOBER 31 EACH YEAR, THE DEPARTMENT SHALL SUBMIT A REPORT TO THE GOVERNOR AND, SUBJECT TO § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.

(2) THE REPORT SHALL INCLUDE, FOR THE PREVIOUS FISCAL YEAR:

(I) THE NUMBER OF APPLICATIONS RECEIVED;

(II) THE NUMBER AND LOCATION OF COMMUNITY ENHANCEMENT PROJECTS;

(III) THE FINANCIAL STATUS OF THE PROGRAM, INCLUDING THE AMOUNT AND TYPES OF FINANCIAL ASSISTANCE ENCUMBERED AND DISBURSED; AND

(IV) A SUMMARY OF THE QUARTERLY REPORTS SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION.

6-510.

(A) IN THIS SECTION, “FUND” MEANS THE BALTIMORE REGIONAL NEIGHBORHOOD INITIATIVE PROGRAM FUND.

(B) THERE IS A BALTIMORE REGIONAL NEIGHBORHOOD INITIATIVE PROGRAM FUND.

(C) THE PURPOSE OF THE FUND IS TO PROVIDE FINANCIAL ASSISTANCE UNDER THE PROGRAM.

(D) THE SECRETARY SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

- (2) EARNINGS FROM THE INVESTMENT OF MONEY IN THE FUND;
- (3) REPAYMENTS OF FINANCIAL ASSISTANCE PROVIDED BY THE PROGRAM;
- (4) INTEREST EARNINGS OF THE FUND; AND
- (5) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.
- (G) THE FUND MAY BE USED ONLY FOR PROVIDING FINANCIAL ASSISTANCE UNDER THE PROGRAM.
- (H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.
- (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.
- (I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.
- (J) FOR ~~EACH FISCAL YEAR~~ FISCAL YEARS 2018 THROUGH 2022, THE GOVERNOR SHALL INCLUDE IN THE BUDGET BILL AN APPROPRIATION TO THE FUND IN THE AMOUNT OF \$12,000,000.

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

84. the Economic Development Marketing Fund; [and]

85. the Military Personnel and Veteran–Owned Small Business No–Interest Loan Fund; AND

86. THE BALTIMORE REGIONAL NEIGHBORHOOD INITIATIVE PROGRAM FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That for fiscal year 2018, the Governor shall include in the budget bill an appropriation to the Baltimore Metropolitan Council in the amount of \$250,000 for planning and programmatic efforts that facilitate coordination and collaboration among local jurisdictions and organizations in the Baltimore region to foster economic growth and development.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That *on or before September 1, 2016, the Department of Housing and Community Development shall issue a request for proposals for community enhancement projects from community development organizations eligible to apply for funds under the Baltimore Regional Neighborhood Initiative Program as codified in Section 1 of this Act.*

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 8, 2016.

Chapter 30

(House Bill 686)

AN ACT concerning

Department of Housing and Community Development – Strategic Demolition and Smart Growth Impact Fund – Establishment

FOR the purpose of establishing the Strategic Demolition and Smart Growth Impact Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purposes for which the Fund may be used; specifying certain eligibility criteria for certain fiscal years for awarding grants and loans from the Fund; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; beginning in a certain fiscal year, requiring the Governor to include in the annual budget bill an appropriation of a certain amount to the Fund for certain fiscal years and requiring the appropriation to be allocated in a certain manner; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining a certain term; requiring a certain amount appropriated in a certain supplemental budget for a certain program in the Department for a certain fiscal year to be

appropriated to the Fund and allocated in a certain manner; and generally relating to the Strategic Demolition and Smart Growth Impact Fund in the Department of Housing and Community Development.

BY adding to

Article – Housing and Community Development
Section 4–508
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)84. and 85.
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)86.
Annotated Code of Maryland
(2015 Replacement Volume)

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

Article – Housing and Community Development

4–508.

(A) IN THIS SECTION, “FUND” MEANS THE STRATEGIC DEMOLITION AND SMART GROWTH IMPACT FUND.

(B) THERE IS A STRATEGIC DEMOLITION AND SMART GROWTH IMPACT FUND.

(C) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS AND LOANS TO ASSIST IN PREDEVELOPMENT ACTIVITIES, INCLUDING DEMOLITION, LAND ASSEMBLY, ARCHITECTURE AND ENGINEERING, AND SITE DEVELOPMENT FOR REVITALIZATION PROJECTS IN DESIGNATED AREAS OF THE STATE.

(D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) REPAYMENTS OF LOANS MADE FROM THE FUND;

(3) INTEREST EARNINGS OF THE FUND; AND

(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) (1) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS AND LOANS TO GOVERNMENT AGENCIES AND COMMUNITY DEVELOPMENT ORGANIZATIONS FOR DEMOLITION, LAND ASSEMBLY, ARCHITECTURE AND ENGINEERING, AND SITE DEVELOPMENT FOR REVITALIZATION PROJECTS IN AN AREA DESIGNATED AS A SUSTAINABLE COMMUNITY.

(2) (I) FOR FISCAL YEARS 2017 THROUGH 2019, TO BE ELIGIBLE FOR A GRANT OR LOAN FROM THE FUND, A GOVERNMENT AGENCY OR COMMUNITY DEVELOPMENT ORGANIZATION SHALL PROVIDE EVIDENCE OF A MATCHING FUND THAT IS EQUAL TO \$1 FOR EVERY \$4 IN STATE FUNDING THAT THE AGENCY OR ORGANIZATION IS APPLYING FOR FROM THE FUND.

(II) THE MATCHING FUND REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY INCLUDE:

1. MONEY FROM THE FEDERAL GOVERNMENT, LOCAL GOVERNMENT, OR ANY OTHER PUBLIC OR PRIVATE SOURCE;

2. REAL PROPERTY;

3. IN-KIND CONTRIBUTIONS; AND

4. FUNDS EXPENDED BEFORE THE DATE THE GRANT OR LOAN IS AWARDED.

(3) FOR FISCAL YEAR 2020 AND EACH FISCAL YEAR THEREAFTER, TO BE ELIGIBLE FOR A GRANT OR LOAN FROM THE FUND, A GOVERNMENT AGENCY OR COMMUNITY DEVELOPMENT ORGANIZATION IS NOT REQUIRED TO PROVIDE EVIDENCE OF A MATCHING FUND.

~~(2)~~ (4) THE DEPARTMENT SHALL AWARD GRANTS AND LOANS FROM THE FUND ON A COMPETITIVE BASIS.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

~~(J) (1) FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$20,000,000 TO THE FUND~~ 2018, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$25,625,000 TO THE FUND, WHICH SHALL BE ALLOCATED AS FOLLOWS:

1. \$22,125,000 FOR PROJECTS IN BALTIMORE CITY;

AND

2. \$3,500,000 FOR PROJECTS THROUGHOUT THE STATE.

(2) FOR FISCAL YEAR 2019, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$28,500,000 TO THE FUND, WHICH SHALL BE ALLOCATED AS FOLLOWS:

(I) \$25,000,000 FOR PROJECTS IN BALTIMORE CITY; AND

(II) \$3,500,000 FOR PROJECTS THROUGHOUT THE STATE.

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to

receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

84. the Economic Development Marketing Fund; [and]

85. the Military Personnel and Veteran–Owned Small Business No–Interest Loan Fund; AND

86. **THE STRATEGIC DEMOLITION AND SMART GROWTH IMPACT FUND.**

SECTION 2. AND BE IT FURTHER ENACTED, That the amount appropriated in Supplemental Budget No. 2 to Chapter _____ (S.B. 190) of the Acts of the General Assembly of 2016 (Budget Bill Fiscal Year 2017) to the Department of Housing and Community Development Neighborhood Revitalization – Capital Program for fiscal year 2017 shall be appropriated to the Strategic Demolition and Smart Growth Impact Fund established under § 4–508 of the Housing and Community Development Article and shall be allocated as follows:

(1) \$18,000,000 for projects in Baltimore City; and

(2) \$3,500,000 for projects throughout the State.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 8, 2016.

Chapter 31

(House Bill 1400)

AN ACT concerning

Seed Community Development Anchor Institution Fund

FOR the purpose of establishing the Seed Community Development Anchor Institution Fund as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the Department of Housing and Community Development to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; specifying certain eligibility criteria and a certain process for

awarding grants and loans from the Fund; providing for the investment of money in and expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; beginning in a certain fiscal year, requiring the Governor to include in the annual budget bill an appropriation of a certain amount to the Fund *for certain fiscal years*; exempting the Fund from a certain provision of law requiring interest on State money in special funds to accrue to the General Fund of the State; defining certain terms; and generally relating to the Seed Community Development Anchor Institution Fund in the Department of Housing and Community Development.

BY adding to

Article – Housing and Community Development
Section 4–508
Annotated Code of Maryland
(2006 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)84. and 85.
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to

Article – State Finance and Procurement
Section 6–226(a)(2)(ii)86.
Annotated Code of Maryland
(2015 Replacement Volume)

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

Article – Housing and Community Development

4–508.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ANCHOR INSTITUTION” MEANS:

- (I) AN INSTITUTION OF HIGHER EDUCATION IN THE STATE; OR
- (II) A HOSPITAL INSTITUTION IN THE STATE THAT:

- 1. HAS A GROUP OF AT LEAST FIVE PHYSICIANS WHO ARE ORGANIZED AS A MEDICAL STAFF FOR THE INSTITUTION;

- 2. MAINTAINS FACILITIES TO PROVIDE, UNDER THE SUPERVISION OF THE MEDICAL STAFF, DIAGNOSTIC AND TREATMENT SERVICES FOR TWO OR MORE UNRELATED INDIVIDUALS; AND

- 3. ADMITS OR RETAINS THE INDIVIDUALS FOR OVERNIGHT CARE.

(3) “BLIGHTED AREA” MEANS AN AREA IN WHICH A MAJORITY OF BUILDINGS HAVE DECLINED IN PRODUCTIVITY BY REASON OF OBSOLESCENCE, DEPRECIATION, OR OTHER CAUSES TO AN EXTENT THAT THEY NO LONGER JUSTIFY FUNDAMENTAL REPAIRS AND ADEQUATE MAINTENANCE.

(4) “FUND” MEANS THE SEED COMMUNITY DEVELOPMENT ANCHOR INSTITUTION FUND.

(B) THERE IS A SEED COMMUNITY DEVELOPMENT ANCHOR INSTITUTION FUND.

(C) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS AND LOANS TO ANCHOR INSTITUTIONS FOR COMMUNITY DEVELOPMENT PROJECTS IN BLIGHTED AREAS OF THE STATE.

(D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

- (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

- (2) INTEREST EARNINGS OF THE FUND; AND

(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) (1) THE FUND MAY BE USED ONLY TO PROVIDE GRANTS AND LOANS TO ANCHOR INSTITUTIONS FOR COMMUNITY DEVELOPMENT PROJECTS IN BLIGHTED AREAS OF THE STATE.

(2) TO BE ELIGIBLE FOR A GRANT OR LOAN, AN ANCHOR INSTITUTION SHALL PROVIDE EVIDENCE OF MATCHING FUNDS FROM A PRIVATE SOURCE.

(3) THE DEPARTMENT SHALL AWARD GRANTS AND LOANS FROM THE FUND ON A COMPETITIVE BASIS.

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(J) FOR FISCAL ~~YEAR 2018 AND EACH FISCAL YEAR THEREAFTER~~ YEARS 2018 THROUGH 2022, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF ~~\$10,000,000~~ \$5,000,000 TO THE FUND.

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

84. the Economic Development Marketing Fund; [and]

85. the Military Personnel and Veteran–Owned Small Business No–Interest Loan Fund; AND

86. THE SEED COMMUNITY DEVELOPMENT ANCHOR INSTITUTION FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 8, 2016.

Chapter 32

(House Bill 1402)

AN ACT concerning

**Education – ~~Maryland Extended Day and Summer Enhancement Programs~~
Public School Opportunities Enhancement Act**

FOR the purpose of establishing the ~~Maryland Extended Day and Summer~~ Public School Opportunities Enhancement Program; requiring the State Department of Education ~~(Department)~~ to administer the program and consult with the Department of Natural Resources under certain circumstances; requiring the Department to develop a certain comprehensive plan on or before a certain date; requiring the Department to review and update a certain comprehensive plan annually; requiring the Department to use a certain framework to monitor and assess the quality of certain extended day and summer enhancement programs; establishing the ~~Maryland Extended Day and Summer~~ Public School Opportunities Enhancement Grant in the Program; requiring the Department to administer the grant program and establish certain policies for the administration of the grant program; authorizing the Department to award certain grants to certain local ~~education agencies~~ school systems, certain community schools, and certain nonprofit organizations to expand or create extended day and summer enhancement programs ~~or~~ to establish certain new partnerships, or to expand or support certain educational programming during the school day; encouraging certain public schools to partner with certain nonprofit organizations to extend certain day and summer enhancement programs; providing for the qualification for a certain grant; providing for the allocation of a certain grant; providing that certain applications shall receive priority; requiring the Department to ensure that certain grantees will administer a certain grant under certain circumstances; requiring the Governor to provide a certain annual appropriation in the State budget for certain fiscal years; requiring grantees to provide certain programs and ensure that certain programs contain an educational component; requiring that certain educational programs are aligned with certain standards; requiring certain grantees to provide certain matching funds; requiring the Department to make a certain annual report on or before a certain date; requiring the Department to adopt certain regulations; defining certain

terms; and generally relating to the ~~Maryland Extended Day and Summer Enhancement Programs~~ Public School Opportunities Enhancement Act.

BY repealing

Article – Human Services

Section 8–1101 through 8–1107 and the subtitle “Subtitle 11. Maryland After–School and Summer Opportunity Fund Program”

Annotated Code of Maryland

(2007 Volume and 2015 Supplement)

BY adding to

Article – Education

Section 7–1701 through 7–1706 to be under the new subtitle “Subtitle 17. ~~Maryland Extended Day and Summer~~ Public School Opportunities Enhancement Program”

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 8–1101 through 8–1107 and the subtitle “Subtitle 11. Maryland After–School and Summer Opportunity Fund Program” of Article – Human Services of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Education

~~SUBTITLE 17. MARYLAND EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAM~~ PUBLIC SCHOOL OPPORTUNITIES ENHANCEMENT PROGRAM.

7–1701.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “COMMUNITY SCHOOL” MEANS AN EXISTING PUBLIC SCHOOL IN THE STATE THAT UTILIZES A COMMUNITY SCHOOL STRATEGY THAT IS RECOGNIZED BY THE MARYLAND OUT OF SCHOOL TIME NETWORK.

~~(B)~~ (C) “EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS PROGRAM” MEANS AN EDUCATIONAL AND RECREATIONAL ENRICHMENT PROGRAMS PROGRAM FOR CHILDREN BETWEEN THE AGES OF 4 AND 19 THAT TAKE TAKES PLACE:

(1) BEFORE AND AFTER THE SCHOOL DAY;

(2) ON WEEKENDS AND HOLIDAYS; AND

(3) DURING VACATIONS AND SUMMER BREAKS.

~~(C)~~ (D) “GRANTEE” MEANS A LOCAL ~~EDUCATION AGENCY SCHOOL SYSTEM OR~~, A COMMUNITY SCHOOL, OR A NONPROFIT ORGANIZATION THAT RECEIVES A ~~MARYLAND EXTENDED DAY AND SUMMER PUBLIC SCHOOL OPPORTUNITIES~~ ENHANCEMENT GRANT FROM THE DEPARTMENT.

~~(D)~~ (E) “NONPROFIT ORGANIZATION” MEANS AN ORGANIZATION THAT IS EXEMPT FROM TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE.

~~(E)~~ (F) “PROGRAM” MEANS THE ~~MARYLAND EXTENDED DAY AND SUMMER PUBLIC SCHOOL OPPORTUNITIES~~ ENHANCEMENT PROGRAM.

~~(F)~~ (G) “TECHNICAL ASSISTANCE” MEANS ASSISTANCE PROVIDED BY THE DEPARTMENT TO:

(1) IDENTIFY AND IMPLEMENT EFFECTIVE PRACTICES FOR EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS;

(2) ENSURE THAT EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS COMPLY WITH THE MARYLAND OUT-OF-SCHOOL TIME PROGRAMS’ QUALITY STANDARDS FRAMEWORK; AND

(3) ENSURE THAT EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS HAVE AN EDUCATIONAL COMPONENT THAT IS AGE APPROPRIATE AND ALIGNED WITH THE MARYLAND COLLEGE AND CAREER READY STANDARDS.

7-1702.

(A) THERE IS A ~~MARYLAND EXTENDED DAY AND SUMMER PUBLIC SCHOOL OPPORTUNITIES~~ ENHANCEMENT PROGRAM.

(B) (1) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

(2) THE DEPARTMENT SHALL CONSULT WITH THE DEPARTMENT OF NATURAL RESOURCES WHEN REVIEWING THE RECREATIONAL COMPONENTS OF AN EXTENDED DAY OR SUMMER ENHANCEMENT PROGRAM.

(C) (1) (I) ON OR BEFORE DECEMBER 1, 2016, THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF NATURAL RESOURCES, SHALL

DEVELOP A COMPREHENSIVE PLAN FOR EXTENDED DAY OR SUMMER ENHANCEMENT PROGRAMS.

(II) THE COMPREHENSIVE PLAN REQUIRED BY SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL ADDRESS:

1. LEVERAGING PUBLIC AND PRIVATE FUNDING SOURCES AS WELL AS FEDERAL FUNDING SOURCES TO SUPPORT EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS;

2. THE SPECIAL NEEDS OF CHILDREN WITH DISABILITIES;

3. USING SCHOOL BUILDINGS, PUBLIC LIBRARIES, AND LOCAL PUBLIC TRANSPORTATION RESOURCES FOR EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS;

4. PROVIDING TECHNICAL ASSISTANCE TO NONPROFIT ORGANIZATIONS;

5. EXPANDING THE NUMBER OF HIGH QUALITY EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS IN THE STATE; AND

6. INTEGRATING THE PLANS DEVELOPED BY LOCAL JURISDICTIONS TO EXPAND THE NUMBER OF HIGH QUALITY EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS.

(2) ON OR BEFORE DECEMBER 1, 2017, AND EACH YEAR THEREAFTER, THE DEPARTMENT, IN CONSULTATION WITH THE DEPARTMENT OF NATURAL RESOURCES, SHALL REVIEW AND UPDATE THE COMPREHENSIVE PLAN REQUIRED IN PARAGRAPH (1)(I) OF THIS SUBSECTION.

(D) (1) THE DEPARTMENT SHALL USE THE MARYLAND OUT-OF-SCHOOL TIME PROGRAMS' QUALITY STANDARDS FRAMEWORK TO MONITOR AND ASSESS THE QUALITY OF THE EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS PROVIDED BY NONPROFIT ORGANIZATIONS THAT RECEIVE FUNDING IN ACCORDANCE WITH THIS SUBTITLE.

(2) THE MARYLAND OUT-OF-SCHOOL TIME PROGRAMS' QUALITY STANDARDS FRAMEWORK DOES NOT SUPERSEDE APPLICABLE CHILD CARE CENTER LICENSING REGULATIONS.

(A) ~~THERE IS A MARYLAND-EXTENDED DAY AND SUMMER PUBLIC SCHOOL OPPORTUNITIES ENHANCEMENT GRANT IN THE PROGRAM.~~

(B) (1) ~~THE DEPARTMENT SHALL DEVELOP AND ADMINISTER THE GRANT PROGRAM TO ASSIST LOCAL EDUCATION AGENCIES;~~

(I) LOCAL SCHOOL SYSTEMS, COMMUNITY SCHOOLS, AND NONPROFIT ORGANIZATIONS IN THE STATE IN EXPANDING OR CREATING EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS; AND

(II) NONPROFIT ORGANIZATIONS IN THE STATE AND COMMUNITY SCHOOLS IN EXPANDING OR SUPPORTING EXISTING EDUCATIONAL PROGRAMMING DURING THE SCHOOL DAY.

(2) (I) ~~THE DEPARTMENT SHALL ESTABLISH POLICIES AND PROCEDURES FOR THE ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING:~~

~~(H)~~ 1. ~~THE GRANT APPLICATION PROCESS; AND~~

~~(H)~~ 2. ~~CRITERIA FOR AWARDING GRANTS UNDER THIS SUBTITLE.~~

(II) WHEN AWARDING GRANTS TO NONPROFIT ORGANIZATIONS, THE DEPARTMENT SHALL GIVE PRIORITY TO MARYLAND-BASED:

1. MARYLAND-BASED NONPROFIT ORGANIZATIONS;
AND

2. NONPROFIT ORGANIZATIONS OPERATING IN MARYLAND ON OR BEFORE JULY 1, 2016.

(C) (1) ~~A LOCAL EDUCATION AGENCY SCHOOL SYSTEM, COMMUNITY SCHOOL, OR A NONPROFIT ORGANIZATION MAY APPLY TO THE DEPARTMENT FOR A GRANT TO:~~

(I) ~~EXPAND OR CREATE AN EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAM;~~

(II) ~~EXPAND OR CREATE A SUMMER ENHANCEMENT PROGRAM;~~
OR

(III) ~~ESTABLISH NEW EDUCATIONAL OR RECREATIONAL PARTNERSHIPS WITH:~~

1. LOCAL PARKS AND RECREATION DEPARTMENTS;
2. RECREATION COUNCILS;
3. LOCAL PUBLIC SCHOOLS;
4. PUBLIC LIBRARIES;
5. INSTITUTIONS OF HIGHER EDUCATION;
6. PRIVATE SECTOR BUSINESSES; AND
7. OTHER NONPROFIT ORGANIZATIONS AND FOUNDATIONS.

(2) A NONPROFIT ORGANIZATION MAY APPLY TO THE DEPARTMENT FOR A GRANT TO SUPPORT EXISTING EDUCATIONAL PROGRAMMING DURING THE SCHOOL DAY, INCLUDING THE RECRUITMENT, TRAINING, AND ONGOING PROFESSIONAL DEVELOPMENT OF NEW TEACHERS.

(2) (3) A PUBLIC SCHOOL IS ENCOURAGED TO PARTNER WITH NONPROFIT ORGANIZATIONS TO PROVIDE EXTENDED SCHOOL DAY AND SUMMER ENHANCEMENT PROGRAMS FOR THEIR STUDENTS.

(D) (1) TO QUALIFY FOR A GRANT AWARDED IN ACCORDANCE WITH THIS SUBTITLE, A GRANTEE SHALL PROVIDE ~~EXTENDED DAY AND SUMMER ENHANCEMENT PROGRAMS~~ THE SERVICES LISTED IN SUBSECTION (C) OF THIS SECTION IN A COUNTY IN WHICH AT LEAST 50% OF PUBLIC SCHOOL STUDENTS AS A PERCENTAGE OF FULL-TIME EQUIVALENT STUDENTS AS DEFINED IN § 5-202 OF THIS ARTICLE QUALIFY FOR A FREE LUNCH UNDER THE NATIONAL SCHOOL LUNCH PROGRAM.

(2) THE TOTAL AMOUNT OF GRANTS AWARDED SHALL BE ALLOCATED TO GRANTEES PROPORTIONALLY BASED ON THE NUMBER OF PUBLIC SCHOOLS IN EACH COUNTY THAT MEET THE ELIGIBILITY REQUIREMENT IN PARAGRAPH (1) OF THIS SUBSECTION.

(E) (1) THE DEPARTMENT SHALL SELECT APPLICATIONS THAT:

(I) BEST INCORPORATE FEATURES THAT WILL HAVE A POSITIVE MEASURABLE IMPACT ON THE CONDITIONS OF WELL-BEING FOR CHILDREN AND YOUTH AS IDENTIFIED BY THE MARYLAND OUT-OF-SCHOOL TIME PROGRAMS' QUALITY STANDARDS FRAMEWORK;

(II) FOR EXTENDED DAY PROGRAMS, BEST INTEGRATE AN EDUCATIONAL COMPONENT THAT WILL ASSIST STUDENTS IN MEETING ACADEMIC REQUIREMENTS ON GRADE LEVEL; ~~AND~~

(III) FOR SUMMER ENHANCEMENT PROGRAMS:

1. PROVIDE LEARNING AND ENRICHMENT ACTIVITIES THAT WILL ASSIST STUDENTS IN ACHIEVING AT OR ABOVE GRADE LEVEL IN THE NEXT SCHOOL YEAR; AND

2. EXPOSE STUDENTS TO FUTURE LEARNING AND LIFE OPPORTUNITIES; AND

(IV) FOR EDUCATIONAL PROGRAMMING DURING THE SCHOOL DAY, ENHANCE:

1. THE EDUCATIONAL PURPOSE OF THE SCHOOL; OR

2. STUDENTS' ACCESS TO PHYSICAL, SOCIAL, AND EMOTIONAL SUPPORT.

(2) THE DEPARTMENT SHALL GIVE PRIORITY TO APPLICATIONS THAT ILLUSTRATE THE ABILITY TO LEVERAGE PRIVATE AND EXISTING FUNDING SOURCES.

(F) (1) A GRANTEE THAT RECEIVES A GRANT UNDER ~~THIS SUBTITLE SUBSECTION (C)(1) OF THIS SECTION~~ SHALL:

~~(I) PROVIDE EXTENDED SCHOOL DAY AND SUMMER ENHANCEMENT PROGRAMS; AND~~

~~(II) ENSURE~~ ENSURE THAT AN EXTENDED SCHOOL DAY OR SUMMER ENHANCEMENT PROGRAM INCLUDES AN EDUCATIONAL COMPONENT.

(2) A GRANTEE THAT RECEIVES A GRANT UNDER THIS SUBTITLE SHALL PROVIDE EDUCATIONAL PROGRAMS THAT ARE ALIGNED WITH THE MARYLAND COLLEGE AND CAREER-READY STANDARDS.

(G) A LOCAL ~~EDUCATION AGENCY~~ SCHOOL SYSTEM THAT RECEIVES A GRANT UNDER THIS SUBTITLE SHALL PROVIDE MATCHING FUNDS THAT ARE AT LEAST EQUAL TO THE AMOUNT OF THE GRANT AWARDED.

(H) IF A GRANTEE PARTNERS WITH AN ENTITY LISTED IN SUBSECTION (C)(1)(III) OF THIS SECTION, THE DEPARTMENT SHALL ENSURE THAT THE GRANTEE ADMINISTERS ANY GRANTS AWARDED IN ACCORDANCE WITH THIS SUBTITLE.

7-1704.

FOR FISCAL YEARS 2018 THROUGH 2021, THE GOVERNOR SHALL INCLUDE ~~\$10,000,000~~ \$7,500,000 ANNUALLY IN THE STATE BUDGET FOR THE PROGRAM, ~~25%~~ OF WHICH SHALL BE MADE AVAILABLE FOR CAPITAL PURPOSES.

7-1705.

ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE IMPLEMENTATION OF THE PROGRAM, INCLUDING AN EVALUATION OF THE EFFECTIVENESS OF THE ~~EXTENDED DAY AND SUMMER ENHANCEMENT~~ PROGRAMS AND SERVICES FUNDED IN ACCORDANCE WITH THIS SUBTITLE.

7-1706.

THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 8, 2016.

Chapter 33

(House Bill 1403)

AN ACT concerning

~~Next-Generation~~ Next Generation Scholars of Maryland

FOR the purpose of ~~altering certain criteria for the prequalification of a student for a certain grant program; changing the name of the College Readiness Outreach Program to be the Next-Generation Scholars of Maryland Program; altering the purpose and certain requirements of a certain program; establishing a certain pilot program to be administered in certain school systems; requiring certain services to be provided; mandating certain funding for certain years for the pilot program; altering certain criteria for the prequalification of a student for a Guaranteed Access Grant; altering the name of the College Readiness Outreach Program to be the Next-Generation Scholars of Maryland Program; altering the purpose and certain requirements of the Program; requiring the State Department of Education to solicit~~

certain applications from certain nonprofit organizations and give priority to certain applications; requiring certain nonprofit organizations to provide certain guidance and certain services to certain students; ~~establishing the Next Generation Scholars Pilot Program and providing for the administration of the Pilot Program;~~ requiring the Governor to make a certain appropriation in the State budget for certain fiscal years; *requiring the Department to make certain grants to certain nonprofits for certain fiscal years under certain circumstances; establishing the Next Generation Scholars of Maryland Program Fund; specifying the purpose of the Fund; requiring the Department to administer the Fund; specifying that the Fund is a special, nonlapsing fund that is not subject to a certain provision of law; requiring the State Treasurer to hold the Fund separately and the Comptroller to account for the Fund; providing for the composition and uses of the Fund; requiring the State Treasurer to invest the money of the Fund in a certain manner; providing that expenditures from the Fund may be made only in accordance with the State budget;* requiring the ~~State Department of Education~~ Department and the Maryland Higher Education Commission to submit ~~a certain report~~ *certain reports* on or before ~~a certain date;~~ *certain dates; defining certain terms;* and generally relating to the ~~Next Generation~~ Next Generation Scholars of Maryland Program.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 18–303 and 18–303.1
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)84. and 85.
Annotated Code of Maryland
(2015 Replacement Volume)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(i)86.
Annotated Code of Maryland
(2015 Replacement Volume)

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

Article – Education

18–303.

(a) Subject to subsection (d) of this section, each recipient of a Delegate Howard P. Rawlings Educational Excellence Award shall:

(1) Be accepted for admission in the regular undergraduate program at an eligible institution or be enrolled in a 2–year associate degree program in which the course work is acceptable for transfer credit for an accredited baccalaureate program in an eligible institution;

(2) Be a resident of this State;

(3) Demonstrate to the Office a definite financial need; and

(4) Accept any other conditions attached to the award.

(b) Each recipient of a Guaranteed Access Grant shall:

(1) Have attained a grade point average of at least 2.5 on a 4.0 scale or its equivalent at the end of the first semester of the senior year in high school and have completed high school or, failing to do so, on the recommendation of the recipient’s high school principal, provide evidence satisfactory to the Office of extenuating circumstances;

(2) Begin college within 1 year of completing high school or, failing to do so, provide evidence satisfactory to the Office of extenuating circumstances;

(3) Be under the age of 22 years at the time of receiving the first award;

(4) Have successfully completed a college preparatory program in high school;

(5) Enroll in college as a full–time student;

(6) Subject to subsection (c) of this section, have an annual family income below a poverty index determined by the Commission; and

(7) Satisfy any additional criteria the Commission may establish.

(c) To determine the annual family income eligibility of an applicant for a Guaranteed Access Grant, the Office may not consider an amount received by the applicant as an earned income credit under § 32 of the Internal Revenue Code.

(d) ~~A (1)~~ ***EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,*** A student in grade [9] 7 or grade [10] 8 who applies and qualifies for a Guaranteed Access Grant on the basis of financial need as established by the Commission shall prequalify for

a Guaranteed Access Grant to be used at the time of enrollment in an institution of higher education by agreeing in writing, as a secondary and undergraduate student, to:

~~(1)~~ **(I)** Satisfy the attendance policy of the applicable school;

~~(2)~~ **(II)** Refrain from substance abuse;

~~(3)~~ **(III)** Provide information required by the Commission or the State Board of Education;

~~(4)~~ **(IV)** **APPLY FOR ADMISSION TO AN INSTITUTION OF HIGHER EDUCATION DURING THE STUDENT’S SENIOR YEAR OF HIGH SCHOOL;**

~~(4)~~ ~~(5)~~ **(V)** Complete and file on a timely basis applications for federal student aid for each year that the student plans to enroll in postsecondary education;

~~(5)~~ ~~(6)~~ **(VI)** Participate in the [College Readiness Outreach] **NEXT GENERATION SCHOLARS OF MARYLAND** Program established in § 18–303.1 of this subtitle until the student graduates from high school and matriculates at an institution of higher education; [and

~~(6)~~ ~~(7)~~ **(VII)** **MAINTAIN A CUMULATIVE GRADE POINT AVERAGE OF AT LEAST 2.5 ON A 4.0 SCALE OR ITS EQUIVALENT; AND**

~~(8)~~ **(VIII)** Satisfy any other program requirements set by the Office, the Commission, the State Board of Education, or the State Department of Education.

(2) FOR ACADEMIC YEARS 2017–2018 AND 2018–2019, A STUDENT IN GRADE 9 WHO APPLIES AND QUALIFIES FOR A GUARANTEED ACCESS GRANT ON THE BASIS OF FINANCIAL NEED AS ESTABLISHED BY THE COMMISSION SHALL PREQUALIFY FOR A GUARANTEED ACCESS GRANT TO BE USED AT THE TIME OF ENROLLMENT IN AN INSTITUTION OF HIGHER EDUCATION IF THE STUDENT OTHERWISE MEETS THE CONDITIONS OF PARAGRAPH (1) OF THIS SUBSECTION.

18–303.1.

~~(a) In this section, “Program” means the [College Readiness Outreach Program] **NEXT-GENERATION-NEXT-GENERATION SCHOLARS OF MARYLAND PROGRAM.**~~

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “FUND” MEANS THE NEXT GENERATION SCHOLARS OF MARYLAND PROGRAM FUND.

(3) "PROGRAM" MEANS THE NEXT GENERATION SCHOLARS OF MARYLAND PROGRAM.

(b) The [Commission and the] Department, in collaboration with THE COMMISSION, county boards of education, county superintendents, and institutions of higher education, shall [jointly] administer the [College Readiness Outreach] ~~NEXT GENERATION~~ **NEXT GENERATION SCHOLARS OF MARYLAND** Program.

(c) The Program shall provide guidance **AND SERVICES** to students who qualify for a Guaranteed Access Grant in ~~[9th] 7TH or [10th] 8TH grade~~ **IN ACCORDANCE WITH § 18-303(D) OF THIS SUBTITLE** to assist the students in successfully:

(1) Completing a college preparatory curriculum;

(2) Graduating from high school; [and]

(3) Matriculating at an institution of higher education as defined in [§§ 18-305 and 18-308] **§ 18-303** of this subtitle; AND

(4) **MAKING TIMELY PROGRESS TO COMPLETE A DEGREE PROGRAM.**

(d) [(1)] The [Commission and the] Department shall: [designate statewide and regional coordinators for the Program.

(2) The statewide and regional coordinators shall:

(i) Work with county boards of education and county superintendents to provide guidance and one-on-one mentoring to participating students in high school; and

(ii) (1) Publicize the Program through community outreach and marketing materials;

(2) **AWARD GRANTS TO NONPROFIT ORGANIZATIONS TO ADMINISTER THE PROGRAM;**

(3) **SOLICIT APPLICATIONS FROM NONPROFIT ORGANIZATIONS TO ADMINISTER THE PROGRAM IN ONE OR ALL APPLICABLE SCHOOL SYSTEMS AN ELIGIBLE LOCAL SCHOOL SYSTEM SYSTEMS; AND**

~~(3)~~ (4) **GIVE PRIORITY TO APPLICATIONS;**

(1) **FROM MARYLAND-BASED NONPROFIT ORGANIZATIONS;**

AND

(II) THAT ~~WHICH~~ INCLUDE BUSINESS AND INSTITUTION OF HIGHER EDUCATION PARTNERS; AND

~~(4) AWARD GRANTS TO NONPROFIT ORGANIZATIONS TO ADMINISTER THE PROGRAM.~~

(e) [The Commission and the Department may enter into agreements with existing organizations that provide counseling and mentoring services to fulfill the requirements of this section.] **THE IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, THE SERVICES TO BE PROVIDED TO STUDENTS PARTICIPATING IN THE PROGRAM SHALL INCLUDE:**

- (1) A HIGH SCHOOL GRADUATION PLAN;**
- (2) SUMMER WORK OR INTERNSHIP OPPORTUNITIES;**
- (3) FINANCIAL AID LITERACY ASSISTANCE;**
- (4) CAREER INTEREST ASSESSMENTS;**
- (5) MENTORSHIP AND ONE-ON-ONE COUNSELING;**
- (6) VISITS TO COLLEGE CAMPUSES AND WORKPLACES;**
- (7) AN INTENSIVE SUMMER BRIDGE PROGRAM FOR STUDENTS ENTERING AN INSTITUTION OF HIGHER EDUCATION DIRECTLY FROM HIGH SCHOOL; AND**
- (8) A PLAN TO MATRICULATE AND GRADUATE FROM AN INSTITUTION OF HIGHER EDUCATION.**

(f) [The Commission and the Department may supplement professional mentors with] **IN PROVIDING A NONPROFIT ORGANIZATION THAT RECEIVES A GRANT TO PROVIDE THE GUIDANCE AND SERVICES REQUIRED UNDER SUBSECTION (E) OF THIS SECTION, THE NONPROFIT ORGANIZATIONS THAT RECEIVE GRANTS MAY UTILIZE:**

- (1) Postsecondary students receiving work-study assistance at Maryland institutions of higher education; and
- (2) Secondary students in 11th and 12th grades who are successfully completing high school graduation requirements.

(g) [(1) Funds] **EXCEPT AS PROVIDED IN SUBSECTION (H) OF THIS SECTION, FUNDS** for the Program shall be as provided in the State budget.

[(2) To the extent that funds are provided, the State shall provide 50 percent of the costs associated with the local administration and one-on-one mentoring components of the Program, except that in a county that meets the requirements of a “qualified distressed county” under § 1-101 of the Economic Development Article the State shall provide 75 percent of the costs.]

(H) ~~(1)~~ FOR FISCAL YEAR YEARS 2018 THROUGH 2023, THE:

(1) THE GOVERNOR SHALL ANNUALLY INCLUDE \$5,000,000 IN GENERAL FUNDS IN THE STATE BUDGET ANNUALLY FOR A NEXT GENERATION NEXT GENERATION SCHOLARS PILOT THE PROGRAM; AND

(2) THE DEPARTMENT SHALL DISTRIBUTE GRANTS TO NONPROFIT ORGANIZATIONS THAT:

(I) ARE SELECTED IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION; AND

(II) WILL ADMINISTER THE PROGRAM

~~(2) THE PILOT PROGRAM SHALL BE TO BE ADMINISTERED IN A LOCAL SCHOOL SYSTEMS SYSTEM SYSTEMS IN WHICH AT LEAST 50% OF THE STUDENTS AS A PERCENTAGE OF FULL-TIME EQUIVALENT STUDENTS AS DEFINED IN § 5-202 OF THIS ARTICLE ARE ELIGIBLE TO RECEIVE A FREE LUNCH UNDER THE NATIONAL SCHOOL LUNCH PROGRAM IN THE 2015-2016 SCHOOL YEAR.~~

(1) (1) THERE IS A NEXT GENERATION SCHOLARS OF MARYLAND PROGRAM FUND.

(2) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDS FOR THE ADMINISTRATION OF THE PROGRAM.

(3) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(4) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(5) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(6) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE PROGRAM;

(II) INTEREST EARNINGS OF THE FUND; AND**(III) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.****(7) THE FUND MAY BE USED ONLY FOR ADMINISTERING THE PROGRAM.****(8) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.****(II) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.****(9) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.**

(h) ~~(j)~~ (j) The [Commission and the] Department may adopt regulations necessary to implement this section.

~~(j)~~ (k) ON OR BEFORE DECEMBER 1, 2020, AND DECEMBER 1, 2022, THE COMMISSION AND THE DEPARTMENT SHALL ~~SUBMIT A~~ REPORT ~~ON IMPLEMENTATION OF THE PROGRAM AND THE PILOT PROGRAM TO THE GOVERNOR~~ GOVERNOR AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY, ~~INCLUDING ON THE IMPLEMENTATION OF THE PROGRAM AND THE PILOT PROGRAM,~~ INCLUDING:

(1) THE NUMBER OF STUDENTS FROM EACH LOCAL SCHOOL SYSTEM WHO WERE PREQUALIFIED FOR THE GUARANTEED ACCESS GRANT DURING EACH YEAR OF THE PROGRAM;

(2) THE RACE, DISABILITY STATUS, AND ENGLISH LANGUAGE LEARNER STATUS OF EACH PARTICIPATING STUDENT WHO PREQUALIFIED FOR THE GUARANTEED ACCESS GRANT EACH YEAR OF THE PROGRAM;

~~(2)~~ (3) THE PROGRESS OF EACH PARTICIPATING STUDENT THROUGH THE PROGRAM, INCLUDING HIGH SCHOOL GRADUATION, INSTITUTION OF HIGHER EDUCATION MATRICULATION AND RETENTION RATES, AND, IF APPLICABLE, INSTITUTION OF HIGHER EDUCATION GRADUATION RATES;

~~(3)~~ (4) THE AMOUNT AND QUALITY OF SERVICES PROVIDED BY NONPROFIT ORGANIZATIONS TO PARTICIPATING STUDENTS, INCLUDING THE USE OF COLLEGE WORK-STUDY STUDENTS AND HIGH SCHOOL STUDENTS AS MENTORS AND COUNSELORS;

~~(4)~~ (5) THE NONPROFIT ORGANIZATIONS THAT RECEIVED GRANTS UNDER THE PROGRAM, INCLUDING ANY OTHER ENTITIES THAT PROVIDED SERVICES SUCH AS INSTITUTIONS OF HIGHER EDUCATION, THE BUSINESS COMMUNITY, AND LOCAL SCHOOLS OR LOCAL SCHOOL SYSTEMS;

~~(5)~~ (6) THE AMOUNT OF FINANCIAL AID, IN ADDITION TO THE GUARANTEED ACCESS GRANT, THAT PARTICIPATING STUDENTS RECEIVED EACH YEAR THAT ~~THEY~~ THE STUDENTS WERE ENROLLED IN AN INSTITUTION OF HIGHER EDUCATION; AND

~~(6)~~ (7) FINDINGS AND RECOMMENDATIONS ON THE SUCCESS OF THE PROGRAM ~~AND PILOT PROGRAM~~ AND WHETHER FUNDING FOR THE ~~PILOT~~ PROGRAM SHOULD BE CONTINUED OR EXPANDED.

Article – State Finance and Procurement

6-226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

84. the Economic Development Marketing Fund; [and]

85. the Military Personnel and Veteran-Owned Small Business No-Interest Loan Fund; AND

86. THE NEXT GENERATION SCHOLARS OF MARYLAND PROGRAM FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 8, 2016.

Chapter 34

(House Bill 1404)

AN ACT concerning

~~Maryland Center for Construction Education and Innovation – Codification~~
Establishment of Fund and Centers

FOR the purpose of ~~establishing the Maryland Center for Construction Education and Innovation; providing that the Center is a body politic and corporate and is an instrumentality of the State; specifying the purposes of the Center; specifying what the Center shall seek to accomplish; establishing a Board of Directors for the Center; specifying the duties, membership, qualifications, terms, appointments, and removal of the members of the Board; specifying the manner of electing the chair of the Board; requiring the Center to employ an Executive Director; specifying the duties of the Executive Director of the Center; establishing the Construction Education and Innovation Fund as a special, nonlapsing fund; requiring the Center to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; requiring the Governor, each fiscal year, to include in the annual State budget an appropriation of a certain amount to the Fund to support certain operations; specifying the purpose for which the Fund may be used; providing for expenditures from the Fund; requiring interest earnings of the Fund to be credited to the Fund; exempting the Fund from a certain provision of law requiring interest earnings on State money to accrue to the General Fund of the State; providing that the Attorney General is the legal advisor to the Center; authorizing the Center to employ certain staff; specifying certain provisions of law from which the Center is exempt and to which the Center is subject; specifying the authority of the Center; requiring the Center to report on certain matters to certain persons on or before a certain date each year; requiring the Department of Labor, Licensing, and Regulation to develop a framework for establishing a certain number of additional centers that have purposes and structure similar to those of the Maryland Center for Construction Education and Innovation; requiring the Department to establish certain centers; requiring the Department of Labor, Licensing, and Regulation to report to the General Assembly, on or before a certain date, on its findings and recommendations relating to development of a concerning the framework for establishing certain additional centers and certain other matters;~~ defining certain terms; and generally relating to construction education and innovation.

BY adding to

Article – Labor and Employment

Section 11-1301 ~~through 11-1312~~ and 11-1302 to be under the new subtitle

“Subtitle 13. ~~Maryland Center For~~ Construction Education and Innovation
Fund”

Annotated Code of Maryland

(2008 Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
 Article – State Finance and Procurement
 Section 6–226(a)(2)(i)
 Annotated Code of Maryland
 (2015 Replacement Volume)

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 6–226(a)(2)(ii)84. and 85.
 Annotated Code of Maryland
 (2015 Replacement Volume)

BY adding to
 Article – State Finance and Procurement
 Section 6–226(a)(2)(ii)86.
 Annotated Code of Maryland
 (2015 Replacement Volume)

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

Article – Labor and Employment

SUBTITLE 13. ~~MARYLAND CENTER FOR~~ CONSTRUCTION EDUCATION AND INNOVATION FUND.

11–1301.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

~~(B) “BOARD” MEANS THE BOARD OF DIRECTORS OF THE CENTER.~~

~~(C) (B) “CENTER” MEANS THE MARYLAND CENTER FOR CONSTRUCTION EDUCATION AND INNOVATION ESTABLISHED UNDER § 11–1302 OF THIS SUBTITLE.~~

~~(D) (C) “FUND” MEANS THE CONSTRUCTION EDUCATION AND INNOVATION FUND ESTABLISHED UNDER § 11–1305 OF THIS SUBTITLE.~~

~~11–1302.~~

~~(A) THERE IS A MARYLAND CENTER FOR CONSTRUCTION EDUCATION AND INNOVATION.~~

~~(B) THE CENTER IS A BODY POLITIC AND CORPORATE AND IS AN INSTRUMENTALITY OF THE STATE.~~

~~(C) THE PURPOSES OF THE CENTER ARE TO:~~

~~(1) WORK IN PARTNERSHIP WITH THE CONSTRUCTION INDUSTRY, EDUCATIONAL INSTITUTIONS, AND GOVERNMENT TO CREATE A WORLD CLASS EDUCATION SYSTEM FOR THE STATE'S BUILT ENVIRONMENT;~~

~~(2) PROMOTE THE ECONOMIC VITALITY OF CONSTRUCTION IN THE STATE; AND~~

~~(3) SERVE AS A RESOURCE FOR THE CONSTRUCTION INDUSTRY, EDUCATIONAL INSTITUTIONS, AND GOVERNMENT IN ORDER TO POSITION CONSTRUCTION AS A CAREER CHOICE FOR TOMORROW'S WORKFORCE.~~

~~(D) THE CENTER SHALL SEEK TO:~~

~~(1) DETERMINE STATEWIDE INDUSTRY DEMAND FOR BACHELOR DEGREE CONSTRUCTION GRADUATES AND EXPLORE ALTERNATIVES IN POST-SECONDARY EDUCATION TO MEET INDUSTRY DEMAND;~~

~~(2) GENERATE INTEREST AMONG YOUNG MEN AND WOMEN TO PURSUE CAREERS IN CONSTRUCTION AND CONVEY ATTRACTIVE CONSTRUCTION RELATED CAREER OPTIONS;~~

~~(3) ALIGN EDUCATION PROGRAMS WITH NEW DEVELOPING TECHNOLOGIES AND SKILL SETS, INCLUDING THOSE IN GREEN CONSTRUCTION, CONSTRUCTION SOFTWARE, DIGITIZATION, MATERIALS SCIENCE, AND MECHANICAL SYSTEMS; AND~~

~~(4) ARTICULATE CONSTRUCTION EDUCATION PROGRAMS AT LEVELS FROM HIGH SCHOOL THROUGH UNIVERSITY TO CREATE CAREER PATHWAYS THAT PROVIDE A SUSTAINABLE WORKFORCE PIPELINE.~~

~~11-1303.~~

~~(A) A BOARD OF DIRECTORS SHALL MANAGE THE CENTER AND EXERCISE THE CORPORATE POWERS OF THE BOARD OF DIRECTORS.~~

~~(B) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:~~

~~(1) THE SECRETARY, OR THE SECRETARY'S DESIGNEE;~~

~~(2) THE COMMISSIONER OF LABOR AND INDUSTRY, OR THE COMMISSIONER'S DESIGNEE;~~

~~(3) THE EXECUTIVE DIRECTOR OF THE GOVERNOR'S WORKFORCE INVESTMENT BOARD, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;~~

~~(4) THE SECRETARY OF EDUCATION, OR THE SECRETARY'S DESIGNEE;~~

~~(5) THE SECRETARY OF COMMERCE, OR THE SECRETARY'S DESIGNEE;~~

~~(6) THE EXECUTIVE DIRECTOR OF THE MARYLAND ASSOCIATION OF COMMUNITY COLLEGES, OR THE EXECUTIVE DIRECTOR'S DESIGNEE;~~

~~(7) THE VICE PRESIDENT OF THE DIVISION OF INNOVATION AND APPLIED RESEARCH AT TOWSON UNIVERSITY, OR THE VICE PRESIDENT'S DESIGNEE;~~

~~(8) THE CHAIR OF THE MARYLAND APPRENTICESHIP AND TRAINING COUNCIL, OR THE CHAIR'S DESIGNEE; AND~~

~~(9) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE:~~

~~(I) TEN REPRESENTATIVES OF THE CONSTRUCTION INDUSTRY IN THE STATE, INCLUDING COMMERCIAL, INDUSTRIAL, AND RESIDENTIAL BUILDING AND CONSTRUCTION COMPANIES, REAL ESTATE DEVELOPMENT COMPANIES, REDEVELOPMENT CONSTRUCTION COMPANIES, GENERAL CONTRACTING COMPANIES, AND CONSTRUCTION MANAGEMENT COMPANIES;~~

~~(II) TWO REPRESENTATIVES OF NATIONAL OR LOCAL ASSOCIATIONS THAT REPRESENT CONTRACTORS, SUBCONTRACTORS, TRADES, AND SUPPLIERS IN THE STATE;~~

~~(III) SEVEN REPRESENTATIVES OF VARIOUS CONSTRUCTION CONTRACTORS, SUBCONTRACTORS, TRADES, OR SUPPLIERS IN THE STATE, INCLUDING MECHANICAL, ELECTRICAL, WOODWORKING, AND OTHER SPECIALTIES;~~

~~(IV) THREE REPRESENTATIVES OF THE FIELD OF ENGINEERING, INCLUDING CIVIL AND MECHANICAL;~~

~~(V) TWO REPRESENTATIVES OF THE FIELDS OF ARCHITECTURE OR DESIGN; AND~~

~~(VI) TWO REPRESENTATIVES OF THE PUBLIC WITH GENERAL EXPERTISE IN TRAINING, APPRENTICESHIP PROGRAMS, OR EDUCATION OF THE CONSTRUCTION WORKFORCE.~~

~~(C) EACH MEMBER OF THE BOARD SHALL RESIDE IN THE STATE.~~

~~(D) IN MAKING APPOINTMENTS TO THE BOARD, THE GOVERNOR SHALL CONSIDER DIVERSITY AND ALL GEOGRAPHIC REGIONS OF THE STATE.~~

~~(E) A MEMBER OF THE BOARD:~~

~~(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE BOARD;~~
BUT

~~(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.~~

~~(F) (1) THE TERM OF AN APPOINTED MEMBER IS 4 YEARS.~~

~~(2) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS ON OCTOBER 1, 2016.~~

~~(3) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.~~

~~(5) AN APPOINTED MEMBER MAY SERVE MORE THAN ONE TERM.~~

~~(G) THE GOVERNOR MAY REMOVE AN APPOINTED MEMBER FOR INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE DUTIES OF THE POSITION.~~

~~(H) THE BOARD SHALL ELECT A CHAIR FROM AMONG THE MEMBERS OF THE BOARD.~~

~~(I) THE BOARD MAY ACT WITH AN AFFIRMATIVE VOTE OF A MAJORITY OF THE TOTAL MEMBERSHIP OF THE BOARD.~~

~~(A) THE CENTER SHALL EMPLOY AN EXECUTIVE DIRECTOR.~~

~~(B) THE EXECUTIVE DIRECTOR SHALL HAVE EXPERIENCE WITH AND POSSESS QUALIFICATIONS RELEVANT TO THE ACTIVITIES AND PURPOSES OF THE CENTER.~~

~~11-1305. 11-1302.~~

(A) THERE IS A CONSTRUCTION EDUCATION AND INNOVATION FUND.

(B) THE CENTER SHALL ADMINISTER THE FUND.

(C) (1) THE FUND IS A SPECIAL, NONLAPSING REVOLVING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(D) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

(2) MONEY MADE AVAILABLE TO THE FUND THROUGH FEDERAL PROGRAMS OR PRIVATE CONTRIBUTIONS;

(3) MONEY DERIVED BY THE CENTER; OR

(4) ANY OTHER MONEY MADE AVAILABLE TO THE CENTER FOR THE FUND.

~~(E) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT FOR EACH FISCAL YEAR FOR FISCAL YEAR 2018 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL STATE BUDGET AN APPROPRIATION TO THE FUND OF \$250,000 TO SUPPORT THE OPERATION OF THE CENTER ESTABLISHED UNDER THIS SUBTITLE.~~

(F) THE FUND MAY BE USED ONLY TO SUPPORT THE PURPOSES OF THE CENTER.

(G) (1) THE TREASURER SHALL INVEST MONEY IN THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE PAID INTO THE FUND.

~~11-1306.~~

~~(A) THE ATTORNEY GENERAL IS THE LEGAL ADVISOR TO THE CENTER.~~

~~(B) WITH THE APPROVAL OF THE ATTORNEY GENERAL, THE CENTER MAY RETAIN ANY NECESSARY LAWYERS.~~

~~11-1307.~~

~~THE CENTER MAY RETAIN ANY NECESSARY ACCOUNTANTS, FINANCIAL ADVISORS, OR OTHER CONSULTANTS.~~

~~11-1308.~~

~~(A) EXCEPT AS PROVIDED IN SUBSECTIONS (B), (C), AND (E) OF THIS SECTION, THE CENTER IS EXEMPT FROM:~~

~~(1) TITLE 10 AND DIVISION II OF THE STATE FINANCE AND PROCUREMENT ARTICLE; AND~~

~~(2) §§ 3-301 AND 3-303 OF THE GENERAL PROVISIONS ARTICLE.~~

~~(B) THE CENTER IS SUBJECT TO THE PUBLIC INFORMATION ACT.~~

~~(C) THE BOARD AND THE OFFICERS AND EMPLOYEES OF THE CENTER ARE SUBJECT TO THE PUBLIC ETHICS LAW.~~

~~(D) THE OFFICERS AND EMPLOYEES OF THE CENTER ARE NOT SUBJECT TO THE PROVISIONS OF DIVISION I OF THE STATE PERSONNEL AND PENSIONS ARTICLE THAT GOVERN THE STATE PERSONNEL MANAGEMENT SYSTEM.~~

~~(E) THE CENTER, THE BOARD, AND THE EMPLOYEES OF THE CENTER ARE SUBJECT TO TITLE 12, SUBTITLE 4 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~

~~11-1309.~~

~~THE CENTER MAY:~~

~~(1) ADOPT BYLAWS FOR THE CONDUCT OF ITS BUSINESS;~~

~~(2) ADOPT A SEAL;~~

~~(3) MAINTAIN OFFICES AT A PLACE IN THE STATE THAT THE CENTER DESIGNATES;~~

~~(4) ACCEPT LOANS, GRANTS, OR ASSISTANCE OF ANY KIND FROM THE FEDERAL OR STATE GOVERNMENT, LOCAL GOVERNMENT, A COLLEGE OR UNIVERSITY, OR A PRIVATE SOURCE;~~

~~(5) ENTER INTO CONTRACTS AND OTHER LEGAL INSTRUMENTS;~~

~~(6) SUE OR BE SUED;~~

~~(7) ACQUIRE, PURCHASE, HOLD, LEASE AS LESSEE, AND USE:~~

~~(I) A FRANCHISE, PATENT, OR LICENSE;~~

~~(II) ANY REAL, PERSONAL, MIXED, TANGIBLE, OR INTANGIBLE PROPERTY; OR~~

~~(III) AN INTEREST IN THE PROPERTY LISTED IN THIS ITEM;~~

~~(8) SELL, LEASE AS LESSOR, TRANSFER, LICENSE, ASSIGN, OR DISPOSE OF PROPERTY OR A PROPERTY INTEREST THAT THE CENTER ACQUIRES;~~

~~(9) FIX AND COLLECT RATES, RENTALS, FEES, ROYALTIES, AND CHARGES FOR SERVICES AND RESOURCES THE CENTER PROVIDES OR MAKES AVAILABLE; AND~~

~~(10) DO ALL THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE POWERS GRANTED BY THIS SUBTITLE.~~

~~11-1310.~~

~~THE CENTER IS EXEMPT FROM STATE AND LOCAL TAXES.~~

~~11-1311.~~

~~THE BOOKS AND RECORDS OF THE CENTER ARE SUBJECT TO AUDIT:~~

~~(1) AT ANY TIME BY THE STATE; AND~~

~~(2) EACH YEAR BY AN INDEPENDENT AUDITOR THAT THE OFFICE OF LEGISLATIVE AUDITS APPROVES.~~

~~11-1312.~~

~~(A) ON OR BEFORE OCTOBER 1 EACH YEAR, THE CENTER SHALL REPORT TO THE GOVERNOR, THE SECRETARY, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY.~~

~~(B) THE REPORT SHALL INCLUDE A COMPLETE OPERATING AND FINANCIAL STATEMENT COVERING THE CENTER'S OPERATIONS AND A SUMMARY OF THE CENTER'S ACTIVITIES DURING THE PRECEDING FISCAL YEAR.~~

Article – State Finance and Procurement

6–226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

84. the Economic Development Marketing Fund; [and]

85. the Military Personnel and Veteran–Owned Small Business No–Interest Loan Fund; AND

86. THE CONSTRUCTION EDUCATION AND INNOVATION FUND.

~~SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding § 11-1303(f)(1) of the Labor and Employment Article, as enacted by Section 1 of this Act, the terms of the initial appointed members of the Board of Directors of the Maryland Center for Construction Education and Innovation shall expire as follows:~~

~~(1) Six members on September 30, 2019;~~

~~(2) Six members on September 30, 2020;~~

~~(3) Seven members on September 30, 2021; and~~

~~(4) Seven members on September 30, 2022.~~

~~SECTION 3. 2. AND BE IT FURTHER ENACTED, That:~~

~~(a) (1) (i) The Department of Labor, Licensing, and Regulation shall develop a framework for establishing two additional centers that shall have purposes and structure similar to those of the Maryland Center for Construction Education and Innovation, as enacted under Section 1 of this Act.~~

~~(ii) The framework shall specify the appropriate membership and duties of the additional centers.~~

~~(2) As additional centers, the Department shall establish:~~

~~(i) one center to focus on creating a world class education system for the development of the cybersecurity industry in the State; and~~

~~(ii) another center to focus on creating a world class education system for the development of the additive manufacturing industry in the State.~~

~~(b) On or before December 1, 2016, the Department shall report to the House Economic Matters Committee and the Senate Finance Committee, in accordance with § 2-1246 of the State Government Article, on its findings and recommendations concerning the framework and other matters related to the additional centers to be established under this section.~~

SECTION 4. ~~2.~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Enacted under Article II, § 17(b) of the Maryland Constitution, April 8, 2016.

Chapter 35

(House Bill 172)

AN ACT concerning

~~Anne Arundel County~~ **County Board of Education and School Board Nominating Commission—Membership**

FOR the purpose of altering the membership of the School Board Nominating Commission of Anne Arundel County ~~to provide that, beginning on a certain date and every certain number of years thereafter, one member shall be appointed by certain chambers of commerce on a rotating basis in a specified order; altering the term of the member appointed by a chamber of commerce; requiring each member of the Commission to be a resident of Anne Arundel County; prohibiting, with a certain exception, a member of the Commission from being an employee of a county school board; altering the method of selecting and the term of the chair of the Commission; authorizing the reappointment of a member of the Commission; specifying the terms~~

of certain members of the Commission; prohibiting a member of the Commission from serving more than a certain number of years; altering the entity required to provide staff for the Commission; requiring the affirmative vote of a certain number of members of the Commission for the approval of any action; prohibiting a member of the Commission from voting by proxy; requiring the Commission to require each applicant for a certain nomination to complete an application that includes certain information and a certain declaration; requiring the Commission to consult the Maryland Judiciary Case Search to verify certain statements; requiring a certain member of the Anne Arundel County Board of Education to resign effective a certain number of days after certification of certain election results; prohibiting a certain member of the Board from continuing to serve under certain circumstances; providing for the termination of the ~~term of a certain member~~ terms of certain members of the Commission; and generally relating to the ~~membership of the~~ Anne Arundel County Board of Education and the School Board Nominating Commission of Anne Arundel County.

BY repealing and reenacting, with amendments,
 Article – Education
 Section 3–110(b) and (c)
 Annotated Code of Maryland
 (2014 Replacement Volume and 2015 Supplement)

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

Article – Education

3–110.

(b) (1) (i) There is a School Board Nominating Commission of Anne Arundel County.

(ii) The purpose of the Commission is to select nominees to be recommended to the Governor as qualified candidates for appointment to the Anne Arundel County Board of Education.

(iii) The Commission shall hold at least two public hearings on the selection of nominees before recommending to the Governor nominees for appointment to the county board.

(2) ~~(i)~~ The Commission consists of ~~11~~ **THE FOLLOWING 13** members ~~who shall be appointed in accordance with this paragraph.~~

~~(ii) The Governor shall appoint five members, one from each legislative district that lies in whole or in part in Anne Arundel County.~~

~~(iii) The County Executive of Anne Arundel County shall appoint one member from the county at large.~~

~~(iv) The following organizations shall each appoint one member:~~

~~1. The Teachers Association of Anne Arundel County;~~

~~2. [The Annapolis and Anne Arundel County Chamber of Commerce;~~

~~3.] The Anne Arundel County Council of Parent Teacher Associations;~~

~~[4.] 3. The Anne Arundel County Community College Board of Trustees; and~~

~~[5.] 4. The Association of Educational Leaders (AEL);~~

(I) THREE MEMBERS APPOINTED BY THE COUNTY EXECUTIVE OF ANNE ARUNDEL COUNTY FROM THE COUNTY AT LARGE:

1. ONE OF WHOM SHALL BE A PARENT OF A CHILD ENROLLED IN THE ANNE ARUNDEL COUNTY PUBLIC SCHOOL SYSTEM; AND

2. NO MORE THAN ONE OF WHOM MAY BE A CURRENT EMPLOYEE OF ANNE ARUNDEL COUNTY;

(II) ONE MEMBER APPOINTED BY THE TEACHERS ASSOCIATION OF ANNE ARUNDEL COUNTY;

(III) ONE MEMBER APPOINTED BY THE ANNAPOLIS AND ANNE ARUNDEL COUNTY CHAMBER OF COMMERCE;

(IV) ONE MEMBER APPOINTED BY THE ANNE ARUNDEL COUNTY COMMUNITY COLLEGE BOARD OF TRUSTEES;

(V) ONE MEMBER APPOINTED BY THE ASSOCIATION OF EDUCATIONAL LEADERS (AEL);

(VI) TWO MEMBERS APPOINTED BY THE ANNE ARUNDEL COUNTY COUNCIL OF PARENT TEACHER ASSOCIATIONS WHO MAY NOT:

1. BE AFFILIATED WITH A TEACHERS' UNION OR ASSOCIATION; OR

2. BE A CURRENT EMPLOYEE OF ANNE ARUNDEL COUNTY;

(VII) ONE MEMBER APPOINTED BY THE ANNE ARUNDEL COUNTY BRANCH OF THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP);

(VIII) ONE MEMBER APPOINTED BY CASA DE MARYLAND;

(IX) ONE MEMBER APPOINTED BY THE ANNE ARUNDEL SPECIAL EDUCATION CITIZENS' ADVISORY COMMITTEE WHO IS A PARENT OF A CHILD WITH SPECIAL NEEDS IN THE ANNE ARUNDEL COUNTY PUBLIC SCHOOL SYSTEM; AND

~~(v)~~ (X) BEGINNING ~~JULY~~ JUNE 1, 2016, AND EVERY 2 YEARS THEREAFTER, ONE MEMBER SHALL BE APPOINTED BY A CHAMBER OF COMMERCE BASED IN ANNE ARUNDEL COUNTY ON A ROTATING BASIS IN THE FOLLOWING ORDER:

1. THE WEST ANNE ARUNDEL COUNTY CHAMBER OF COMMERCE;

2. THE NORTHERN ANNE ARUNDEL COUNTY CHAMBER OF COMMERCE;

3. THE SOUTHERN ANNE ARUNDEL CHAMBER OF COMMERCE;

4. THE GREATER CROFTON CHAMBER OF COMMERCE;
AND

5. THE GREATER SEVERNA PARK AND ARNOLD CHAMBER OF COMMERCE;~~AND~~

~~6. THE ANNAPOLIS AND ANNE ARUNDEL COUNTY CHAMBER OF COMMERCE.~~

(3) (I) EACH MEMBER OF THE COMMISSION MUST BE A RESIDENT OF ANNE ARUNDEL COUNTY.

(II) EXCEPT FOR THE MEMBERS APPOINTED UNDER PARAGRAPH (2)(II) AND (V) OF THIS SUBSECTION, A MEMBER OF THE COMMISSION MAY NOT BE A CURRENT EMPLOYEE OF A COUNTY SCHOOL BOARD.

~~(3)~~ **(4)** (i) ~~The Governor shall designate as chair of the Commission one of the five members appointed by the Governor under paragraph (2)(ii) of this subsection~~
COMMISSION SHALL SELECT A CHAIR FROM AMONG ITS MEMBERS.

(ii) The term of the chair of the Commission is ~~4~~ **2** years.

~~(iii) The Governor may reappoint the chair of the Commission for a second term.~~

~~(iv)~~ **(5)** ~~1.~~ **(I)** [The] **EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH SUBPARAGRAPH (II) OF THIS PARAGRAPH,** THE term of a member of the Commission is 4 years.

~~2.~~ **(II) THE TERM OF A MEMBER APPOINTED BY A CHAMBER OF COMMERCE UNDER PARAGRAPH (2)(X) OF THIS SUBSECTION IS 2 YEARS.**

(III) A MEMBER MAY BE REAPPOINTED BUT MAY NOT SERVE MORE THAN 8 YEARS.

~~(4)~~ **(6)** The ~~Department of Legislative Services~~ **ANNE ARUNDEL COUNTY BOARD OF EDUCATION** shall provide staff for the Commission.

(7) (I) THE AFFIRMATIVE VOTE OF AT LEAST EIGHT MEMBERS OF THE COMMISSION IS REQUIRED FOR THE APPROVAL OF ANY ACTION.

(II) A MEMBER OF THE COMMISSION MAY NOT VOTE BY PROXY.

(8) (I) THE COMMISSION SHALL REQUIRE EACH APPLICANT FOR NOMINATION TO COMPLETE AN APPLICATION THAT INCLUDES:

1. THE FULL NAME AND ADDRESS OF THE INDIVIDUAL;

2. ANY FORMER NAME USED BY THE INDIVIDUAL;

3. A STATEMENT AS TO WHETHER THE INDIVIDUAL HAS ANY CONVICTION FOR A CRIME THAT:

A. RELATES TO THE RESPONSIBILITIES OF A MEMBER OF THE COUNTY BOARD; AND

B. HAS NOT BEEN EXPUNGED OR OTHERWISE SHIELDED;

4. A STATEMENT AS TO WHETHER THE INDIVIDUAL HAS BEEN ADJUDGED BANKRUPT OR INSOLVENT; AND

5. A DECLARATION THAT THE STATEMENTS MADE IN THE APPLICATION ARE TRUE, CORRECT, AND COMPLETE TO THE BEST OF THE INDIVIDUAL'S KNOWLEDGE AND BELIEF.

(II) THE COMMISSION SHALL CONSULT THE MARYLAND JUDICIARY CASE SEARCH TO VERIFY THE STATEMENTS MADE BY THE APPLICANT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH.

~~(5)~~ **(9)** Beginning January 1, 2008, for each nomination to the county board, the Commission shall submit to the Governor a list of nominees that contains:

(i) At least two names for each vacancy; or

(ii) If there are fewer than two applicants for a vacancy, the number of names that is equal to the number of applicants for the vacancy.

(c) (1) Following the appointment of a member of the Anne Arundel County Board of Education by the Governor, a member may serve for the remainder of the member's term, as provided in § 3-108(c) of this subtitle, subject to the approval or rejection of the registered voters of the county at the next general election.

(2) A member of the county board is eligible for nomination and reappointment for a second consecutive term in accordance with the provisions of subsections (a) and (b) of this section.

(3) (i) The approval or rejection of a member of the county board by the registered voters of the county provided for in subparagraph (ii) of this paragraph shall be a vote for the member's retention or removal.

(ii) On receipt of the notice required under § 5-301(h) of the Election Law Article, the name of the member of the county board shall be placed on the appropriate ballot and shown, without opposition, and the voters shall vote for or against the member's retention as a member of the county board.

(4) If the voters reject the retention of the member, or the vote is tied:

(i) The position shall become vacant 10 days after certification of the election returns; [and]

(ii) The member [serves until a successor is appointed and qualifies] SHALL RESIGN FROM THE COUNTY BOARD EFFECTIVE 10 DAYS AFTER CERTIFICATION OF THE ELECTION RETURNS; AND

(III) THE MEMBER MAY NOT CONTINUE TO SERVE ON THE COUNTY BOARD.

SECTION 2. AND BE IT FURTHER ENACTED, That the ~~term of the member terms~~ of the members of the School Board Nominating Commission of Anne Arundel County who ~~was were~~ appointed by the ~~Annapolis and Anne Arundel County Chamber of Commerce~~ and is Governor and are in office on the effective date of this Act shall terminate ~~at the end of June 30 on June 1,~~ on June 1, 2016.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2016.

Gubernatorial Veto Override, April 8, 2016.

Chapter 36

(House Bill 1013)

AN ACT concerning

Maryland Open Transportation Investment Decision Act of 2016

FOR the purpose of establishing State transportation goals; establishing measures by which the Department of Transportation is required to score the extent to which certain major capital projects satisfy the goals; requiring the Department to develop a project-based scoring system and promulgate certain regulations; requiring the Department to submit a certain list; requiring the Department to evaluate, score, and rank certain major capital projects for inclusion in the ~~draft and~~ final Consolidated Transportation Program, in a certain manner; requiring, with a certain exception, that certain capital projects with higher scores be ranked ahead of capital projects with lower scores; requiring the Department to incorporate the State transportation goals in the Consolidated Transportation Program and Maryland Transportation Plan; requiring that certain analyses and benchmarks are included in the Consolidated Transportation Program and Maryland Transportation Plan; providing for the construction and application of this Act; defining a certain term; altering certain definitions; making certain conforming changes; and generally relating to State transportation goals.

BY repealing and reenacting, with amendments,
 Article – Transportation
 Section 2–103.1
 Annotated Code of Maryland
 (2015 Replacement Volume and 2015 Supplement)

BY adding to
 Article – Transportation
 Section 2–103.7
 Annotated Code of Maryland

(2015 Replacement Volume and 2015 Supplement)

Preamble

WHEREAS, It is the intent of the General Assembly that a public process for transportation planning be developed that provides Maryland citizens with a clear and transparent explanation as to how their transportation taxes and revenues are allocated to fund major capital transportation projects; now, therefore,

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

Article – Transportation

2–103.1.

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

(2) “Capital project” means:

(i) Any project for which funds are expended for construction, reconstruction, or rehabilitation of a transportation facility by the Department or of a transportation facilities project by the Maryland Transportation Authority; or

(ii) Capital equipment, as defined by the Secretary.

(3) “Construction phase” means the phase of a capital project in which the project is committed and advanced from the project development phase to completion.

(4) “Major capital project” means any new, expanded, or significantly improved facility or service that involves planning, environmental studies, design, right-of-way, construction, or purchase of essential equipment related to the facility or service.

(5) “MAJOR TRANSPORTATION PROJECT” HAS THE MEANING STATED IN § 2–103.7 OF THIS SUBTITLE.

~~(5)~~ **(6)** “Minor capital project” means any project for the preservation or rehabilitation of an existing facility or service, including the planning, design, right-of-way, construction, or purchase of equipment essential to the facility or service, and generally not requiring the preparation of an environmental impact assessment.

~~(6)~~ **(7)** “Project development phase” means the phase of a capital project in which planning, engineering, and environmental studies and analyses are conducted with full participation by the public, prior to commitment to construction.

~~(7)~~ **(8)** (i) “Proposing entity” means a government agency or political subdivision that requests that a transportation project be included in the Consolidated Transportation Program.

(ii) “Proposing entity” includes a county, a municipality, a metropolitan planning organization, or a modal administration or any other agency of the Department.

~~(8)~~ **(9)** “Purpose and need summary statement” means a brief statement that specifies the underlying purpose and need for a project.

~~(9)~~ **(10)** “Significant change” means any change that affects the size or character of a project to the extent that the change:

(i) Substantially modifies the capacity, level of service, or cost of the project;

(ii) Alters the function or purpose of the project; or

(iii) Impacts the ability of a modal administration to accomplish the program priorities established by the Secretary in the State Report on Transportation.

~~(10)~~ **(11)** “State transportation goals” means the goals described in [the Maryland Transportation Plan] **§ 2–103.7 OF THIS SUBTITLE**.

~~(11)~~ **(12)** “Transportation facilities project” has the meaning stated in § 4–101(i) of this article.

~~(12)~~ **(13)** “Transportation facility” has the meaning stated in § 3–101(l) of this article.

(b) The State Report on Transportation consists of the Consolidated Transportation Program and the Maryland Transportation Plan.

(c) (1) The Consolidated Transportation Program shall:

(i) Be revised annually ~~IN ACCORDANCE WITH § 2–103.7 OF THIS SUBTITLE~~; and

(ii) Include:

1. A list of:

A. The ~~current~~ State transportation goals;

B. Program priorities; ~~and~~

C. For projects in the construction phase, the criteria used to select major capital projects for inclusion in the capital program[, as determined by the Department]; AND

D. ~~IF APPLICABLE, THE~~ THE MANNER IN WHICH EACH MAJOR CAPITAL TRANSPORTATION PROJECT WAS EVALUATED AND RANKED UNDER § 2-103.7 OF THIS SUBTITLE;

2. A statement of the Department's projected annual operating costs, set forth separately for the Office of the Secretary and for each modal administration;

3. Expanded descriptions of major capital projects;

4. A list of major capital projects for the current year, the budget request year, and the 4 successive planning years;

5. A list of anticipated minor capital projects, including a specific list of anticipated special projects for the current year and the budget request year and an estimate of the Program level for each of the 4 successive planning years;

6. A list of major bridge work projects;

7. A summary of the capital and operating programs, as defined by the Secretary, for the Maryland Transportation Authority;

8. For each listed major capital project, an indication whether the revenue source anticipated to support that project consists of federal, special, general, or other funds;

9. The Department's estimates of the levels and sources of revenues to be used to fund the projects in the Program;

10. A glossary of terms; and

11. A cross-reference table for the information contained in the various parts of the State Report on Transportation.

(2) In addition to the items listed in paragraph (1) of this subsection, the Consolidated Transportation Program shall include:

(i) A summary of current efforts and future plans, prepared after consultation with the Director of Bicycle and Pedestrian Access and the Bicycle and Pedestrian Advisory Committee established under § 2-606 of this title:

1. To develop and promote bicycle and pedestrian transportation; and

2. Working together with local jurisdictions, to accommodate in a safe and effective manner pedestrians and bicycles within a reasonable distance for walking and bicycling to rail stops, light rail stops, and subway stations;

(ii) A listing of all bicycle and pedestrian transportation projects expected to use State or federal highway funds; and

(iii) Reflected under the Office of the Secretary, any technology-related project to be funded from the account established under § 2-111 of this subtitle, along with a description and projected cost of each.

(3) Annually, the Consolidated Transportation Program shall include a report that:

(i) Identifies each major capital project for which the budget bill or a supplemental budget amendment first requests funds for the project development phase or for the construction phase;

(ii) With respect to each major capital project for which funds are requested in the budget request year, states:

1. The amount of the funds requested; and

2. The total estimated cost of the project;

(iii) Identifies significant changes in the cost, scope, design, or scheduling of major capital projects for each completed fiscal year;

(iv) When there is a significant change in cost, states the amount by which the expenditures that have been authorized exceed the original project estimate;

(v) When there is a significant change, states:

1. The amount by which costs exceed projected costs during each completed fiscal year; and

2. The total amount that has been expended for a major capital project;

(vi) Provides a purpose and need summary statement that includes:

1. A general description and summary that describes why the project is necessary and satisfies State **TRANSPORTATION** goals, including [current

State transportation goals and] Climate Action Plan goals required by the Greenhouse Gas Emissions Reduction Act of 2009 under § 2–1205(b) of the Environment Article;

2. The location of the project, including a map of the project limits, project area, or transportation corridor; and

3. A summary of how the project meets the selection criteria ~~ESTABLISHED UNDER § 2–103.7 OF THIS SUBTITLE~~ for inclusion in the capital program; and

(vii) Includes any other information that the Secretary believes would be useful to the members of the General Assembly, the general public, or other recipients of the Consolidated Transportation Program.

(4) The total operating and capital expenditures for the Department or for the Office of the Secretary or any modal administration projected in the Consolidated Transportation Program for the budget request year may not exceed the budget request for the Department, Office, or modal administration for that year.

(5) For a major capital project to be considered for inclusion in the construction program of the Consolidated Transportation Program, a request must be submitted to the Secretary by the proposing entity along with a purpose and need summary statement justifying the project that includes:

(i) The location of the project, including a map of the project limits, project area, or transportation corridor;

(ii) The need for the project; and

(iii) A discussion of how the project:

1. Addresses State transportation goals; and

2. Supports local government land use plans and goals.

(6) (i) The Department shall evaluate requests for major capital projects based on the State's **TRANSPORTATION** goals **AND, IF APPLICABLE, USING THE MEASURES ESTABLISHED UNDER § 2–103.7 OF THIS SUBTITLE** and, as appropriate, criteria as determined by the information submitted by the proposing entity and the availability of funding.

(ii) As part of the evaluation under this paragraph, the Department shall acknowledge the difference between urban and rural transportation needs.

(7) (i) The Department, in developing a construction or improvement project involving a bridge or other transportation facility that is adjacent to or crosses a waterway for inclusion in the Consolidated Transportation Program, shall consider any

reasonable and appropriate measures to provide or improve in the vicinity of the bridge or other transportation facility water access for fishing, canoeing, kayaking, or any other nonmotorized water dependent recreational activity.

(ii) The Department, in consultation with the Department of Natural Resources and interested stakeholders, shall establish:

1. Standards and guidelines for identifying appropriate bridges and other transportation facilities to be considered for the provision or improvement of water access under this paragraph; and

2. Best practices and cost effective strategies for accommodating water access under this paragraph.

(d) The Maryland Transportation Plan shall:

(1) [Be] **EXCEPT AS OTHERWISE PROVIDED, BE** revised every 5 years through an inclusive public participation process;

(2) Include a 20–year forecast of State transportation needs, based on the financial resources anticipated to be available to the Department during that 20–year period;

(3) Be expressed in terms of **THE STATE TRANSPORTATION** goals and [objectives] **MEASURES**; and

(4) Include a summary of the types of projects and programs that are proposed to accomplish the **STATE TRANSPORTATION** goals and [objectives] **MEASURES**, using a multi–modal approach when feasible.

(e) On or before November 15 of each year, the Department shall visit each county to give local governments and local legislative delegations information about and an opportunity to comment on the proposed Consolidated Transportation Program and the proposed Maryland Transportation Plan.

(f) At the earliest practical date but no later than November 1 of each year, the Department shall provide the proposed Consolidated Transportation Program and the proposed Maryland Transportation Plan to the Department of Planning for review and comment on planning issues including consistency between transportation investments and the State Economic Growth, Resource Protection, and Planning Policy and State priority funding areas established under Title 5, Subtitle 7B of the State Finance and Procurement Article.

(g) Beginning with the year 2002 State Report on Transportation and continuing thereafter, before the General Assembly considers the proposed Maryland Transportation Plan and the proposed Consolidated Transportation Program, the Department shall submit

an annual report on the attainment of **STATE** transportation goals and benchmarks for the approved and proposed Maryland Transportation Plan and the approved and proposed Consolidated Transportation Program to the Governor and, subject to § 2–1246 of the State Government Article, to the General Assembly.

(h) (1) The report required under subsection (g) of this section shall include:

(i) The establishment of certain measurable performance indicators or benchmarks, in priority funding areas at a minimum, designed to quantify the **STATE TRANSPORTATION** goals and [objectives] **MEASURES** specified in the Maryland Transportation Plan **AND § 2–103.7 OF THIS SUBTITLE**; and

(ii) The degree to which the projects and programs contained in the approved Maryland Transportation Plan and Consolidated Transportation Program attain those goals and benchmarks as measured by the performance indicators or benchmarks.

(2) The Department shall include in its report measurable long–term goals, and intermediate benchmarks of progress toward the attainment of the long–term goals, for the following measurable transportation indicators:

(i) An increase in the share of total person trips for each of transit, high occupancy auto, pedestrian, and bicycle modes of travel;

(ii) A decrease in indicators of traffic congestion as determined by the Department; and

(iii) Any other performance goals established by the Department for reducing automobile traffic and increasing the use of nonautomobile traffic.

(3) The performance indicators or benchmarks described in this subsection shall acknowledge the difference between urban and rural transportation needs.

(i) The Smart Growth Subcabinet, established under Title 9, Subtitle 14 of the State Government Article, shall conduct an annual review of the **STATE** transportation goals, benchmarks, and indicators.

(j) (1) An advisory committee shall be assembled to advise the Department on the [establishment of the] **STATE** transportation goals, benchmarks, and indicators under subsection (h) of this section.

(2) Membership of the advisory committee shall include but is not limited to the following members appointed by the Governor:

(i) A representative of the Maryland business community;

(ii) A representative of the disabled citizens community;

- (iii) A representative of rural interests;
 - (iv) A representative of an auto users group;
 - (v) A representative of a transit users group;
 - (vi) A representative of the goods movement industry;
 - (vii) A nationally recognized expert on transportation demand management;
 - (viii) A nationally recognized expert on pedestrian and bicycle transportation;
 - (ix) A nationally recognized expert on transportation performance measurement;
 - (x) A representative of an environmental advocacy organization;
 - (xi) A representative from the Maryland Department of Planning;
 - (xii) A representative of the Maryland Association of Counties; and
 - (xiii) A representative of the Maryland Municipal League.
- (3) The Governor shall appoint the chairman of the advisory committee.
- (4) The advisory committee shall meet at least four times during the process of developing the Maryland Transportation Plan to provide advice to the Department on meeting the requirements of this subsection.
- (5) The Department and the advisory committee shall consider the following:
- (i) Transportation and population trends and their impact on the State's transportation system and priority funding areas;
 - (ii) Past and present State funding devoted to the various transportation modes and demand management;
 - (iii) The full range of unmet transportation needs in priority funding areas;
 - (iv) The full range of transportation measures and facilities available, and their role, effectiveness, and cost effectiveness in providing travel choices and reducing congestion;

(v) A review of transportation performance indicators and their use in other states;

(vi) A review of the coordination of State transportation investments with local growth plans for priority funding areas;

(vii) The types of investments needed and their levels of funding for supporting the **STATE TRANSPORTATION** goals and [objectives of the Maryland Transportation Plan] **MEASURES ESTABLISHED UNDER § 2–103.7 OF THIS SUBTITLE**;

(viii) The impact of transportation investment on:

1. The environment;
2. Environmental justice as defined in § 1–701 of the Environment Article;
3. Communities; and
4. Economic development; and

(ix) The Climate Action Plan goals required by the Greenhouse Gas Emissions Reduction Act of 2009 under § 2–1205(b) of the Environment Article.

(k) The Department may:

(1) Conduct its analysis of planned transportation investments in priority funding areas on a statewide basis or in groupings of priority funding areas centered on regions, metropolitan areas, cities, or other groupings suitable for transportation modeling; and

(2) Choose to exclude from its analysis priority funding areas which have an insignificant role in transportation trends because of small size, population, or physical isolation.

(l) In the report required under subsection (g) of this section, the Department shall:

(1) Use narrative, graphs, charts, tables, and maps as appropriate to make the results easily understood by the public;

(2) Include projected long-term trends for each of the indicators and the effect of planned transportation investments on the trends;

(3) To the extent practicable, account for the effect of planned transportation investments on inducing automobile travel;

(4) To the extent practicable, account for automobile trips not taken due to demand management measures, including teleworking, teleshopping, and land use patterns supporting alternatives to driving; and

(5) Indicate the cost effectiveness of investments for achieving relevant performance goals and benchmarks, including a specific analysis of planned transportation investments detailing:

(i) Any projected decreases or increases in indicators of traffic congestion and accessibility as defined by the Department; and

(ii) The cost per passenger mile and other indicators of cost effectiveness as defined by the Department, including the estimated annual cost of maintenance and operations.

(m) (1) (i) Subject to § 2–1246 of the State Government Article:

1. On or before September 1 of each year, the Department shall submit copies of the proposed Consolidated Transportation Program, ~~INCLUDING THE MANNER IN WHICH EACH MAJOR PROJECT WAS EVALUATED AND RANKED UNDER § 2–103.7 OF THIS SUBTITLE,~~ and the supporting financial forecast to the General Assembly; and

2. On submission of the budget bill to the presiding officers of the General Assembly, the Department shall submit copies of the approved Consolidated Transportation Program, **INCLUDING THE MANNER IN WHICH EACH MAJOR *TRANSPORTATION* PROJECT WAS EVALUATED AND RANKED UNDER § 2–103.7 OF THIS SUBTITLE,** and the supporting financial forecast to the General Assembly.

(ii) Notwithstanding § 2–1246(b)(2) of the State Government Article, the Department shall provide to each member of the General Assembly a copy of the proposed Consolidated Transportation Program and the approved Consolidated Transportation Program.

(2) (i) The financial forecast supporting the Consolidated Transportation Program to be submitted to the General Assembly under paragraph (1) of this subsection shall include the following components:

1. A schedule of operating expenses for each specific modal administration;

2. A schedule of revenues, including tax and fee revenues, deductions from revenues for other agencies, Department program and fees, Motor Vehicle Administration cost recovery, deductions for highway user revenues, operating revenues by modal administration, and miscellaneous revenues; and

3. A summary schedule for the Transportation Trust Fund that includes the opening and closing Fund balance, revenues, transfers, bond sales, bond premiums, any other revenues, expenditures for debt service, operating expenses, amounts available for capital expenses, bond interest rates, bond coverage ratios, total bonds outstanding, federal capital aid, and the total amount for the Transportation Capital Program.

(ii) The financial forecast shall include, for each of the components specified in subparagraph (i) of this paragraph:

1. Actual information for the last full fiscal year; and

2. Forecasts of the information for each of the six subsequent fiscal years, including the current fiscal year, the fiscal year for the proposed budget, and the next four subsequent fiscal years.

(iii) The Department shall incorporate in the financial forecast the most recent estimates by the Board of Revenue Estimates of the revenues from:

1. The corporate income tax and the sales and use tax for each of the six subsequent years, including the current fiscal year and the fiscal year for the proposed budget; and

2. Motor fuel taxes and motor vehicle titling taxes for the current fiscal year and the fiscal year for the proposed budget.

2-103.7.

(A) (1) ~~IN THIS SECTION, “MAJOR CAPITAL PROJECT” HAS THE MEANING STATED IN § 2-103.1 OF THIS SUBTITLE~~ THE FOLLOWING WORDS HAVE THE MEANING INDICATED.

(2) “MAJOR CAPITAL PROJECT” HAS THE MEANING STATED IN § 2-103.1 OF THIS SUBTITLE.

(3) (1) “MAJOR TRANSPORTATION PROJECT” MEANS A MAJOR CAPITAL PROJECT IN THE STATE HIGHWAY ADMINISTRATION OR THE MARYLAND TRANSIT ADMINISTRATION WHOSE TOTAL COST FOR ALL PHASES EXCEEDS \$5,000,000 AND THAT:

1. INCREASES HIGHWAY OR TRANSIT CAPACITY;

2. IMPROVES TRANSIT STATIONS OR STATION AREAS;

OR

3. IMPROVES HIGHWAY CAPACITY THROUGH THE USE OF INTELLIGENT TRANSPORTATION SYSTEMS OR CONGESTION MANAGEMENT SYSTEMS.

(II) "MAJOR TRANSPORTATION PROJECT" DOES NOT INCLUDE:

1. PROJECTS IN THE MARYLAND AVIATION ADMINISTRATION, THE MARYLAND PORT ADMINISTRATION, OR THE MARYLAND TRANSPORTATION AUTHORITY;

2. MAINTENANCE AND STORAGE FACILITIES PROJECTS;

3. WATER QUALITY IMPROVEMENT PROJECTS; ~~OR~~

4. PROJECTS RELATED TO MARYLAND'S PRIORITIES FOR TOTAL MAXIMUM DAILY LOAD DEVELOPMENT;

5. SAFETY-RELATED PROJECTS THAT DO NOT INCREASE HIGHWAY OR TRANSIT CAPACITY; OR

6. ROADS WITHIN THE APPALACHIAN DEVELOPMENT HIGHWAY SYSTEM.

~~(B) THE DEPARTMENT SHALL EVALUATE AND RANK MAJOR CAPITAL PROJECTS FOR INCLUSION IN THE DRAFT AND FINAL CONSOLIDATED TRANSPORTATION PROGRAM BASED ON THE GOALS AND MEASURES ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION.~~

(B) THE DEPARTMENT SHALL:

(1) IN ACCORDANCE WITH FEDERAL TRANSPORTATION REQUIREMENTS, DEVELOP A PROJECT-BASED SCORING SYSTEM USING THE GOALS AND MEASURES ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION;

(2) DEVELOP THE WEIGHTING METRICS FOR EACH GOAL AND MEASURE ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION;

(3) ON OR BEFORE JANUARY 1, 2017, ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION; AND

(4) IN ACCORDANCE WITH THE PROJECT-BASED SCORING SYSTEM DEVELOPED UNDER THIS SUBSECTION, RANK MAJOR TRANSPORTATION PROJECTS FOR INCLUSION IN THE DRAFT AND FINAL CONSOLIDATED TRANSPORTATION PROGRAM.

(C) (1) THE STATE TRANSPORTATION GOALS ARE:

- (I) SAFETY AND SECURITY;
- (II) SYSTEM PRESERVATION;
- (III) QUALITY OF SERVICE;
- (IV) ENVIRONMENTAL STEWARDSHIP;
- (V) COMMUNITY VITALITY;
- (VI) ECONOMIC PROSPERITY;
- (VII) EQUITABLE ACCESS TO TRANSPORTATION; ~~AND~~
- (VIII) COST EFFECTIVENESS AND RETURN ON INVESTMENT; AND
- (IX) LOCAL PRIORITIES AND PLANNING.

(2) IN EVALUATING WHETHER AND TO WHAT EXTENT A MAJOR ~~CAPITAL~~ TRANSPORTATION PROJECT SATISFIES THE GOALS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT, USING A 20-YEAR FORECAST IN THE PROJECT AREA, SHALL ASSIGN A SCORE FROM 1 TO 100 FOR EACH GOAL ~~IN THE FOLLOWING MANNER~~ USING THE FOLLOWING MEASURES:

(I) FOR SAFETY AND SECURITY:

1. THE EXPECTED REDUCTION IN TOTAL FATALITIES AND SEVERE INJURIES IN ALL MODES AFFECTED BY THE PROJECT ~~SHALL ACCOUNT FOR 50% OF THE SCORE;~~ AND

2. THE EXTENT TO WHICH THE PROJECT IMPLEMENTS THE MARYLAND STATE HIGHWAY ADMINISTRATION'S COMPLETE STREETS POLICIES ~~SHALL ACCOUNT FOR 25% OF THE SCORE; AND~~

~~3. THE EXTENT TO WHICH THE PROJECT IS EXPECTED TO REDUCE VEHICLE MILES TRAVELED SHALL ACCOUNT FOR 25% OF THE SCORE.~~

(II) FOR SYSTEM PRESERVATION:

1. THE DEGREE TO WHICH THE PROJECT INCREASES THE LIFESPAN OF THE AFFECTED FACILITY ~~SHALL ACCOUNT FOR 40% OF THE SCORE;~~

2. THE DEGREE TO WHICH THE PROJECT INCREASES THE FUNCTIONALITY OF THE FACILITY ~~SHALL ACCOUNT FOR 30% OF THE SCORE;~~ AND

3. THE DEGREE TO WHICH THE PROJECT RENDERS THE FACILITY MORE RESILIENT ~~SHALL ACCOUNT FOR 30% OF THE SCORE.~~

(III) FOR QUALITY OF SERVICE:

1. THE EXPECTED CHANGE IN CUMULATIVE JOB ACCESSIBILITY WITHIN AN APPROXIMATELY ~~45-MINUTE~~ 60-MINUTE COMMUTE FOR HIGHWAY PROJECTS OR ~~AN APPROXIMATELY 60-MINUTE COMMUTE FOR~~ TRANSIT PROJECTS ~~SHALL ACCOUNT FOR 50% OF THE SCORE;~~

~~2. THE EXPECTED CHANGE IN CUMULATIVE JOB ACCESSIBILITY FOR DISADVANTAGED POPULATIONS WITHIN A 45-MINUTE COMMUTE FOR HIGHWAY PROJECTS OR AN APPROXIMATELY 60-MINUTE COMMUTE FOR TRANSIT PROJECTS SHALL ACCOUNT FOR 20% OF THE SCORE; AND~~

2. THE DEGREE TO WHICH THE PROJECT HAS A POSITIVE IMPACT ON TRAVEL TIME RELIABILITY; AND

3. THE DEGREE TO WHICH THE PROJECT SUPPORTS CONNECTIONS BETWEEN DIFFERENT MODES OF TRANSPORTATION AND PROMOTES MULTIPLE TRANSPORTATION CHOICES ~~SHALL ACCOUNT FOR 30% OF THE SCORE.~~

(IV) FOR ENVIRONMENTAL STEWARDSHIP:

1. THE POTENTIAL OF THE PROJECT TO LIMIT OR REDUCE HARMFUL EMISSIONS ~~SHALL ACCOUNT FOR 30% OF THE SCORE;~~

2. THE DEGREE TO WHICH THE PROJECT AVOIDS IMPACTS ON STATE RESOURCES IN THE PROJECT AREA AND ADJACENT AREAS ~~SHALL ACCOUNT FOR 30% OF THE SCORE; AND~~

3. THE DEGREE TO WHICH THE PROJECT ADVANCES THE STATE ENVIRONMENTAL GOALS ~~OF THE STATE SHALL ACCOUNT FOR 40% OF THE SCORE.~~

(V) FOR COMMUNITY VITALITY:

1. THE DEGREE TO WHICH THE PROJECT IS PROJECTED TO INCREASE THE USE OF WALKING, BIKING, AND TRANSIT ~~SHALL ACCOUNT FOR 25% OF THE SCORE;~~

2. THE DEGREE TO WHICH THE PROJECT ENHANCES EXISTING COMMUNITY ASSETS ~~SHALL ACCOUNT FOR 25% OF THE SCORE;; AND~~

3. THE DEGREE TO WHICH THE PROJECT FURTHERS THE AFFECTED COMMUNITY'S AND STATE'S PLANS FOR REVITALIZATION ~~SHALL ACCOUNT FOR 25% OF THE SCORE; AND~~

~~4. THE DEGREE TO WHICH THE PROJECT SUPPORTS COMPACT DEVELOPMENT PATTERNS IN EXISTING COMMUNITIES AND DOES NOT INDUCE PREMATURE AND LOW DENSITY DEVELOPMENT ON THE OUTSKIRTS OF EXISTING COMMUNITIES SHALL ACCOUNT FOR 25% OF THE SCORE.~~

(VI) FOR ECONOMIC PROSPERITY:

1. THE PROJECTED INCREASE IN THE CUMULATIVE JOB ACCESSIBILITY WITHIN AN APPROXIMATELY ~~45-MINUTE~~ 60-MINUTE COMMUTE FOR PROJECTS ~~SHALL ACCOUNT FOR 40% OF THE SCORE;~~

2. THE EXTENT TO WHICH THE PROJECT IS PROJECTED TO ENHANCE ACCESS TO CRITICAL INTERMODAL LOCATIONS FOR THE MOVEMENT OF GOODS AND SERVICES ~~SHALL ACCOUNT FOR 30% OF THE SCORE; AND~~

3. THE PROJECTED INCREASE IN FURTHERING NONSPECULATIVE LOCAL AND STATE ECONOMIC DEVELOPMENT STRATEGIES IN EXISTING COMMUNITIES ~~SHALL ACCOUNT FOR 30% OF THE SCORE.~~

(VII) FOR EQUITABLE ACCESS TO TRANSPORTATION:

1. THE EXPECTED INCREASE IN JOB ACCESSIBILITY FOR DISADVANTAGED POPULATIONS WITHIN AN APPROXIMATELY ~~45-MINUTE~~ 60-MINUTE COMMUTE FOR PROJECTS ~~SHALL ACCOUNT FOR 40% OF THE SCORE;; AND~~

2. THE PROJECTED ECONOMIC DEVELOPMENT IMPACT ON LOW-INCOME COMMUNITIES ~~SHALL ACCOUNT FOR 30% OF THE SCORE; AND~~

~~3. THE POTENTIAL FOR THE PROJECT TO REVITALIZE AND ENHANCE LOW INCOME COMMUNITIES SHALL ACCOUNT FOR 30% OF THE SCORE.~~

(VIII) FOR COST EFFECTIVENESS AND RETURN ON INVESTMENT:

~~1. THE EXTENT TO WHICH THE PROJECT IS PROJECTED TO ENHANCE ACCESS TO CRITICAL INTERMODAL LOCATIONS FOR THE MOVEMENT OF GOODS AND SERVICES SHALL ACCOUNT FOR 50% OF THE SCORE; AND~~

~~2. THE DEGREE TO WHICH THE ENHANCEMENTS TO THE PROJECT AREA ARE WEIGHTED AGAINST THE PER CAPITA COST OF THE PROJECT SHALL ACCOUNT FOR 50% OF THE SCORE.~~

1. THE ESTIMATED TRAVEL TIME SAVINGS DIVIDED BY THE PROJECT COST;

2. THE DEGREE TO WHICH THE PROJECT LEVERAGES ADDITIONAL FEDERAL, STATE, LOCAL, AND PRIVATE SECTOR TRANSPORTATION INVESTMENT; AND

3. THE DEGREE TO WHICH THE PROJECT WILL INCREASE TRANSPORTATION ALTERNATIVES AND REDUNDANCY.

(IX) FOR LOCAL PRIORITIES AND PLANNING, THE DEGREE TO WHICH THE PROJECT SUPPORTS LOCAL GOVERNMENT LAND USE PLANS AND GOALS.

(3) ~~THE FOR REGIONAL EQUITY, THE~~ THE DEPARTMENT SHALL MULTIPLY THE TOTAL COMBINED SCORE OF EACH MAJOR ~~CAPITAL TRANSPORTATION~~ PROJECT BY A WEIGHTING FACTOR EQUAL TO ONE PLUS THE RESULTS OF DIVIDING THE POPULATION IN THE ~~PROJECT AREA COUNTY OR COUNTIES WHERE THE PROJECT WILL BE LOCATED~~ AREA SERVED BY THE PROJECT, AS DETERMINED IN REGULATIONS ADOPTED BY THE DEPARTMENT, BY THE POPULATION OF MARYLAND.

(D) (1) THE SCORE OF A MAJOR ~~CAPITAL~~ TRANSPORTATION PROJECT SHALL BE BASED SOLELY ON THE GOALS AND MEASURES ESTABLISHED UNDER SUBSECTION (C) OF THIS SECTION.

(2) EXCEPT AS PROVIDED UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE DEPARTMENT SHALL PRIORITIZE MAJOR ~~CAPITAL TRANSPORTATION~~ PROJECTS WITH HIGHER SCORES FOR INCLUSION IN THE CONSOLIDATED TRANSPORTATION PROGRAM OVER MAJOR ~~CAPITAL TRANSPORTATION~~ PROJECTS WITH LOWER SCORES.

(3) THE DEPARTMENT MAY INCLUDE IN THE CONSOLIDATED TRANSPORTATION PROGRAM A MAJOR ~~CAPITAL~~ TRANSPORTATION PROJECT WITH

A LOWER SCORE OVER A MAJOR ~~CAPITAL~~ TRANSPORTATION PROJECT WITH A HIGHER SCORE IF IT PROVIDES IN WRITING A RATIONAL BASIS FOR THE DECISION.

(E) NOTHING IN THIS SECTION MAY BE CONSTRUED TO IMPEDE OR ALTER:

(1) THE PRIORITY LETTER PROCESS THAT OUTLINES LOCAL TRANSPORTATION PRIORITIES FOR THE DEPARTMENT'S CONSIDERATION FOR INCLUSION IN THE CONSOLIDATED TRANSPORTATION PROGRAM UNDER § 2-103.1 OF THIS SUBTITLE; OR

(2) THE DEPARTMENT'S VISIT TO EACH COUNTY UNDER § 2-103.1(E) OF THIS SUBTITLE.

~~*(E) THIS SECTION DOES NOT APPLY TO MINOR CAPITAL PROJECTS, AS DEFINED IN § 2-103.1 OF THIS SUBTITLE.*~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Department of Transportation update the 2014 Maryland Transportation Plan to reflect the goals and measures established under this Act.

SECTION 3. 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 major ~~capital~~ transportation project moved to the construction phase before the effective date of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That nothing in this Act may be construed to prohibit or prevent the funding of the capital transportation priorities in each jurisdiction.

SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~October~~ July 1, 2016.

Gubernatorial Veto Override, April 8, 2016.

Chapter 37

(House Bill 454)

AN ACT concerning

State Employees – Merit Increases in Salary

FOR the purpose of excluding certain State employees from a certain prohibition against certain merit increases in salary; and generally relating to merit increases in salary for certain State employees.

BY repealing and reenacting, with amendments,
Chapter 489 of the Acts of the General Assembly of 2015
Section 7(a)

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

Chapter 489 of the Acts of 2015

SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law:

(a) (1) Except as otherwise provided in this section, State employees employed by any entity, including the University System of Maryland, Morgan State University, and St. Mary's College of Maryland, may not receive merit increases in fiscal year 2016.

(2) This subsection does not affect:

(i) Salaries for constitutional officers or members of the General Assembly;

(ii) Increases necessary for the retention of faculty in the University System of Maryland, Morgan State University, or St. Mary's College of Maryland;

(iii) Increased payments under a collective bargaining agreement negotiated with an accredited representative in accordance with § 7-601 of the Transportation Article; [or]

(iv) **STATE EMPLOYEES REPRESENTED BY THE STATE LAW ENFORCEMENT OFFICERS LABOR ALLIANCE WHO ARE SUBJECT TO A STEP INCREASE EFFECTIVE APRIL 1, 2016, IN ACCORDANCE WITH AND CONSISTENT WITH A COLLECTIVE BARGAINING AGREEMENT NEGOTIATED WITH THE STATE; ~~OR~~**

(v) MARYLAND TRANSPORTATION AUTHORITY POLICE REPRESENTED BY FRATERNAL ORDER OF POLICE LODGE 34 WHO ARE SUBJECT TO A STEP INCREASE EFFECTIVE APRIL 1, 2016, IN ACCORDANCE WITH AND CONSISTENT WITH A COLLECTIVE BARGAINING AGREEMENT NEGOTIATED WITH THE STATE; OR

(vi) Operationally critical staff.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect ~~July~~
June 1, 2016.

Approved by the Governor, April 12, 2016.

Chapter 38

(Senate Bill 99)

AN ACT concerning

Department of Disabilities – Assistive Technology Loan Program – Board of Directors

FOR the purpose of repealing the requirement that a certain member of the Assistive Technology Loan Program Board of Directors be a member of the Maryland Commission on Disabilities; ~~increasing the maximum number of terms that a Board member may serve~~; providing for the staggering of terms of Board members; and generally relating to the Board of Directors of the Assistive Technology Loan Program.

BY repealing and reenacting, without amendments,
Article – Human Services
Section 7–601
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 7–605
Annotated Code of Maryland
(2007 Replacement Volume and 2015 Supplement)

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

Article – Human Services

7–601.

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

(b) (1) “Assistive technology” means any item, equipment, or device that is designed to enable an individual with a disability to become more independent or a more productive member of the community with an improved quality of life.

(2) “Assistive technology” includes wheelchairs, motorized scooters, Braille equipment, voice simulation systems, scanners, assistive listening devices, telecommunications devices for the deaf, augmentative communication systems, environmental control systems, computers and adaptive peripherals, building modifications for accessibility, motor vehicles, and vehicle modifications.

- (c) “Board” means the Board of Directors of the Program.
- (d) “Department” means the Department of Disabilities.
- (e) “Fund” means the Assistive Technology Loan Fund.
- (f) “Program” means the Assistive Technology Loan Program.
- (g) “Secretary” means the Secretary of Disabilities.

7-605.

- (a) The Board consists of:

- (1) the Secretary of Information Technology or the Secretary’s designee;
- (2) a representative from the Department of Health and Mental Hygiene, Developmental Disabilities Administration, appointed by the Secretary of Health and Mental Hygiene;
- (3) a representative of the State Department of Education Division of Rehabilitation Services, appointed by the State Superintendent of Schools; and
- (4) eight members of the public appointed by the Governor with the advice and consent of the Senate.

- (b) Of the eight members of the public appointed by the Governor:

- (1) four shall have significant experience in finance, accounting, investment management, or consumer lending; and
- (2) four shall have disabilities or assist individuals with disabilities[, at least one of whom shall be a member of the Maryland Commission on Disabilities].

- (c) (1) The term of a member appointed by the Governor is 4 years.

(2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(3) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(4) A member appointed by the Governor may not serve more than ~~two~~ **THREE** terms.

SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the members of the Assistive Technology Loan Program Board of Directors serving on October 1, 2016, shall expire as follows:

(1) one member with significant experience in finance, accounting, investment management, or consumer lending and one member with disabilities or who assists individuals with disabilities, in 2016;

(2) one member with significant experience in finance, accounting, investment management, or consumer lending and one member with disabilities or who assists individuals with disabilities, in 2017;

(3) one member with significant experience in finance, accounting, investment management, or consumer lending and one member with disabilities or who assists individuals with disabilities, in 2018; and

(4) one member with significant experience in finance, accounting, investment management, or consumer lending and one member with disabilities or who assists individuals with disabilities, in 2019.

SECTION 3. AND BE IT FURTHER ENACTED, That a member appointed to the Assistive Technology Loan Program Board of Directors on October 1, 2016, with a term expiring in 2016 or in 2017 is not considered to have served a full term for purposes of § 7–605(c)(4) of the Human Services Article as enacted by Section 1 of this Act.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2016.

Approved by the Governor, April 12, 2016.

Chapter 39

(House Bill 431)

AN ACT concerning

Maryland Achieving a Better Life Experience (ABLE) Program – Establishment

FOR the purpose of requiring the College Savings Plans of Maryland Board to establish the Maryland Achieving a Better Life Experience (ABLE) Program for certain purposes subject to certain provisions; renaming the College Savings Plans of Maryland Board to be the Maryland 529 Board; requiring the Board to oversee the establishment and administration of the Maryland ABLE Program; altering the membership of the Board; requiring the Board to maintain the Maryland ABLE Program in compliance with certain standards; declaring that the goal of the State is that the Maryland ABLE Program be fully operational by a certain date; requiring the Board to work in consultation with the Department of Disabilities regarding the Maryland ABLE Program; authorizing the Board to collaborate and participate with other states or entities regarding the Maryland ABLE Program; requiring the Board to adopt certain procedures; requiring the Board to issue certain statements to account holders at least once each year; authorizing the Board to issue certain requests for proposals; requiring the Board to consider proposals that meet certain criteria; authorizing the Board to require certain fees; establishing certain limitations and requirements for contributions to and administration of the Maryland ABLE Program; establishing participation and distribution requirements; prohibiting money and assets in an ABLE account in any state from being considered for a certain determination of eligibility for, or the amount of, certain assistance or benefits from certain local or State means-tested programs; authorizing the Maryland ABLE Program to receive money from certain sources; providing that neither the faith and credit nor the taxing power of the State is pledged to the payment of debts, contracts, and obligations of the Maryland ABLE Program; providing that certain entities are not liable for certain losses; prohibiting certain money from being considered or commingled with certain money or deposited in the State Treasury; exempting certain entities and accounts from the Insurance Article; providing that the assets and the income of the Maryland ABLE Program are exempt from State and local taxation; prohibiting a person from seizing a certain benefit or asset; requiring certain audits; requiring the Board to issue certain refunds under certain circumstances; authorizing any state to file a certain claim on the death of a designated beneficiary of an ABLE account; altering a certain power of attorney form; allowing a subtraction modification under the State income tax for certain contributions to and distributions from an account under the Maryland ABLE Program; allowing certain amounts disallowed under the subtraction modification as a result of a certain limitation to be carried over and subtracted for succeeding taxable years; requiring an addition modification for certain distributions made under certain accounts; making conforming changes; defining certain terms; requiring the publisher of the Annotated Code of Maryland, in consultation with the Department of Legislative Services, to correct cross-references and terminology in the Code that are rendered incorrect by this Act; providing for the application of certain provisions of this Act; and generally relating to the College Savings Plans of Maryland and the Maryland ABLE Program.

BY repealing and reenacting, with amendments,

Article – Education

Section 18–1901, 18–1902.1, 18–1904(a) through (d), 18–1905(d)(3), (e), and (f),
18–19A–05, and 18–19B–05

Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 18–1905(d)(1)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY adding to
Article – Education
Section 18–19C–01 through 18–19C–10 to be under the new subtitle “Subtitle 19C.
Maryland ABLE Program”
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – Estates and Trusts
Section 17–203
Annotated Code of Maryland
(2011 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 11–203(f)
Annotated Code of Maryland
(2015 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–803(a)(11)(ii)
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 10–205(a), 10–207(a), and 10–208(a)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

BY adding to
Article – Tax – General
Section 10–205(l), 10–207(cc), and 10–208(v)
Annotated Code of Maryland
(2010 Replacement Volume and 2015 Supplement)

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

Article – Education

18–1901.

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

(B) “ABLE ACCOUNT HOLDER” MEANS AN INDIVIDUAL WHO HAS ESTABLISHED AN ACCOUNT DESCRIBED UNDER § 529A(E) OF THE INTERNAL REVENUE CODE AND IS THE DESIGNATED BENEFICIARY OF THE ACCOUNT.

[(b)] (C) “Account holder” means an individual who:

(1) Makes or undertakes the obligation to make advance payments of qualified higher education expenses as provided under a prepaid contract; and

(2) Except as provided in § 18–1909(b) of this subtitle, is a resident of Maryland or of the District of Columbia at the time that the account holder enters into a prepaid contract.

[(c)] (D) “Board” means the [College Savings Plans of] Maryland **529** Board.

[(d)] (E) “Broker–Dealer Plan” means the Maryland Broker–Dealer College Investment Plan established under Subtitle 19B of this title.

[(e)] (F) “Current prepaid contract obligations” means the scheduled payments due for the next fiscal year under existing prepaid contracts.

[(f)] (G) “Eligible institution of higher education” means an institution of higher education that:

(1) Offers an associate, bachelor, or graduate degree program; and

(2) Is eligible to participate in federal financial aid programs.

[(g)] (H) “Market value of program assets” means the amount of cash and cash equivalents held by the Trust plus the fair market value of other assets of the Trust.

(I) “MARYLAND ABLE PROGRAM” MEANS THE MARYLAND ACHIEVING A BETTER LIFE EXPERIENCE PROGRAM ESTABLISHED UNDER SUBTITLE 19C OF THIS TITLE.

[(h)] (J) “Plan” means the Maryland College Investment Plan established under Subtitle 19A of this title.

[(i)] (K) “Prepaid contract” means a contract between the Board and an account holder under the provisions of this subtitle for the advance payment of qualified higher education expenses by the account holder for a qualified beneficiary to attend an eligible institution of higher education, if the qualified beneficiary is admitted to the institution.

[(j)] (L) “Program” means [the College Savings Plans of] Maryland **529**.

[(k)] (M) “Qualified beneficiary” means an individual who:

(1) Is eligible to apply advance payments of qualified higher education expenses to undergraduate or graduate qualified higher education expenses at an eligible institution of higher education under the provisions of this subtitle; and

(2) Except as provided in § 18–1909(b) of this subtitle, is a resident of the State or of the District of Columbia at the time that the account holder enters into a prepaid contract.

[(l)] (N) “Qualified higher education expenses” has the meaning stated in § 529(e) of the Internal Revenue Code.

[(m)] (O) “Qualified state tuition program” has the meaning stated in § 529 of the Internal Revenue Code.

[(n)] (P) “Trust” means the Maryland Prepaid College Trust established under this subtitle.

[(o)] (Q) (1) “Tuition” means the actual tuition and mandatory fees assessed to all students by an eligible institution of higher education as a condition of enrollment at the institution.

(2) “Tuition” does not include any fee that is assessed by the institution for a particular course taken, year of enrollment, academic status, course of study, residency status, or any other distinguishing factor used by the institution to determine a specific fee.

18–1902.1.

(a) There is a Program entitled [the College Savings Plans of] Maryland **529**.

(b) The purpose of the Program is to provide for the administration by the Board of the Maryland Prepaid College Trust, the Maryland College Investment Plan, [and] the Maryland Broker–Dealer College Investment Plan, **AND THE MARYLAND ABLE PROGRAM**.

18–1904.

(a) There is a [College Savings Plans of] Maryland **529** Board.

(b) The Board shall administer:

(1) The Maryland Prepaid College Trust established under this subtitle;

(2) The Maryland College Investment Plan established under Subtitle 19A of this title; [and]

(3) The Maryland Broker–Dealer College Investment Plan established under Subtitle 19B of this title; **AND**

(4) THE MARYLAND ABLE PROGRAM ESTABLISHED UNDER SUBTITLE 19C OF THIS TITLE.

(c) The Board consists of the following [10] members:

(1) The Secretary of the Maryland Higher Education Commission;

(2) The State Superintendent of Schools;

(3) The State Treasurer;

(4) The State Comptroller;

(5) The Chancellor of the University System of Maryland; [and]

(6) THE SECRETARY OF DISABILITIES; AND

[(6)] (7) Five members of the public who shall be appointed by the Governor and shall have significant experience in finance, accounting, investment management, or other areas that can be of assistance to the Board.

(d) A member of the Board designated under subsection (c)(1) through **[(5)] (6)** of this section may designate an employee from the member's staff to represent the member of the Board, with the full voting rights, powers, and duties of the member.

18–1905.

(d) (1) The Board:

(i) Shall appoint a Program executive director who is in the executive service of the State Personnel Management System; and

(ii) May employ additional staff in accordance with the budget.

(3) The Board may retain the services of consultants, administrators, and other personnel, as necessary, to administer the Trust, the Plan, [or] the Broker–Dealer Plan, **OR THE MARYLAND ABLE PROGRAM.**

(e) The Board may adopt any regulations that the Board considers necessary to carry out the provisions of this subtitle or Subtitle 19A [or], Subtitle 19B, **OR SUBTITLE 19C** of this title.

(f) In addition, the Board may:

(1) Adopt an official seal;

(2) Sue and be sued;

(3) Execute contracts and other necessary instruments;

(4) Hold, buy, and sell instruments, obligations, securities, and other investments consistent with its comprehensive investment plan;

(5) Enter into agreements with eligible institutions of higher education and other public or private entities for the promotion, administration, or marketing of the Program, the Trust, the Plan, [or] the Broker–Dealer Plan, **OR THE MARYLAND ABLE PROGRAM;**

(6) Invest funds not required for immediate disbursement;

(7) Solicit and accept gifts, grants, loans, or other aid from any source or participate in any government program for purposes consistent with this subtitle and Subtitles 19A [and], 19B, **AND 19C** of this title;

(8) Subject to the review of the General Assembly, impose and collect reasonable administrative fees for any transactions under the Trust, the Plan, [or] the Broker–Dealer Plan, **OR THE MARYLAND ABLE PROGRAM** or involving prepaid contracts or transactions affecting the Program, the Trust, the Plan, [or] the Broker–Dealer Plan, **OR THE MARYLAND ABLE PROGRAM;**

(9) Procure insurance against any loss of assets of the Program, the Trust, the Plan, [or] the Broker–Dealer Plan, **OR THE MARYLAND ABLE PROGRAM;**

(10) Endorse insurance coverage written exclusively for the purpose of protecting:

(i) A prepaid contract under the Trust and the account holder and the qualified beneficiary of the contract; [or]

(ii) An investment account under the Plan, or the Broker–Dealer Plan, and the account holder and qualified designated beneficiary of the investment account; **OR**

(III) AN ABLE ACCOUNT UNDER THE MARYLAND ABLE PROGRAM AND THE ABLE ACCOUNT HOLDER;

(11) Designate terms under which money may be withdrawn from the Program, the Trust, the Plan, [or] the Broker–Dealer Plan, **OR THE MARYLAND ABLE PROGRAM;**

(12) Establish additional procedural and substantive requirements for participation in and the administration or marketing of the Program, the Trust, the Plan, [or] the Broker–Dealer Plan, **OR THE MARYLAND ABLE PROGRAM;**

(13) Appear on the Board’s own behalf before other boards, commissions, or other governmental agencies; and

(14) Take any other action that the Board considers appropriate to implement and administer the Program, the Trust, the Plan, [or] the Broker–Dealer Plan, **OR THE MARYLAND ABLE PROGRAM.**

18–19A–05.

(a) (1) The debts, contracts, and obligations of the Plan are not the contracts, debts, or obligations of the State and neither the faith and credit nor taxing power of the State is pledged directly or indirectly or contingently, morally or otherwise, to the payment of the debts, contracts, and obligations.

(2) The Board cannot directly or indirectly or contingently obligate, morally or otherwise, the State to levy or pledge any form of taxation whatsoever for the debts and obligations of the Plan or to make any appropriation for the payment of the debts and obligations of the Plan.

(b) Neither the State nor any eligible educational institution shall be liable for any losses or shortage of funds in the event that the account holder’s investment account balance is insufficient to meet the tuition requirements of an institution attended by the qualified designated beneficiary.

(c) Moneys of the Plan may not be considered moneys of the State or deposited in the State Treasury.

(d) Moneys of the Plan may not be considered moneys of or commingled with the Maryland Prepaid College Trust.

(e) Moneys of the Plan may not be considered moneys of or commingled with the Maryland Broker–Dealer College Investment Plan.

(F) MONEYS OF THE PLAN MAY NOT BE CONSIDERED MONEYS OF OR COMMINGLED WITH THE MARYLAND ABLE PROGRAM.

18–19B–05.

(a) (1) The debts, contracts, and obligations of the Broker–Dealer Plan are not the contracts, debts, or obligations of the State, and neither the faith and credit nor taxing power of the State is pledged directly or indirectly or contingently, morally or otherwise, to the payment of the debts, contracts, and obligations.

(2) The Board cannot directly or indirectly or contingently obligate, morally or otherwise, the State to levy or pledge any form of taxation whatsoever for the debts and obligations of the Broker–Dealer Plan or to make any appropriation for the payment of the debts and obligations of the Broker–Dealer Plan.

(b) Neither the State nor any eligible educational institution shall be liable for any losses or shortage of funds in the event that the account holder’s investment account balance is insufficient to meet the tuition requirements of an institution attended by the qualified designated beneficiary.

(c) Moneys of the Broker–Dealer Plan may not be considered moneys of the State or deposited in the State Treasury.

(d) Moneys of the Broker–Dealer Plan may not be considered moneys of or commingled with the Maryland Prepaid College Trust.

(e) Moneys of the Broker–Dealer Plan may not be considered moneys of or commingled with the Maryland College Investment Plan.

(F) MONEYS OF THE BROKER–DEALER PLAN MAY NOT BE CONSIDERED MONEYS OF OR COMMINGLED WITH THE MARYLAND ABLE PROGRAM.

SUBTITLE 19C. MARYLAND ABLE PROGRAM.

18–19C–01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “ABLE ACCOUNT” MEANS AN ACCOUNT DESCRIBED UNDER § 529A(E) OF THE INTERNAL REVENUE CODE.

(C) “ABLE ACCOUNT CONTRIBUTOR” MEANS AN INDIVIDUAL WHO CONTRIBUTES MONEY TO AN ABLE ACCOUNT DESCRIBED UNDER § 529A(E) OF THE INTERNAL REVENUE CODE.

(D) “ABLE ACCOUNT HOLDER” MEANS AN INDIVIDUAL WHO HAS ESTABLISHED AN ACCOUNT DESCRIBED UNDER § 529A(E) OF THE INTERNAL REVENUE CODE AND IS THE DESIGNATED BENEFICIARY OF THE ACCOUNT.

(E) “BOARD” MEANS THE MARYLAND 529 BOARD ESTABLISHED UNDER § 18-1904 OF THIS TITLE.

(F) “DESIGNATED BENEFICIARY” MEANS AN INDIVIDUAL DESCRIBED IN § 529A(E) OF THE INTERNAL REVENUE CODE.

(G) “MARYLAND ABLE PROGRAM” MEANS A QUALIFIED ABLE PROGRAM DESCRIBED IN § 529A(B) OF THE INTERNAL REVENUE CODE.

(H) “QUALIFIED DISABILITY EXPENSES” MEANS EXPENSES DESCRIBED IN § 529A(E) OF THE INTERNAL REVENUE CODE.

18-19C-02.

(A) (1) THE BOARD SHALL ESTABLISH A MARYLAND ABLE PROGRAM THAT SHALL BE SUBJECT TO THE PROVISIONS OF § 529A OF THE INTERNAL REVENUE CODE.

(2) IT IS THE GOAL OF THE STATE THAT THE MARYLAND ABLE PROGRAM BE FULLY OPERATIONAL BY OCTOBER 1, 2017.

(B) THE PURPOSE OF THE MARYLAND ABLE PROGRAM IS TO:

(1) ENCOURAGE AND ASSIST INDIVIDUALS AND FAMILIES IN SAVING PRIVATE FUNDS TO SUPPORT INDIVIDUALS WITH DISABILITIES TO MAINTAIN HEALTH, INDEPENDENCE, AND QUALITY OF LIFE; AND

(2) PROVIDE SECURE FUNDING FOR DISABILITY-RELATED EXPENSES ON BEHALF OF DESIGNATED BENEFICIARIES WITH DISABILITIES THAT WILL SUPPLEMENT, NOT SUPPLANT, BENEFITS PROVIDED THROUGH PRIVATE INSURANCE, THE MEDICAID PROGRAM UNDER TITLE XIX OF THE SOCIAL SECURITY ACT, THE SUPPLEMENTAL SECURITY INCOME PROGRAM UNDER TITLE XVI OF THE SOCIAL SECURITY ACT, THE BENEFICIARY’S EMPLOYMENT, AND ANY OTHER SOURCE.

(C) (1) THE BOARD SHALL DEVELOP, ESTABLISH, ADMINISTER, MANAGE, AND PROMOTE THE MARYLAND ABLE PROGRAM.

(2) THE BOARD SHALL ADMINISTER THE MARYLAND ABLE PROGRAM IN COMPLIANCE WITH INTERNAL REVENUE SERVICE STANDARDS FOR QUALIFIED ABLE PROGRAMS.

(3) THE BOARD SHALL WORK IN CONSULTATION WITH THE DEPARTMENT OF DISABILITIES TO DEVELOP, ADMINISTER, MANAGE, AND PROMOTE THE MARYLAND ABLE PROGRAM.

(4) THE BOARD MAY COLLABORATE AND PARTICIPATE WITH OTHER STATES OR ENTITIES TO DEVELOP, ADMINISTER, MANAGE, AND PROMOTE THE MARYLAND ABLE PROGRAM, INCLUDING PARTICIPATING WITH A CONSORTIUM OF STATES THAT ARE IMPLEMENTING ABLE PROGRAMS IN THOSE STATES OR AS A CONSORTIUM OF STATES.

(D) (1) THE BOARD SHALL ADOPT PROCEDURES RELATING TO:

(I) ENROLLMENT FOR PARTICIPATION IN THE MARYLAND ABLE PROGRAM; AND

(II) START-UP COSTS INCURRED BY THE STATE FOR THE DEVELOPMENT OF THE MARYLAND ABLE PROGRAM WITH THESE COSTS TO BE REIMBURSED TO THE STATE BY THE MARYLAND ABLE PROGRAM.

(2) THE BOARD SHALL ADOPT ANY OTHER PROCEDURES THAT THE BOARD CONSIDERS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

(E) AT LEAST ANNUALLY, THE BOARD SHALL ISSUE TO EACH ABLE ACCOUNT HOLDER A STATEMENT THAT PROVIDES A SEPARATE ACCOUNTING FOR EACH DESIGNATED BENEFICIARY PROVIDING THE FOLLOWING INFORMATION WITH RESPECT TO EACH ACCOUNT:

(1) THE BEGINNING BALANCE;

(2) CONTRIBUTIONS TO THE ACCOUNT;

(3) DISTRIBUTIONS FROM THE ACCOUNT DURING THE PREVIOUS YEAR; AND

(4) ENDING ABLE ACCOUNT VALUE.

18-19C-03.

(A) (1) THE BOARD MAY ISSUE REQUESTS FOR PROPOSALS TO EVALUATE AND DETERMINE THE MEANS FOR THE ADMINISTRATION, MANAGEMENT, PROMOTION, OR MARKETING OF THE MARYLAND ABLE PROGRAM.

(2) THE BOARD SHALL CONSIDER PROPOSALS THAT MEET THE FOLLOWING CRITERIA:

(I) ABILITY TO DEVELOP AND ADMINISTER AN INVESTMENT PROGRAM OF A NATURE SIMILAR TO THE OBJECTIVES OF THE MARYLAND ABLE PROGRAM;

(II) ABILITY TO ADMINISTER FINANCIAL PROGRAMS WITH INDIVIDUAL ACCOUNT RECORDS AND REPORTING; AND

(III) ABILITY TO MARKET THE MARYLAND ABLE PROGRAM TO ELIGIBLE INDIVIDUALS.

(B) (1) THE BOARD MAY REQUIRE AN INITIAL ENROLLMENT FEE TO BE USED FOR ADMINISTRATIVE COSTS OF THE MARYLAND ABLE PROGRAM.

(2) THE BOARD MAY REQUIRE ADDITIONAL REASONABLE FEES ASSOCIATED WITH THE EXPENSES OF THE MARYLAND ABLE PROGRAM.

(C) (1) THE MARYLAND ABLE PROGRAM IS SUBJECT TO THE PROVISIONS OF § 529A OF THE INTERNAL REVENUE CODE.

(2) THE MARYLAND ABLE PROGRAM SHALL INCLUDE PROVISIONS FOR AUTOMATIC CONTRIBUTIONS.

(3) MONEY AND ASSETS IN THE ACCOUNTS ESTABLISHED UNDER THE MARYLAND ABLE PROGRAM OR AN ABLE PROGRAM IN ANY OTHER STATE MAY NOT BE CONSIDERED FOR THE PURPOSE OF DETERMINING ELIGIBILITY TO RECEIVE, OR THE AMOUNT OF, ANY ASSISTANCE OR BENEFITS FROM LOCAL OR STATE MEANS-TESTED PROGRAMS.

(4) MONEY AND ASSETS IN THE ACCOUNT OF EACH ABLE ACCOUNT HOLDER MAY NOT EXCEED THE AMOUNT SPECIFIED IN § 2503(B) OF THE INTERNAL REVENUE CODE FOR EACH CALENDAR YEAR IN WHICH THE TAXABLE YEAR BEGINS.

(D) THE MARYLAND ABLE PROGRAM MAY RECEIVE MONEY FROM:

- (1) APPROPRIATIONS IN THE STATE BUDGET;
 - (2) REASONABLE FEES ASSESSED TO BENEFICIARIES;
 - (3) GRANTS OR OTHER ASSISTANCE FROM FEDERAL, STATE, OR LOCAL GOVERNMENT; AND
 - (4) ANY OTHER MONEY FROM ANY PUBLIC OR PRIVATE SOURCE.
- (E) (1) THE MARYLAND ABLE PROGRAM:
- (I) MAY BE ESTABLISHED AS ONE OR MORE SEPARATE PLANS AS DETERMINED BY THE BOARD;
 - (II) SHALL BE ESTABLISHED IN THE FORM DETERMINED BY THE BOARD;
 - (III) SHALL BE MARKETED AND PROMOTED UNDER THE NAME OR NAMES DETERMINED BY THE BOARD; AND
 - (IV) MAY BE ESTABLISHED AS ONE OR MORE TRUSTS TO BE DECLARED BY THE BOARD.
- (2) THE MARYLAND ABLE PROGRAM MAY BE DIVIDED INTO MULTIPLE INVESTMENT OPTIONS.

18-19C-04.

- (A) AN ELIGIBLE INDIVIDUAL, AS DEFINED IN § 529A(E) OF THE INTERNAL REVENUE CODE, MAY PARTICIPATE IN AND BENEFIT FROM THE MARYLAND ABLE PROGRAM.
- (B) DISTRIBUTIONS SHALL BE REQUESTED BY THE DESIGNATED BENEFICIARY SUBJECT TO THE PROVISIONS OF § 529A OF THE INTERNAL REVENUE CODE.

18-19C-05.

- (A) (1) THE DEBTS, CONTRACTS, AND OBLIGATIONS OF THE MARYLAND ABLE PROGRAM ARE NOT THE CONTRACTS, DEBTS, OR OBLIGATIONS OF THE STATE, AND NEITHER THE FAITH AND CREDIT NOR TAXING POWER OF THE STATE IS PLEDGED DIRECTLY OR INDIRECTLY OR CONTINGENTLY, MORALLY OR OTHERWISE, TO THE PAYMENT OF THE DEBTS, CONTRACTS, AND OBLIGATIONS.

(2) THE BOARD MAY NOT DIRECTLY OR INDIRECTLY OR CONTINGENTLY OBLIGATE, MORALLY OR OTHERWISE, THE STATE TO LEVY OR PLEDGE ANY FORM OF TAXATION WHATSOEVER FOR THE DEBTS AND OBLIGATIONS OF THE MARYLAND ABLE PROGRAM OR TO MAKE ANY APPROPRIATION FOR THE PAYMENT OF THE DEBTS AND OBLIGATIONS OF THE MARYLAND ABLE PROGRAM.

(B) THE STATE MAY NOT BE LIABLE FOR ANY LOSSES OR SHORTAGE OF FUNDS IN THE EVENT THAT THE DESIGNATED BENEFICIARY'S ABLE ACCOUNT BALANCE IS INSUFFICIENT TO MEET THE DESIGNATED BENEFICIARY'S QUALIFIED DISABILITY EXPENSES.

(C) MONEY OF THE MARYLAND ABLE PROGRAM MAY NOT BE CONSIDERED MONEY OF THE STATE OR DEPOSITED IN THE STATE TREASURY.

(D) MONEY OF THE MARYLAND ABLE PROGRAM MAY NOT BE CONSIDERED MONEY OF OR COMMINGLED WITH THE MARYLAND PREPAID COLLEGE TRUST.

(E) MONEY OF THE MARYLAND ABLE PROGRAM MAY NOT BE CONSIDERED MONEY OF OR COMMINGLED WITH THE MARYLAND COLLEGE INVESTMENT PLAN.

(F) MONEY OF THE MARYLAND ABLE PROGRAM MAY NOT BE CONSIDERED MONEY OF OR COMMINGLED WITH THE MARYLAND BROKER-DEALER COLLEGE INVESTMENT PLAN.

18-19C-06.

(A) THE BOARD, THE MARYLAND ABLE PROGRAM, AND THE ABLE ACCOUNTS ISSUED UNDER THIS SUBTITLE ARE NOT SUBJECT TO THE PROVISIONS OF THE INSURANCE ARTICLE.

(B) THE ASSETS AND INCOME OF THE MARYLAND ABLE PROGRAM ARE EXEMPT FROM STATE AND LOCAL TAXATION.

18-19C-07.

(A) IN THIS SECTION, "PERSON" DOES NOT INCLUDE THE STATE.

(B) A PERSON MAY NOT ATTACH, EXECUTE, GARNISH, OR OTHERWISE SEIZE ANY CURRENT OR FUTURE BENEFIT UNDER AN ABLE ACCOUNT OR ANY ASSET OF THE MARYLAND ABLE PROGRAM.

18-19C-08.

(A) THE LEGISLATIVE AUDITOR SHALL AUDIT THE MARYLAND ABLE PROGRAM AS PROVIDED UNDER TITLE 2, SUBTITLE 12 OF THE STATE GOVERNMENT ARTICLE.

(B) THE BOARD SHALL OBTAIN AN ANNUAL AUDIT REPORT FROM A SERVICE PROVIDER WITHIN 6 MONTHS OF THE END OF THE REPORTING PERIOD OF THE SERVICE PROVIDER.

18-19C-09.

(A) THE BOARD SHALL ISSUE REFUNDS AS SPECIFIED IN THIS SECTION.

(B) IF THE CONTRIBUTION OF AN ABLE ACCOUNT CONTRIBUTOR UNDER THE MARYLAND ABLE PROGRAM WOULD RESULT IN AGGREGATE CONTRIBUTIONS FROM ALL CONTRIBUTORS TO THE ABLE ACCOUNT FOR THE TAXABLE YEAR EXCEEDING THE AMOUNT SPECIFIED IN § 2503(B) OF THE INTERNAL REVENUE CODE FOR EACH CALENDAR YEAR IN WHICH THE TAXABLE YEAR BEGINS, THE BOARD SHALL ISSUE A REFUND TO THE ABLE ACCOUNT CONTRIBUTOR.

18-19C-10.

IN ACCORDANCE WITH § 529A(F) OF THE INTERNAL REVENUE CODE, ON THE DEATH OF A DESIGNATED BENEFICIARY, ANY STATE MAY FILE A CLAIM FOR THE AMOUNT OF THE TOTAL MEDICAL ASSISTANCE PAID FOR THE DESIGNATED BENEFICIARY UNDER THE STATE'S MEDICAID PLAN AFTER THE ESTABLISHMENT OF AN ABLE ACCOUNT.

Article – Estates and Trusts

17-203.

“MARYLAND STATUTORY FORM LIMITED POWER OF ATTORNEY

PLEASE READ CAREFULLY

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). You need not give to your agent all the authorities listed below and may give the agent only those limited powers that you specifically indicate. This power of attorney gives your agent the right to make limited decisions for you. You should very carefully weigh your decision as to what powers you give your agent. Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself.

If you choose to make a grant of limited authority, you should check the boxes that identify the specific authorization you choose to give your agent.

This power of attorney does not authorize the agent to make health care decisions for you.

You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is not entitled to compensation unless you indicate otherwise in the special instructions of this power of attorney. If you indicate that your agent is to receive compensation, your agent is entitled to reasonable compensation or compensation as specified in the Special Instructions.

This form provides for designation of one agent. If you wish to name more than one agent you may name a coagent in the Special Instructions. Coagents are required to act together unanimously unless you specify otherwise in the Special Instructions.

If your agent is unavailable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

This power of attorney becomes effective immediately unless you state otherwise in the Special Instructions.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

DESIGNATION OF AGENT

This section of the form provides for designation of one agent.

If you wish to name coagents, skip this section and use the next section ("Designation of Coagents").

I, _____, name the following person
 (Name of Principal)
 as my agent:

Name of
 Agent: _____
 Agent's
 Address: _____
 Agent's Telephone
 Number: _____

DESIGNATION OF COAGENTS (OPTIONAL)

This section of the form provides for designation of two or more coagents. Coagents are required to act together unanimously unless you otherwise provide in this form.

I, _____,
(Name of Principal)

Name the following persons as coagents:

Name of Coagent: _____

Coagent’s Address: _____

Coagent’s Telephone Number: _____

Name of Coagent: _____

Coagent’s Address: _____

Coagent’s Telephone Number: _____

Special Instructions Regarding Coagents: _____

DESIGNATION OF SUCCESSOR AGENT(S) (OPTIONAL)

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of Successor Agent: _____

Successor Agent’s

Address: _____

Successor Agent’s Telephone Number: _____

If my successor agent is unable or unwilling to act for me, I name as my second successor agent:

Name of Second Successor

Agent: _____

Second Successor Agent’s

Address: _____

Second Successor Agent’s Telephone Number: _____

GRANT OF GENERAL AUTHORITY

I (“the principal”) grant my agent and any successor agent, with respect to each subject that I choose below, the authority to do all acts that I could do to:

(1) Demand, receive, and obtain by litigation or otherwise, money or another thing of value to which the principal is, may become, or claims to be entitled, and conserve, invest, disburse, or use anything so received or obtained for the purposes intended;

(2) Contract with another person, on terms agreeable to the agent, to accomplish a purpose of a transaction and perform, rescind, cancel, terminate, reform, restate, release, or modify the contract or another contract made by or on behalf of the principal;

(3) Execute, acknowledge, seal, deliver, file, or record any instrument or communication the agent considers desirable to accomplish a purpose of a transaction, including creating a schedule contemporaneously or at a later time listing some or all of the principal's property and attaching the schedule to this power of attorney;

(4) Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to a claim existing in favor of or against the principal or intervene in litigation relating to the claim;

(5) Seek on the principal's behalf the assistance of a court or other governmental agency to carry out an act authorized in this power of attorney;

(6) Engage, compensate, and discharge an attorney, accountant, discretionary investment manager, expert witness, or other advisor;

(7) Prepare, execute, and file a record, report, or other document to safeguard or promote the principal's interest under a statute or regulation;

(8) Communicate with representatives or employees of a government or governmental subdivision, agency, or instrumentality, on behalf of the principal;

(9) Access communications intended for, and communicate on behalf of the principal, whether by mail, electronic transmission, telephone, or other means; and

(10) Do lawful acts with respect to the subject and all property related to the subject.

(INITIAL each authority in any subject you want to include in the agent's general authority. Cross through each authority in any subject that you want to exclude. If you wish to grant general authority over an entire subject, you may initial "All of the above" instead of initialing each authority.)

SUBJECTS AND AUTHORITY

A. Real Property – With respect to this category, I authorize my agent to:

(___) Demand, buy, lease, receive, accept as a gift or as security for an extension of credit, or otherwise acquire or reject an interest in real property or a right incident to real property

(___) Sell, exchange, convey with or without covenants, representations, or warranties, quitclaim, release, surrender, retain title for security, encumber, partition, consent to partitioning, subject to an easement or covenant, subdivide, apply for zoning or other governmental permits, plat or consent to platting, develop, grant an option concerning, lease, sublease, contribute to an entity in exchange for an interest in that entity, or otherwise grant or dispose of an interest in real property or a right incident to real property

(___) Pledge or mortgage an interest in real property or right incident to real property as security to borrow money or pay, renew, or extend the time of payment of a debt of the principal or a debt guaranteed by the principal, including a reverse mortgage

(___) Release, assign, satisfy, or enforce by litigation or otherwise a mortgage, deed of trust, conditional sale contract, encumbrance, lien, or other claim to real property that exists or is asserted

(___) Manage or conserve an interest in real property or a right incident to real property owned or claimed to be owned by the principal, including:

- (1) Insuring against liability or casualty or other loss;
- (2) Obtaining or regaining possession of or protecting the interest or right by litigation or otherwise;
- (3) Paying, assessing, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with them; and
- (4) Purchasing supplies, hiring assistance or labor, and making repairs or alterations to the real property

(___) Use, develop, alter, replace, remove, erect, or install structures or other improvements on real property in or incident to which the principal has, or claims to have, an interest or right

(___) Participate in a reorganization with respect to real property or an entity that owns an interest in or a right incident to real property and receive, hold, and act with respect to stocks and bonds or other property received in a plan of reorganization, including:

- (1) Selling or otherwise disposing of the stocks and bonds or other property;
- (2) Exercising or selling an option, a right of conversion, or a similar right with respect to the stocks and bonds or other property; and

(3) Exercising voting rights in person or by proxy

Change the form of title of an interest in or a right incident to real property

Dedicate to public use, with or without consideration, easements or other real property in which the principal has, or claims to have, an interest

All of the above

B. Tangible Personal Property – With respect to this subject, I authorize my agent to:

Demand, buy, receive, accept as a gift or as security for an extension of credit, or otherwise acquire or reject ownership or possession of tangible personal property or an interest in tangible personal property

Sell, exchange, convey with or without covenants, representations, or warranties, quitclaim, release, surrender, create a security interest in, grant options concerning, lease, sublease, or otherwise dispose of tangible personal property or an interest in tangible personal property

Grant a security interest in tangible personal property or an interest in tangible personal property as security to borrow money or pay, renew, or extend the time of payment of a debt of the principal or a debt guaranteed by the principal

Release, assign, satisfy, or enforce by litigation or otherwise, a security interest, lien, or other claim on behalf of the principal, with respect to tangible personal property or an interest in tangible personal property

Manage or conserve tangible personal property or an interest in tangible personal property on behalf of the principal, including:

(1) Insuring against liability or casualty or other loss;

(2) Obtaining or regaining possession of or protecting the property or interest, by litigation or otherwise;

(3) Paying, assessing, compromising, or contesting taxes or assessments or applying for and receiving refunds in connection with taxes or assessments;

(4) Moving the property from place to place;

(5) Storing the property for hire or on a gratuitous bailment; and

(6) Using and making repairs, alterations, or improvements to the property

Change the form of title of an interest in tangible personal property

All of the above

C. Stocks and Bonds – With respect to this subject, I authorize my agent to:

Buy, sell, and exchange stocks and bonds

Establish, continue, modify, or terminate an account with respect to stocks and bonds

Pledge stocks and bonds as security to borrow, pay, renew, or extend the time of payment of a debt of the principal

Receive certificates and other evidences of ownership with respect to stocks and bonds

Exercise voting rights with respect to stocks and bonds in person or by proxy, enter into voting trusts, and consent to limitations on the right to vote

All of the above

D. Commodities – With respect to this subject, I authorize my agent to:

Buy, sell, exchange, assign, settle, and exercise commodity futures contracts and call or put options on stocks or stock indexes traded on a regulated option exchange

Establish, continue, modify, and terminate option accounts

All of the above

E. Banks and Other Financial Institutions – With respect to this subject, I authorize my agent to:

Continue, modify, transact all business in connection with, and terminate an account or other banking arrangement made by or on behalf of the principal

Establish, modify, transact all business in connection with, and terminate an account or other banking arrangement with a bank, trust company, savings and loan association, credit union, thrift company, brokerage firm, or other financial institution selected by the agent

Contract for services available from a financial institution, including renting a safe deposit box or space in a vault

Deposit by check, money order, electronic funds transfer, or otherwise with, or leave in the custody of, a financial institution money or property of the principal

Withdraw, by check, money order, electronic funds transfer, or otherwise, money or property of the principal deposited with or left in the custody of a financial institution

Receive statements of account, vouchers, notices, and similar documents from a financial institution and act with respect to them

Enter a safe deposit box or vault and withdraw or add to the contents

Borrow money and pledge as security personal property of the principal necessary to borrow money or pay, renew, or extend the time of payment of a debt of the principal or a debt guaranteed by the principal

Make, assign, draw, endorse, discount, guarantee, and negotiate promissory notes, checks, drafts, and other negotiable or nonnegotiable paper of the principal or payable to the principal or the principal's order, transfer money, receive the cash or other proceeds of those transactions, and accept a draft drawn by a person on the principal and pay the draft when due

Receive for the principal and act on a sight draft, warehouse receipt, other document of title whether tangible or electronic, or other negotiable or nonnegotiable instrument

Apply for, receive, and use letters of credit, credit cards and debit cards, electronic transaction authorizations, and traveler's checks from a financial institution and give an indemnity or other agreement in connection with letters of credit

Consent to an extension of the time of payment with respect to commercial paper or a financial transaction with a financial institution

All of the above

F. Operation of an Entity or a Business – With respect to this subject, I authorize my agent to:

Operate, buy, sell, enlarge, reduce, or terminate an ownership interest

Perform a duty or discharge a liability and exercise in person or by proxy a right, power, privilege, or an option that the principal has, may have, or claims to have

(___) Enforce the terms of an ownership agreement

(___) Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to which the principal is a party because of an ownership interest

(___) Exercise in person or by proxy, or enforce by litigation or otherwise, a right, power, privilege, or an option the principal has or claims to have as the holder of stocks and bonds

(___) Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to which the principal is a party concerning stocks and bonds

(___) With respect to an entity or business owned solely by the principal:

(1) Continue, modify, renegotiate, extend, and terminate a contract made by or on behalf of the principal with respect to the entity or business before execution of this power of attorney;

(2) Determine:

(i) The location of the operation of the entity or business;

(ii) The nature and extent of the business of the entity or business;

(iii) The methods of manufacturing, selling, merchandising, financing, accounting, and advertising employed in the operation of the entity or business;

(iv) The amount and types of insurance carried by the entity or business; and

(v) The mode of engaging, compensating, and dealing with the employees and accountants, attorneys, or other advisors of the entity or business;

(3) Change the name or form of organization under which the entity or business is operated and enter into an ownership agreement with other persons to take over all or part of the operation of the entity or business; and

(4) Demand and receive money due or claimed by the principal or on the principal's behalf in the operation of the entity or business and control and disburse the money in the operation of the entity or business

(___) Put additional capital into an entity or a business in which the principal has an interest

Join in a plan of reorganization, consolidation, conversion, domestication, or merger of the entity or business

Sell or liquidate all or part of an entity or business

Establish the value of an entity or a business under a buyout agreement to which the principal is a party

Prepare, sign, file, and deliver reports, compilations of information, returns, or other papers with respect to an entity or business and make related payments

Pay, compromise, or contest taxes, assessments, fines, or penalties and perform other acts to protect the principal from illegal or unnecessary taxation, assessments, fines, or penalties, with respect to an entity or a business, including attempts to recover, as permitted by law, money paid before or after the execution of this power of attorney

All of the above

G. Insurance and Annuities – With respect to this subject, I authorize my agent to:

Continue, pay the premium or make a contribution on, modify, exchange, rescind, release, or terminate a contract procured by or on behalf of the principal that insures or provides an annuity to either the principal or another person, whether or not the principal is a beneficiary under the contract

Procure new, different, and additional contracts of insurance and annuities for the principal and the principal's spouse, children, and other dependents, and select the amount, type of insurance or annuity, and mode of payment

Pay the premium or make a contribution on, modify, exchange, rescind, release, or terminate a contract of insurance or annuity procured by the agent

Apply for and receive a loan secured by a contract of insurance or annuity

Surrender and receive the cash surrender value on a contract of insurance or annuity

Exercise an election

Exercise investment powers available under a contract of insurance or annuity

Change the manner of paying premiums on a contract of insurance or annuity

Change or convert the type of insurance or annuity with respect to which the principal has or claims to have authority described in this section

Apply for and procure a benefit or assistance under a statute or regulation to guarantee or pay premiums of a contract of insurance on the life of the principal

Collect, sell, assign, hypothecate, borrow against, or pledge the interest of the principal in a contract of insurance or annuity

Select the form and timing of the payment of proceeds from a contract of insurance or annuity

Pay, from proceeds or otherwise, compromise or contest, and apply for refunds in connection with a tax or assessment levied by a taxing authority with respect to a contract of insurance or annuity or the proceeds or liability from the contract of insurance or annuity accruing by reason of the tax or assessment

All of the above

H. Estates, Trusts, and Other Beneficial Interests (including trusts, probate estates, guardianships, conservatorships, escrows, or custodianships or funds from which the principal is, may become, or claims to be entitled to a share or payment) – With respect to this subject, I authorize my agent to:

Accept, receive, receipt for, sell, assign, pledge, or exchange a share in or payment from the fund described above

Demand or obtain money or another thing of value to which the principal is, may become, or claims to be entitled by reason of the fund described above, by litigation or otherwise

Exercise for the benefit of the principal a presently exercisable general power of appointment held by the principal

Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to ascertain the meaning, validity, or effect of a deed, will, declaration of trust, or other instrument or transaction affecting the interest of the principal

Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation to remove, substitute, or surcharge a fiduciary

Conserve, invest, disburse, or use anything received for an authorized purpose

Transfer an interest of the principal in real property, stocks and bonds, accounts with financial institutions or securities intermediaries, insurance, annuities, and other property to the trustee of a revocable trust created by the principal as settlor

Reject, renounce, disclaim, release, or consent to a reduction in or modification of a share in or payment from the fund described above

All of the above

I. Claims and Litigation – With respect to this subject, I authorize my agent to:

Assert and maintain before a court or administrative agency a claim, claim for relief, cause of action, counterclaim, offset, recoupment, or defense, including an action to recover property or other thing of value, recover damages sustained by the principal, eliminate or modify tax liability, or seek an injunction, specific performance, or other relief

Bring an action to determine adverse claims or intervene or otherwise participate in litigation

Seek an attachment, garnishment, order of arrest, or other preliminary, provisional, or intermediate relief and use an available procedure to effect or satisfy a judgment, order, or decree

Make or accept a tender, offer of judgment, or admission of facts, submit a controversy on an agreed statement of facts, consent to examination, and bind the principal in litigation

Submit to alternative dispute resolution, settle, and propose or accept a compromise

Waive the issuance and service of process on the principal, accept service of process, appear for the principal, designate persons on which process directed to the principal may be served, execute and file or deliver stipulations on the principal's behalf, verify pleadings, seek appellate review, procure and give surety and indemnity bonds, contract and pay for the preparation and printing of records and briefs, receive, execute, and file or deliver a consent, waiver, release, confession of judgment, satisfaction of judgment, notice, agreement, or other instrument in connection with the prosecution, settlement, or defense of a claim or litigation

Act for the principal with respect to bankruptcy or insolvency, whether voluntary or involuntary, concerning the principal or some other person, or with respect to a reorganization, receivership, or application for the appointment of a receiver or trustee that affects an interest of the principal in property or other thing of value

Pay a judgment, award, or order against the principal or a settlement made in connection with a claim or litigation

Receive money or other thing of value paid in settlement of or as proceeds of a claim or litigation

All of the above

J. Personal and Family Maintenance – With respect to this subject, I authorize my agent to:

Perform the acts necessary to maintain the customary standard of living of the principal, the principal's spouse, and the following individuals, whether living when this power of attorney is executed or later born:

(1) The principal's children;

(2) Other individuals legally entitled to be supported by the principal; and

(3) The individuals whom the principal has customarily supported or indicated the intent to support;

Make periodic payments of child support and other family maintenance required by a court or governmental agency or an agreement to which the principal is a party

Provide living quarters for the individuals described above by:

(1) Purchase, lease, or other contract; or

(2) Paying the operating costs, including interest, amortization payments, repairs, improvements, and taxes, for premises owned by the principal or occupied by those individuals

Provide normal domestic help, usual vacations and travel expenses, and funds for shelter, clothing, food, appropriate education, including postsecondary and vocational education, and other current living costs for the individuals described above

Pay expenses for necessary health care and custodial care on behalf of the individuals described above

Act as the principal's personal representative in accordance with the Health Insurance Portability and Accountability Act, §§ 1171 through 1179 of the Social Security Act, 42 U.S.C. § 1320d, and applicable regulations in making decisions related to the past, present, or future payment for the provision of health care consented to by the

principal or anyone authorized under the law of this State to consent to health care on behalf of the principal

Continue provisions made by the principal for automobiles or other means of transportation, including registering, licensing, insuring, and replacing the means of transportation, for the individuals described above

Maintain credit and debit accounts for the convenience of the individuals described above and open new accounts

Continue payments incidental to the membership or affiliation of the principal in a religious institution, club, society, order, or other organization or to continue contributions to those organizations

(NOTE: Authority with respect to personal and family maintenance is neither dependent on, nor limited by, authority that an agent may or may not have with respect to gifts under this power of attorney.)

All of the above

K. Benefits from Governmental Programs or Civil or Military Service (including any benefit, program, or assistance provided under a statute or regulation including Social Security, Medicare, and Medicaid) – With respect to this subject, I authorize my agent to:

Execute vouchers in the name of the principal for allowances and reimbursements payable by the United States or a foreign government or by a state or subdivision of a state to the principal, including allowances and reimbursements for transportation of the individuals described in “J. Personal and Family Maintenance” above, and for shipment of the household effects of those individuals

Take possession and order the removal and shipment of property of the principal from a post, warehouse, depot, dock, or other place of storage or safekeeping, either governmental or private, and execute and deliver a release, voucher, receipt, bill of lading, shipping ticket, certificate, or other instrument for that purpose

Enroll in, apply for, select, reject, change, amend, or discontinue, on the principal’s behalf, a benefit or program

Prepare, file, and maintain a claim of the principal for a benefit or assistance, financial or otherwise, to which the principal may be entitled under a statute or regulation

Initiate, participate in, submit to alternative dispute resolution, settle, oppose, or propose or accept a compromise with respect to litigation concerning a benefit or assistance the principal may be entitled to receive under a statute or regulation

Receive the financial proceeds of a claim described above and conserve, invest, disburse, or use for a lawful purpose anything so received

All of the above

L. Retirement Plans (including a plan or account created by an employer, the principal, or another individual to provide retirement benefits or deferred compensation of which the principal is a participant, beneficiary, or owner, including a plan or account under the following sections of the Internal Revenue Code:

(1) An individual retirement account under Internal Revenue Code Section 408, 26 U.S.C. § 408;

(2) A Roth individual retirement account under Internal Revenue Code Section 408A, 26 U.S.C. § 408A;

(3) A deemed individual retirement account under Internal Revenue Code Section 408(q), 26 U.S.C. § 408(q);

(4) An annuity or mutual fund custodial account under Internal Revenue Code Section 403(b), 26 U.S.C. § 403(b);

(5) A pension, profit-sharing, stock bonus, or other retirement plan qualified under Internal Revenue Code Section 401(a), 26 U.S.C. § 401(a);

(6) A plan under Internal Revenue Code Section 457(b), 26 U.S.C. § 457(b);
and

(7) A nonqualified deferred compensation plan under Internal Revenue Code Section 409A, 26 U.S.C. § 409A) – With respect to this subject, I authorize my agent to:

Select the form and timing of payments under a retirement plan and withdraw benefits from a plan

Make a rollover, including a direct trustee-to-trustee rollover, of benefits from one retirement plan to another

Establish a retirement plan in the principal's name

Make contributions to a retirement plan

Exercise investment powers available under a retirement plan

Borrow from, sell assets to, or purchase assets from a retirement plan

All of the above

M. Taxes – With respect to this subject, I authorize my agent to:

Prepare, sign, and file federal, state, local, and foreign income, gift, payroll, property, Federal Insurance Contributions Act, and other tax returns, claims for refunds, requests for extension of time, petitions regarding tax matters, and other tax-related documents, including receipts, offers, waivers, consents, including consents and agreements under Internal Revenue Code Section 2032A, 26 U.S.C. § 2032A, closing agreements, and other powers of attorney required by the Internal Revenue Service or other taxing authority with respect to a tax year on which the statute of limitations has not run and the following 25 tax years

Pay taxes due, collect refunds, post bonds, receive confidential information, and contest deficiencies determined by the Internal Revenue Service or other taxing authority

Exercise elections available to the principal under federal, state, local, or foreign tax law

Act for the principal in all tax matters for all periods before the Internal Revenue Service, or other taxing authority

All of the above

N. Gifts (including gifts to a trust, an account under the Uniform Transfers to Minors Act, [and] a tuition savings account or prepaid tuition plan as defined under Internal Revenue Code Section 529, 26 U.S.C. § 529, **AND AN ABLE ACCOUNT AS DEFINED UNDER INTERNAL REVENUE CODE SECTION 529A, 26 U.S.C. § 529A**) – With respect to this subject, I authorize my agent to:

Make outright to, or for the benefit of, a person, a gift of part or all of the principal's property, including by the exercise of a presently exercisable general power of appointment held by the principal, in an amount for each donee not to exceed the annual dollar limits of the federal gift tax exclusion under Internal Revenue Code Section 2503(b), 26 U.S.C. § 2503(b), without regard to whether the federal gift tax exclusion applies to the gift, or if the principal's spouse agrees to consent to a split gift pursuant to Internal Revenue Code Section 2513, 26 U.S.C. § 2513, in an amount for each donee not to exceed twice the annual federal gift tax exclusion limit

Consent, pursuant to Internal Revenue Code Section 2513, 26 U.S.C. § 2513, to the splitting of a gift made by the principal's spouse in an amount for each donee not to exceed the aggregate annual gift tax exclusions for both spouses

(NOTE: An agent may only make a gift of the principal's property as the agent determines is consistent with the principal's objectives if actually known by the agent and, if unknown, as the agent determines is consistent with the principal's best interest based on all relevant factors, including:

- (1) The value and nature of the principal's property;
 - (2) The principal's foreseeable obligations and need for maintenance;
 - (3) Minimization of taxes, including income, estate, inheritance, generation-skipping transfer, and gift taxes;
 - (4) Eligibility for a benefit, a program, or assistance under a statute or regulation; and
 - (5) The principal's personal history of making or joining in making gifts.)
- All of the above

GRANT OF SPECIFIC AUTHORITY (OPTIONAL)

My agent MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. In addition, granting your agent the authority to make gifts to, or to designate as the beneficiary of any retirement plan, the agent, the agent's spouse, or a dependent of the agent may constitute a taxable gift by you and may make the property subject to that authority taxable as part of the agent's estate. INITIAL ONLY the specific authority you WANT to give your agent.)

Create an inter vivos trust, or amend, revoke, or terminate an existing inter vivos trust if the trust expressly authorizes that action by the agent

Make a gift, subject to any special instructions in this power of attorney

Create or change rights of survivorship

Create or change a beneficiary designation, subject to any special instructions in this power of attorney; and, if I wish to authorize my agent to designate the agent, the agent's spouse, or a dependent of the agent as a beneficiary, I will explicitly state this authority within the special instructions of this power of attorney or in a separate power of attorney

Authorize another person to exercise the authority granted under this power of attorney

Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan

- () Exercise fiduciary powers that the principal has authority to delegate
- () Disclaim or refuse an interest in property, including a power of appointment

LIMITATION ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

SPECIAL INSTRUCTIONS (OPTIONAL)

You may give special instructions on the following lines:

EFFECTIVE DATE

This power of attorney is effective immediately unless I have stated otherwise in the Special Instructions.

TERMINATION DATE (OPTIONAL)

This power of attorney shall terminate on _____, 20_____.
(Use a specific calendar date)

NOMINATION OF GUARDIAN (OPTIONAL)

If it becomes necessary for a court to appoint a guardian of my property or guardian of my person, I nominate the following person(s) for appointment:

Name of Nominee for guardian of my property:

Nominee's Address: _____

Nominee's Telephone Number: _____

Name of Nominee for guardian of my person:

Nominee's Address: _____

Nominee's Telephone Number: _____

SIGNATURE AND ACKNOWLEDGMENT

Your Signature

Date

Your Name Printed

Your Address

Your Telephone Number

STATE OF MARYLAND
(COUNTY) OF _____

This document was acknowledged before me on

_____,
(Date)

by _____
(Name of Principal)

(Seal, if any)

Signature of Notary

My commission expires: _____

WITNESS ATTESTATION

The foregoing power of attorney was, on the date written above, published and declared by

(Name of Principal)

in our presence to be his/her power of attorney. We, in his/her presence and at his/her request, and in the presence of each other, have attested to the same and have signed our names as attesting witnesses.

Witness #1 Signature

Witness #1 Name Printed

Witness #1 Address

Witness #1 Telephone Number

Witness #2 Signature

Witness #2 Name Printed

Witness #2 Address

Witness #2 Telephone Number

This document prepared by:

IMPORTANT INFORMATION FOR AGENT

Agent’s Duties

When you accept the authority granted under this power of attorney, a special legal relationship is created between you and the principal. This relationship imposes on you legal duties that continue until you resign or the power of attorney is terminated or revoked. You must:

- (1) Do what you know the principal reasonably expects you to do with the principal’s property or, if you do not know the principal’s expectations, act in the principal’s best interest;
- (2) Act with care, competence, and diligence for the best interest of the principal;
- (3) Do nothing beyond the authority granted in this power of attorney; and
- (4) Disclose your identity as an agent whenever you act for the principal by writing or printing the name of the principal and signing your own name as “agent” in the following manner:

(Principal’s Name) by _____ (Your Signature) as Agent

Unless the Special Instructions in this power of attorney state otherwise, you must also:

- (1) Act loyally for the principal’s benefit;
- (2) Avoid conflicts that would impair your ability to act in the principal’s best interest;

(3) Keep a record of all receipts, disbursements, and transactions made on behalf of the principal;

(4) Cooperate with any person that has authority to make health care decisions for the principal to do what you know the principal reasonably expects or, if you do not know the principal's expectations, to act in the principal's best interest; and

(5) Attempt to preserve the principal's estate plan if you know the plan and preserving the plan is consistent with the principal's best interest.

Termination of Agent's Authority

You must stop acting on behalf of the principal if you learn of any event that terminates this power of attorney or your authority under this power of attorney. Events that terminate a power of attorney or your authority to act under a power of attorney include:

(1) Death of the principal;

(2) The principal's revocation of the power of attorney or your authority;

(3) The occurrence of a termination event stated in the power of attorney;

(4) The purpose of the power of attorney is fully accomplished; or

(5) If you are married to the principal, a legal action is filed with a court to end your marriage, or for your legal separation, unless the Special Instructions in this power of attorney state that such an action will not terminate your authority.

Liability of Agent

The meaning of the authority granted to you is defined in the Maryland Power of Attorney Act, Title 17 of the Estates and Trusts Article. If you violate the Maryland Power of Attorney Act, Title 17 of the Estates and Trusts Article, or act outside the authority granted, you may be liable for any damages caused by your violation.

If there is anything about this document or your duties that you do not understand, you should seek legal advice."

Article – State Finance and Procurement

11–203.

(f) Except as provided in Title 12, Subtitle 4 and Title 14, Subtitle 3 of this article, this Division II does not apply to [the College Savings Plans of] Maryland **529** for:

(1) services of managers to invest the assets of the Maryland Prepaid College Trust in accordance with the comprehensive investment plan adopted by the

[College Savings Plans of] Maryland **529** Board under § 18–1906 of the Education Article; and

(2) expenditures to manage, maintain, and enhance the value of the assets of the Maryland Prepaid College Trust in accordance with the comprehensive investment plan adopted by the [College Savings Plans of] Maryland **529** Board under § 18–1906 of the Education Article.

Article – State Government

9–803.

(a) The Commission consists of the following members:

(11) the following members, appointed by the Governor:

(ii) one member of the [College Savings Plans of] Maryland **529** Board;

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Tax – General

10–205.

(a) In addition to the modification under § 10–204 of this subtitle, the amounts under this section are added to the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(L) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “ABLE ACCOUNT CONTRIBUTOR” MEANS AN INDIVIDUAL WHO CONTRIBUTES MONEY TO AN ABLE ACCOUNT AS DEFINED IN § 18–19C–01 OF THE EDUCATION ARTICLE.

(III) “ABLE ACCOUNT HOLDER” MEANS THE HOLDER OF AN ACCOUNT AS DEFINED IN § 18–19C–01 OF THE EDUCATION ARTICLE.

(IV) “DESIGNATED BENEFICIARY” HAS THE MEANING STATED IN § 18–19C–01 OF THE EDUCATION ARTICLE.

(V) “QUALIFIED DISABILITY EXPENSES” HAS THE MEANING STATED IN § 18–19C–01 OF THE EDUCATION ARTICLE.

(2) THE ADDITION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE AMOUNT OF:

(I) ANY REFUND RECEIVED IN THE TAXABLE YEAR BY AN ABLE ACCOUNT CONTRIBUTOR UNDER THE MARYLAND ABLE PROGRAM; OR

(II) ANY DISTRIBUTION RECEIVED IN THE TAXABLE YEAR BY AN ABLE ACCOUNT HOLDER IN ACCORDANCE WITH THE MARYLAND ABLE PROGRAM THAT IS NOT USED FOR THE BENEFIT OF THE DESIGNATED BENEFICIARY FOR QUALIFIED DISABILITY EXPENSES.

(3) THE AMOUNT OF THE ADDITION REQUIRED UNDER THIS SUBSECTION SHALL BE REDUCED BY ANY AMOUNT INCLUDED IN THE INDIVIDUAL'S FEDERAL ADJUSTED GROSS INCOME AS A RESULT OF A REFUND OR DISTRIBUTION.

(4) THE CUMULATIVE AMOUNT OF THE ADDITION UNDER THIS SUBSECTION FOR THE TAXABLE YEAR AND ALL PRIOR TAXABLE YEARS MAY NOT EXCEED THE CUMULATIVE AMOUNT ALLOWED AS A SUBTRACTION UNDER § 10-208(V) OF THIS SUBTITLE FOR THE TAXABLE YEAR AND ALL PRIOR TAXABLE YEARS FOR CONTRIBUTIONS MADE BY AN ABLE ACCOUNT CONTRIBUTOR TO AN ABLE ACCOUNT UNDER THE MARYLAND ABLE PROGRAM UNDER WHICH THE DISTRIBUTION IS RECEIVED.

10-207.

(a) To the extent included in federal adjusted gross income, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(CC) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) "DESIGNATED BENEFICIARY" MEANS A DESIGNATED BENEFICIARY AS DEFINED IN § 18-19C-01 OF THE EDUCATION ARTICLE.

(III) "QUALIFIED DISABILITY EXPENSES" HAS THE MEANING STATED IN § 18-19C-01 OF THE EDUCATION ARTICLE.

(2) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES ANY AMOUNT INCLUDED IN FEDERAL ADJUSTED GROSS INCOME AS A RESULT OF A DISTRIBUTION TO A DESIGNATED BENEFICIARY FROM AN ABLE ACCOUNT UNDER THE MARYLAND ABLE PROGRAM.

(3) THE SUBTRACTION UNDER PARAGRAPH (2) OF THIS SUBSECTION DOES NOT APPLY TO:

(I) A REFUND UNDER THE MARYLAND ABLE PROGRAM; OR

(II) A DISTRIBUTION THAT IS NOT USED FOR THE BENEFIT OF THE DESIGNATED BENEFICIARY FOR QUALIFIED DISABILITY EXPENSES.

10-208.

(a) In addition to the modification under § 10-207 of this subtitle, the amounts under this section are subtracted from the federal adjusted gross income of a resident to determine Maryland adjusted gross income.

(V) (1) (I) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “ABLE ACCOUNT CONTRIBUTOR” MEANS AN INDIVIDUAL WHO CONTRIBUTES MONEY TO AN ABLE ACCOUNT AS DEFINED IN § 18-19C-01 OF THE EDUCATION ARTICLE.

(III) “DESIGNATED BENEFICIARY” MEANS A DESIGNATED BENEFICIARY AS DEFINED IN § 18-19C-01 OF THE EDUCATION ARTICLE.

(IV) “QUALIFIED DISABILITY EXPENSES” HAS THE MEANING STATED IN § 18-19C-01 OF THE EDUCATION ARTICLE.

(2) SUBJECT TO THE LIMITATION UNDER PARAGRAPH (3) OF THIS SUBSECTION, THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE AMOUNT CONTRIBUTED BY AN ABLE ACCOUNT CONTRIBUTOR DURING THE TAXABLE YEAR TO AN ABLE ACCOUNT UNDER THE MARYLAND ABLE PROGRAM.

(3) (I) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, FOR EACH ABLE ACCOUNT CONTRIBUTOR UNDER THE MARYLAND ABLE PROGRAM, THE SUBTRACTION UNDER PARAGRAPH (2) OF THIS SUBSECTION MAY NOT EXCEED \$2,500 FOR ANY TAXABLE YEAR PER QUALIFIED DESIGNATED BENEFICIARY.

(II) FOR PURPOSES OF THE LIMITATION UNDER THIS PARAGRAPH, EACH SPOUSE ON A JOINT RETURN SHALL BE TREATED SEPARATELY.

(4) SUBJECT TO THE \$2,500 ANNUAL LIMITATION FOR EACH ABLE ACCOUNT CONTRIBUTOR PER QUALIFIED DESIGNATED BENEFICIARY, ANY AMOUNT

DISALLOWED AS A SUBTRACTION UNDER THIS SUBSECTION FOR ANY TAXABLE YEAR AS A RESULT OF THE LIMITATION UNDER PARAGRAPH (3) OF THIS SUBSECTION MAY BE CARRIED OVER UNTIL USED TO THE NEXT 10 SUCCEEDING TAXABLE YEARS AS A SUBTRACTION.

SECTION 3. 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 or by any other Act of the General Assembly of 2016 that affects provisions enacted by this Act. The publisher shall adequately describe any such correction in an editor’s note following the section affected.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall be applicable to all taxable years beginning after December 31, 2015.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved by the Governor, April 12, 2016.

Chapter 40

(House Bill 596)

AN ACT concerning

State Department of Education – Hearing Aid Loan Bank Program – Age of Eligibility

FOR the purpose of altering the age of eligibility to participate in the Hearing Aid Loan Bank Program in the State Department of Education; and generally relating to the Hearing Aid Loan Bank Program for eligible children.

BY repealing and reenacting, with amendments,
Article – Education
Section 8–601 and 8–602
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 8–603 and 8–604
Annotated Code of Maryland
(2014 Replacement Volume and 2015 Supplement)

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

Article – Education

8–601.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Eligible child” means a child who:
 - (1) Is a resident of the State;
 - (2) Is identified by an otolaryngologist or a licensed audiologist as having a hearing loss;
 - (3) Has no immediate access to a hearing aid; and
 - (4) Is under the age of [3] 18 years.
- (c) “Licensed audiologist” means an individual who is licensed to practice audiology under Title 2 of the Health Occupations Article.
- (d) “Loan Bank” means the Hearing Aid Loan Bank.
- (e) “Otolaryngologist” means an individual who:
 - (1) Is licensed to practice medicine under Title 14 of the Health Occupations Article; and
 - (2) Specializes in otolaryngology.
- (f) “Program” means the Hearing Aid Loan Bank Program.

8–602.

- (a) There is a Hearing Aid Loan Bank Program in the Department.
- (b) The Program is established for the purpose of lending hearing aids on a temporary basis to a parent or legal guardian of an eligible child to ensure that children under the age of [3] 18 years will have maximum auditory input [during the critical period of language learning] **THROUGHOUT CHILDHOOD AND ADOLESCENCE.**
- (c) The Program shall employ an otolaryngologist or a licensed audiologist.

8–603.

(a) There is a permanent Hearing Aid Loan Bank in the Department.

(b) The Program shall provide and maintain:

(1) A pool of hearing aids in the Loan Bank to lend to a parent or legal guardian of an eligible child;

(2) Testing and programming equipment for hearing aids in the Loan Bank; and

(3) Supplies for repair and reconditioning of hearing aids in the Loan Bank.

8–604.

(a) The Program shall lend a suitable hearing aid to a parent or legal guardian of an eligible child on receipt of:

(1) A prescription from an otolaryngologist or a licensed audiologist; and

(2) Any documents required by the Program to prove that the child is an eligible child.

(b) (1) Except as provided in paragraph (2) of this subsection, the loan period shall be for not more than 6 months.

(2) The Program may extend the original loan period for additional 3–month periods if, prior to each extension, the Program determines that:

(i) The child does not have immediate access to another hearing aid under Medicaid, the Maryland Children’s Health Program, or private health insurance;

(ii) The child’s parent or legal guardian currently does not have the financial means to obtain immediate access to another hearing aid; and

(iii) The child’s parent or legal guardian is making reasonable efforts to obtain access to another hearing aid.

(c) A parent or legal guardian who borrows a hearing aid for an eligible child shall:

(1) Be the custodian of the hearing aid;

(2) Return the hearing aid immediately to the Loan Bank on the expiration of the loan period or receipt of a suitable permanent hearing aid, whichever occurs first;

(3) Be responsible for the proper care and use of the hearing aid;

(4) Be responsible for any damage to or loss of the hearing aid; and

(5) Sign a written agreement provided by the State Superintendent that states the term and conditions of the loan.

(d) The Program shall ensure that the eligible child's otolaryngologist or licensed audiologist instructs the parent or legal guardian about the proper care and use of a hearing aid provided under the Program.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved by the Governor, April 12, 2016.

Chapter 41

(Senate Bill 724)

AN ACT concerning

Alcoholic Beverages Article

FOR the purpose of adding a new article to the Annotated Code of Maryland, to be designated and known as the "Alcoholic Beverages Article", to revise, restate, and recodify the laws of the State relating to the policy of the State regarding the regulation and control of the manufacture, sale, distribution, transportation, and storage of alcoholic beverages, the establishment of boards of license commissioners in certain jurisdictions, and the establishment of liquor control boards and departments of liquor control in certain jurisdictions; revising, restating, and recodifying certain provisions relating to the authority of the Office of the Comptroller to issue certain alcoholic beverages permits, manufacturer's licenses, wholesaler's licenses, boat licenses, railroad licenses, and airplane licenses; revising, restating, and recodifying certain provisions of law regarding beer regulation, including the Beer Franchise Fair Dealing Act and certain provisions regarding successor manufacturers; revising, restating, and recodifying certain provisions of law relating to the authority of certain boards of license commissioners in certain jurisdictions to issue certain beer licenses, beer and light wine licenses, beer and wine licenses, and beer, wine, and liquor licenses, the issuance of certain alcoholic beverages licenses for specific types of organizations and venues, and the authority of certain boards of license commissioners to authorize certain additional license privileges; revising, restating, and recodifying certain provisions relating to the authority of the Comptroller and certain boards to issue certain caterer's licenses and the authority of certain boards to issue certain festival, sampling and tasting, per diem, multiple day, and multiple event licenses; revising, restating, and

recodifying requirements for applying for certain licenses and requirements for the issuance or denial of certain licenses; revising, restating, and recodifying provisions relating to certain licensing conditions, multiple licensing plans, requirements for the transfer of licenses, the substitution of names on licenses, and the renewal of licenses; revising, restating, and recodifying certain provisions regarding the conduct of license holders, the hours and days for the consumption and sale of alcoholic beverages, the revocation and suspension of licenses, and the expiration of licenses; revising, restating, and recodifying certain provisions of law relating to the death of a license holder, judicial review of decisions by a board of license commissioners, and unlicensed establishments; revising, restating, and recodifying certain provisions of law relating to the enforcement of the Alcoholic Beverages Article, prohibited acts, and penalties; defining certain terms; reestablishing certain provisions of law relating to the Board of License Commissioners for Kent County, subject to a certain contingency; repealing certain obsolete provisions; making certain conforming changes; providing for the construction and application of this Act; providing for the continuity of certain units and terms of certain officials; providing for the continuity of the status of certain transactions, employees, rights, duties, titles, interest, registrations, certifications, licenses, and permits; authorizing the publisher of the Annotated Code to make certain corrections in a certain manner; and generally relating to the laws of the State concerning alcoholic beverages.

BY repealing

Article 2B – Alcoholic Beverages

In its entirety

Annotated Code of Maryland

(2011 Replacement Volume and 2015 Supplement)

BY adding

New Article – Alcoholic Beverages

Section 1–101 through 33–2802 and the various titles

Annotated Code of Maryland

BY repealing and reenacting, with amendments,

Article – Alcoholic Beverages

Section 24–202 and 24–203

Annotated Code of Maryland

(As enacted by Section 2 of this Act)

BY repealing

Article – Alcoholic Beverages

Section 24–205

Annotated Code of Maryland

(As enacted by Section 2 of this Act)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Article 2B – Alcoholic Beverages of the Annotated Code of Maryland be repealed in its entirety.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

ARTICLE – ALCOHOLIC BEVERAGES

DIVISION I. GENERAL PROVISIONS AFFECTING MULTIPLE JURISDICTIONS.

TITLE 1. DEFINITIONS; GENERAL PROVISIONS.

SUBTITLE 1. DEFINITIONS.

1–101. DEFINITIONS.

(A) IN GENERAL.

IN THIS ARTICLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR’S NOTE: This subsection formerly was Art. 2B, § 1–102(a)(1).

No changes are made.

(B) ALCOHOLIC BEVERAGE.

(1) “ALCOHOLIC BEVERAGE” MEANS A SPIRITUOUS, VINOUS, MALT, OR FERMENTED LIQUOR, LIQUID, OR COMPOUND THAT:

(I) CONTAINS AT LEAST ONE–HALF OF 1% OF ALCOHOL BY VOLUME; AND

(II) IS SUITABLE FOR BEVERAGE PURPOSES.

(2) “ALCOHOLIC BEVERAGE” INCLUDES ALCOHOL, BRANDY, WHISKEY, RUM, GIN, CORDIAL, BEER, AND WINE.

(3) “ALCOHOLIC BEVERAGE” DOES NOT INCLUDE A CONFECTIONERY FOOD PRODUCT THAT CONTAINS UP TO 5% OF ALCOHOL BY VOLUME AND IS REGULATED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE UNDER § 21–209 OF THE HEALTH – GENERAL ARTICLE.

REVISOR’S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1–102(a)(2).

In the introductory language of paragraph (1) of this subsection, the former phrase “by whatever name called,” is deleted as surplusage.

In paragraph (2) of this subsection, the former references to “ale”, “porter”, “stout”, and “cider” are deleted in light of the defined term “beer”.

Defined terms: “Beer” § 1–101

“Wine” § 1–101

(C) BEER.

(1) “BEER” MEANS A BREWED ALCOHOLIC BEVERAGE.

(2) “BEER” INCLUDES:

(I) ALE;

(II) PORTER;

(III) STOUT;

(IV) HARD CIDER THAT:

1. IS DERIVED PRIMARILY FROM APPLES, APPLE CONCENTRATE AND WATER, PEARS, OR PEAR CONCENTRATE AND WATER; AND

2. CONTAINS NO OTHER FRUIT PRODUCT BUT CONTAINS AT LEAST ONE–HALF OF 1% AND LESS THAN 7% OF ALCOHOL BY VOLUME; AND

(V) AN ALCOHOLIC BEVERAGE THAT CONTAINS:

1. 6% OR LESS ALCOHOL BY VOLUME, DERIVED PRIMARILY FROM THE FERMENTATION OF GRAIN, WITH NOT MORE THAN 49% OF THE ALCOHOLIC BEVERAGE’S OVERALL ALCOHOL CONTENT BY VOLUME OBTAINED FROM FLAVORS AND OTHER ADDED NONBEVERAGE INGREDIENTS CONTAINING ALCOHOL; OR

2. MORE THAN 6% ALCOHOL BY VOLUME, DERIVED PRIMARILY FROM THE FERMENTATION OF GRAIN, WITH NOT MORE THAN 1.5% OF THE ALCOHOLIC BEVERAGE’S OVERALL ALCOHOL CONTENT BY VOLUME OBTAINED FROM FLAVORS AND OTHER ADDED NONBEVERAGE INGREDIENTS CONTAINING ALCOHOL.

REVISOR’S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1–102(a)(3) and (9–1).

The former reference that beer includes “beer” is deleted as surplusage.

Defined term: “Alcoholic beverage” § 1–101

(D) CENTRAL REPOSITORY.

“CENTRAL REPOSITORY” MEANS THE CRIMINAL JUSTICE INFORMATION SYSTEM CENTRAL REPOSITORY OF THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

REVISOR’S NOTE: This subsection formerly was Art. 2B, § 10–103(a)(2).

The definition of “Central Repository”, which formerly applied only to one section of former Art. 2B, is revised to apply throughout this article. No substantive change is intended.

No other changes are made.

(E) CLUB.

“CLUB” MEANS AN ASSOCIATION OR A CORPORATION THAT IS:

(1) ORGANIZED AND OPERATED EXCLUSIVELY FOR EDUCATIONAL, SOCIAL, FRATERNAL, PATRIOTIC, POLITICAL, OR ATHLETIC PURPOSES; AND

(2) NOT-FOR-PROFIT.

REVISOR’S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1–102(a)(4)(i).

(F) COMPTROLLER.

(1) “COMPTROLLER” MEANS THE COMPTROLLER OF THE STATE.

(2) “COMPTROLLER” INCLUDES A DEPUTY, AN INSPECTOR, A CLERK, OR ANY OTHER INDIVIDUAL AUTHORIZED TO ACT BY THE COMPTROLLER.

REVISOR’S NOTE: Paragraph (1) of this subsection is new language derived without substantive change from former Art. 2B, § 1–102(a)(5).

Paragraph (2) of this subsection is new language added to state expressly the commonly understood idea that the Comptroller, in the context of alcoholic beverages law, encompasses a deputy, an inspector, a clerk, or any other individual authorized to act by the Comptroller.

In paragraph (1) of this subsection, the former reference to the Comptroller “of the Treasury” of the State is deleted to conform to the terminology used in § 4–101 of the State Government Article.

Defined term: “State” § 1–101

(G) CONSUMER.

“CONSUMER” MEANS AN INDIVIDUAL AT LEAST 21 YEARS OLD OR A CORPORATION NOT OTHERWISE PROHIBITED BY THIS ARTICLE OR ANY OTHER STATE LAW, THAT BUYS, POSSESSES, KEEPS, OR TRANSPORTS ALCOHOLIC BEVERAGES ON WHICH THE TAXES UNDER TITLE 5 OF THE TAX – GENERAL ARTICLE HAVE BEEN PAID, FOR THE INDIVIDUAL’S OR CORPORATION’S OWN USE AND NOT FOR SALE.

REVISOR’S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1–102(a)(6).

The reference to “an individual” is substituted for the former reference to “any natural person” to conform to the terminology used in this and other revised articles of the Code.

The word “prohibited” is substituted for the former word “interdicted” for clarity.

The reference to the “individual’s or corporation’s” own use is substituted for the former reference to the “person’s” own use for consistency within this subsection.

The former reference to “the tax provisions of” Title 5 of the Tax – General Article is deleted as surplusage.

Defined terms: “Alcoholic beverage” § 1–101
“State” § 1–101

(H) COUNTY.

“COUNTY” MEANS A COUNTY OF THE STATE OR BALTIMORE CITY.

REVISOR’S NOTE: This subsection is new language added to indicate that a reference in this article to a “county” includes Baltimore City unless the reference specifically provides otherwise.

Defined term: “State” § 1–101

(I) FAMILY BEER.

(1) “FAMILY BEER” MEANS HOMEMADE BEER PRODUCED FOR HOME CONSUMPTION AND NOT FOR SALE.

(2) “FAMILY BEER” INCLUDES BEER PRODUCED AT A FAMILY BEER AND WINE FACILITY THAT HAS BEEN GRANTED A PERMIT UNDER § 2-138 OF THIS ARTICLE.

REVISOR’S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1-102(a)(8).

In paragraph (2) of this subsection, the reference to a family beer and wine facility “that has been granted a permit under § 2-138 of this article” is substituted for the former reference to a “licensed” family beer and wine facility for accuracy and clarity.

Defined terms: “Beer” § 1-101

“Wine” § 1-101

(J) FAMILY WINE.

(1) “FAMILY WINE” MEANS HOMEMADE WINE PRODUCED FOR HOME CONSUMPTION AND NOT FOR SALE.

(2) “FAMILY WINE” INCLUDES WINE PRODUCED AT A FAMILY BEER AND WINE FACILITY THAT HAS BEEN GRANTED A PERMIT UNDER § 2-138 OF THIS ARTICLE.

REVISOR’S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1-102(a)(9).

In paragraph (2) of this subsection, the reference to a family beer and wine facility “that has been granted a permit under § 2-138 of this article” is substituted for the former reference to a “licensed” family beer and wine facility for accuracy and clarity.

Defined terms: “Beer” § 1-101

“Wine” § 1-101

(K) HOTEL.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, “HOTEL” MEANS AN ESTABLISHMENT THAT:

(I) ACCOMMODATES THE PUBLIC;

(II) IS EQUIPPED WITH AT LEAST 10 BEDROOMS AND A DINING ROOM WITH FACILITIES FOR PREPARING AND SERVING REGULAR MEALS; AND

(III) HAS AVERAGE DAILY RECEIPTS FROM THE RENTAL OF ROOMS AND SALE OF FOOD THAT EXCEED THE AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES.

(2) BY REGULATION, A LOCAL LICENSING BOARD MAY SET A DIFFERENT STANDARD AS TO WHAT CONSTITUTES A HOTEL.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1-102(a)(10)(i) and (ii).

In paragraph (2) of this subsection, the defined term "local licensing board" is substituted for the former reference to the "board of license commissioners in any county or in Baltimore City, and the Mayor, Counselor and Aldermen of the City of Annapolis" for brevity and consistency within this article.

Defined terms: "Alcoholic beverage" § 1-101
"Local licensing board" § 1-101

(L) ILLICIT ALCOHOLIC BEVERAGE.

"ILLICIT ALCOHOLIC BEVERAGE" MEANS AN ALCOHOLIC BEVERAGE THAT HAS BEEN MANUFACTURED, BOTTLED, OR RECTIFIED:

(1) IN THE STATE AT A LOCATION NOT LICENSED UNDER THIS ARTICLE; OR

(2) OUTSIDE THE STATE AT A LOCATION NOT LICENSED UNDER THE UNITED STATES INTERNAL REVENUE CODE OR THE LAWS OF A FOREIGN COUNTRY.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1-102(a)(11)(i).

In items (1) and (2) of this subsection, the references to a "location" are substituted for the former references to a "premises" to conform to the terminology used throughout this article.

Defined terms: "Alcoholic beverage" § 1-101
"State" § 1-101

(M) JURISDICTION.

“JURISDICTION” MEANS A COUNTY OR THE CITY OF ANNAPOLIS.

REVISOR’S NOTE: This subsection is new language added to provide a convenient reference for the phrase “a county or the City of Annapolis”.

Defined term: “County” § 1–101

(N) LICENSE.

“LICENSE” MEANS AN ALCOHOLIC BEVERAGES LICENSE ISSUED UNDER THIS ARTICLE.

REVISOR’S NOTE: This subsection is new language added to provide a convenient reference to any type of license issued under this article.

Defined term: “Alcoholic beverage” § 1–101

(O) LICENSE HOLDER.

(1) “LICENSE HOLDER” MEANS THE HOLDER OF A LICENSE ISSUED OR A PERMIT GRANTED UNDER THIS ARTICLE.

(2) “LICENSE HOLDER” INCLUDES:

(I) A COUNTY LIQUOR CONTROL BOARD AND A COUNTY DISPENSARY; AND

(II) FOR THE DELIVERY AND BILLING PURPOSES OF TITLE 2, SUBTITLE 3 AND §§ 2–213 AND 2–314 OF THIS ARTICLE, A CORPORATION ON BEHALF OF WHICH AN INDIVIDUAL HAS OBTAINED A LICENSE.

REVISOR’S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1–102(a)(15).

In this subsection, the former alternative defined term “licensee” is deleted to avoid any confusion that might result from using two different defined terms with the same meaning.

In paragraph (1) of this subsection, the reference to a permit “granted” under this article is substituted for the former reference to a permit “issued” under this article to conform to the terminology used throughout this article.

Also in paragraph (1) of this subsection, the former reference to a license issued or a permit granted under “any other law of this State” is deleted as

unnecessary since there are no other State laws under which licenses or permits of the type governed by this article are issued or granted.

In paragraph (2) of this subsection, the former reference to “individuals” is deleted in light of the reference to an “individual” and § 1–202 of the General Provisions Article, which provides that the singular generally includes the plural.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the inclusion of a “county liquor control board” and a “county dispensary” in the defined term “license holder” may be problematical because, while these entities do act as a license holder in some ways, they do not in all. For example, neither a county liquor control board nor a county dispensary is required to hold a license.

Defined terms: “County” § 1–101

“License” § 1–101

(P) LOCAL COLLECTING AGENT.

(1) “LOCAL COLLECTING AGENT” MEANS:

(I) IN THE CITY OF ANNAPOLIS, THE CITY CLERK;

(II) IN ALLEGANY COUNTY, BALTIMORE COUNTY, HOWARD COUNTY, PRINCE GEORGE’S COUNTY, OR WICOMICO COUNTY, THE DIRECTOR OF FINANCE;

(III) IN CALVERT COUNTY, DORCHESTER COUNTY, ST. MARY’S COUNTY, OR SOMERSET COUNTY, THE TREASURER OF THE COUNTY; OR

(IV) IN EACH OTHER COUNTY, THE BOARD OF LICENSE COMMISSIONERS UNLESS ANOTHER GOVERNMENTAL UNIT IS EXPRESSLY AUTHORIZED TO COLLECT FEES UNDER THIS ARTICLE.

(2) “LOCAL COLLECTING AGENT” DOES NOT INCLUDE A CLERK OF A CIRCUIT COURT.

REVISOR’S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1–102(a)(18).

In paragraph (1)(iv) of this subsection, the reference to a “governmental unit” is substituted for the former reference to a “local agency” to conform to the terminology used throughout this article.

Also in paragraph (1)(iv) of this subsection, the phrase “unless another governmental unit is expressly authorized” is substituted for the former phrase “or other local agency expressly authorized” for clarity.

Also in paragraph (1)(iv) of this subsection, the former reference to a governmental unit expressly authorized “by this article” is deleted as included in the reference to the governmental unit being expressly authorized to collect fees “under this article”.

Former Art. 2B, § 15–111(c)(2), which stated that in Wicomico County the director of finance shall collect the license fees for which provision is made in this article, is deleted as redundant of paragraph (1)(ii) of this subsection.

Defined term: “County” § 1–101

(Q) LOCAL LICENSING BOARD.

“LOCAL LICENSING BOARD” MEANS A BOARD OF LICENSE COMMISSIONERS OR OTHER GOVERNMENTAL UNIT OF A JURISDICTION THAT ISSUES LICENSES.

REVISOR’S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1–102(a)(19).

The reference to “other governmental unit of a jurisdiction that issues licenses” is substituted for the former reference to “a county or the Mayor and Aldermen of the City of Annapolis” to broaden the scope of the defined term “local licensing board” to include all governmental units of jurisdictions that issue licenses under this article. In so doing, the defined term “local licensing board” captures all license–issuing governmental units – even those that do not refer to themselves as a board of license commissioners. For example, in Howard County, the County Council constitutes ex officio the Board of License Commissioners, but it is the Appointed Alcoholic Beverage Hearing Board that issues licenses. No substantive change is intended.

Defined terms: “Jurisdiction” § 1–101
“License” § 1–101

(R) MANUFACTURER’S LICENSE.

“MANUFACTURER’S LICENSE” MEANS A LICENSE ISSUED UNDER TITLE 2, SUBTITLE 2 OF THIS ARTICLE THAT IS:

- (1) A CLASS 1 DISTILLERY LICENSE;**
- (2) A CLASS 2 RECTIFYING LICENSE;**

- (3) A CLASS 3 WINERY LICENSE;
- (4) A CLASS 4 LIMITED WINERY LICENSE;
- (5) A CLASS 5 BREWERY LICENSE;
- (6) A CLASS 6 PUB-BREWERY LICENSE;
- (7) A CLASS 7 MICRO-BREWERY LICENSE;
- (8) A CLASS 8 FARM BREWERY LICENSE; OR
- (9) A CLASS 9 LIMITED DISTILLERY LICENSE.

REVISOR'S NOTE: This subsection is new language added to provide a convenient reference to any class of manufacturer's license.

(S) OFF-SALE.

“OFF-SALE” MEANS THE SALE OF ALCOHOLIC BEVERAGES THAT ARE TO BE CONSUMED OFF THE LICENSED PREMISES.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 9-108(b)(4).

The definition of “off-sale”, which formerly applied only to one section of former Art. 2B, is revised to apply throughout this article. No substantive change is intended.

Defined term: “Alcoholic beverage” § 1-101

(T) ON-SALE.

“ON-SALE” MEANS THE SALE OF ALCOHOLIC BEVERAGES THAT ARE TO BE CONSUMED ON THE LICENSED PREMISES.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 9-108(b)(5).

The former reference to consumption “only” on the licensed premises is deleted as surplusage.

The definition of “on-sale”, which formerly applied only to one section of former Art. 2B, is revised to apply throughout this article. No substantive change is intended.

Defined term: “Alcoholic beverage” § 1–101

(U) PERSON.

“PERSON” MEANS:

(1) AN INDIVIDUAL;

(2) AN ASSOCIATION, A PARTNERSHIP, A CORPORATION, A TRUST, OR ANY OTHER ENTITY, AND THE OFFICERS, DIRECTORS, AND OTHER INDIVIDUALS IN ACTIVE CONTROL OF THE ACTIVITIES OF THE ASSOCIATION, PARTNERSHIP, CORPORATION, TRUST, OR OTHER ENTITY; OR

(3) (I) THE STATE OR A POLITICAL SUBDIVISION OF THE STATE, OR A UNIT OR AN INSTRUMENTALITY OF THE STATE OR A POLITICAL SUBDIVISION OF THE STATE; OR

(II) ANOTHER STATE OR A POLITICAL SUBDIVISION OF THAT STATE.

REVISOR’S NOTE: This subsection is new language derived without substantive change from former Art. 2B, §§ 1–102(a)(21) and 17–101(b)(6).

In item (1) of this subsection, the reference to “an individual” is substituted for the former reference to “a natural person” to conform to the terminology used in this and other revised articles of the Code.

In item (2) of this subsection, the reference to other “individuals” is substituted for the former reference to other “persons” for consistency with the references to “officers” and “directors”.

Also in item (2) of this subsection, the former reference to “individual” officers and directors is deleted as surplusage.

In item (3) of this subsection, the former references to a “municipality” are deleted as included in the references to a “political subdivision”.

Defined term: “State” § 1–101

(V) POMACE BRANDY.

“POMACE BRANDY” MEANS BRANDY THAT IS DISTILLED FROM THE PULPY RESIDUE OF WINE PRESSING, INCLUDING THE SKINS, PIPS, AND STALKS OF GRAPES.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 2B, §§ 2–205(a) and 12–107(b)(1).

The definition of “pomace brandy”, which formerly applied only to two sections of former Art. 2B, is revised to apply throughout this article. No substantive change is intended.

Defined term: “Wine” § 1–101

(W) RESTAURANT.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, “RESTAURANT” MEANS AN ESTABLISHMENT THAT:

(I) ACCOMMODATES THE PUBLIC;

(II) IS EQUIPPED WITH A DINING ROOM WITH FACILITIES FOR PREPARING AND SERVING REGULAR MEALS; AND

(III) HAS AVERAGE DAILY RECEIPTS FROM THE SALE OF FOOD THAT EXCEED THE AVERAGE DAILY RECEIPTS FROM THE SALE OF ALCOHOLIC BEVERAGES.

(2) BY REGULATION, A LOCAL LICENSING BOARD MAY SET A DIFFERENT STANDARD AS TO WHAT CONSTITUTES A RESTAURANT.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1–102(a)(22)(i)1 and 2.

In paragraph (2) of this subsection, the defined term “local licensing board” is substituted for the former reference to the “board of license commissioners in any county” to conform to the terminology used throughout this article.

Defined terms: “Alcoholic beverage” § 1–101

“Local licensing board” § 1–101

(X) RETAIL DEALER.

(1) “RETAIL DEALER” MEANS A PERSON THAT SELLS AN ALCOHOLIC BEVERAGE TO ANY PERSON OTHER THAN A LICENSE HOLDER.

(2) “RETAIL DEALER” INCLUDES A COUNTY DISPENSARY.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1–102(a)(23).

In paragraph (1) of this subsection, the former phrase “deals in” is deleted as surplusage.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the inclusion of a “county dispensary” in the defined term “retail dealer” may be problematical because, while this entity does act as a retail dealer in some ways, it does not in all.

Defined terms: “Alcoholic beverage” § 1–101

“County” § 1–101

“License holder” § 1–101

“Person” § 1–101

(Y) 7–DAY LICENSE.

“7–DAY LICENSE” MEANS A LICENSE THAT IS IN EFFECT EVERY DAY OF THE WEEK.

REVISOR’S NOTE: This subsection is new language added to provide a convenient reference to a license that is in effect every day of the week.

Defined term: “License” § 1–101

(Z) 6–DAY LICENSE.

“6–DAY LICENSE” MEANS A LICENSE THAT IS IN EFFECT MONDAY THROUGH SATURDAY.

REVISOR’S NOTE: This subsection is new language added to provide a convenient reference to a license that is in effect Monday through Saturday.

Defined term: “License” § 1–101

(AA) STATE.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, “STATE” MEANS:

(I) A STATE, POSSESSION, TERRITORY, OR COMMONWEALTH OF THE UNITED STATES; OR

(II) THE DISTRICT OF COLUMBIA.

(2) WHEN CAPITALIZED, “STATE” MEANS MARYLAND.

REVISOR'S NOTE: This subsection is new language added to provide an express definition of the terms "state" and "State". This definition conforms to the definition used in other recently revised articles of the Code.

(BB) WHOLESALER.

(1) "WHOLESALER" MEANS:

(I) A PERSON THAT PURCHASES OR IMPORTS AN ALCOHOLIC BEVERAGE FOR SALE TO WHOLESALE DEALERS OR RETAIL DEALERS ONLY; OR

(II) A LIMITED WINERY THAT SELLS WINE TO RETAIL DEALERS.

(2) "WHOLESALER" INCLUDES:

(I) A COUNTY LIQUOR CONTROL BOARD; AND

(II) A COUNTY WHOLESALE DISPENSARY.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1-102(a)(27).

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the inclusion of a "county liquor control board" and a "county wholesale dispensary" in the defined term "wholesaler" may be problematical because, while these entities do act as a wholesaler in some ways, they do not in all.

Defined terms: "Alcoholic beverage" § 1-101

"County" § 1-101

"Person" § 1-101

"Retail dealer" § 1-101

"Wine" § 1-101

(CC) WHOLESALER'S LICENSE.

"WHOLESALER'S LICENSE" MEANS A LICENSE ISSUED UNDER TITLE 2, SUBTITLE 3 OF THIS ARTICLE THAT IS:

(1) A CLASS 1 BEER, WINE, AND LIQUOR LICENSE;

(2) A CLASS 2 WINE AND LIQUOR LICENSE;

(3) A CLASS 3 BEER AND WINE LICENSE;

- (4) A CLASS 4 BEER LICENSE;
- (5) A CLASS 5 WINE LICENSE;
- (6) A CLASS 6 LIMITED WINE LICENSE; OR
- (7) A CLASS 7 LIMITED BEER LICENSE.

REVISOR'S NOTE: This subsection is new language added to provide a convenient reference to any class of wholesaler's license.

Defined terms: "Beer" § 1-101

"Wine" § 1-101

(DD) WINE.

(1) "WINE" MEANS A FERMENTED BEVERAGE.

(2) "WINE" INCLUDES:

(I) LIGHT WINE;

(II) SPARKLING WINE THAT IS NATURALLY OR ARTIFICIALLY CARBONATED; AND

(III) FORTIFIED WINE TO WHICH ALCOHOL, SPIRITS, OR OTHER INGREDIENTS ARE ADDED.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 1-102(a)(24) and (28).

In paragraph (2)(ii) of this subsection, the reference to "naturally" carbonated sparkling wine is substituted for the former overly narrow reference to "champagne".

REVISOR'S NOTE TO SECTION

Former Art. 2B, § 1-102(a)(7), which defined "court" to mean "the circuit court of a county or any judge of a circuit court", is deleted as unnecessary because the context of the word when used in this revised article makes the meaning clear.

Former Art. 2B, § 1-102(a)(12), which defined "import" to mean "to transport or ship, or to order or arrange for the transportation or shipment of, alcoholic beverages into this State from any other state, district, territory or country", is deleted as

unnecessary because the definition in the context of this article did not add to the meaning of the word “import” as it is commonly understood. Similarly, former Art. 2B, § 1–102(a)(13), which defined “importer” to mean “a person importing any alcoholic beverage”, is deleted.

Former Art. 2B, § 1–102(a)(14), which defined “in this State” and “within this State” to mean “in or within the territorial limits of this State” is deleted as surplusage.

Former Art. 2B, § 1–102(a)(16), which defined “license issuing authority” to mean “[f]or a State license issued under this article, the State Comptroller” and “[f]or a local license issued under this article, the board of license commissioners or other local agency expressly authorized by this article to issue the license” and excluded “a clerk of a circuit court”, is deleted to avoid any confusion that might result from using both this term and the similar defined term “local licensing board”. Instead, the latter defined term, together with a reference to “the Comptroller” when appropriate, is used in this revision.

Former Art. 2B, § 1–102(a)(20), which defined “manufacturer” to mean “a person operating a plant within this State for distilling, rectifying, blending, brewing, fermenting or bottling any alcoholic beverage”, is deleted as unnecessary in light of Title 2, Subtitle 2 of this article (“Manufacturer’s Licenses”), which specifies all the types of manufacturers eligible to be licensed in the State.

Former Art. 2B, § 1–102(a)(25), which defined “[t]his article” to include “provisions in the Tax – General Article derived from this article”, is deleted to avoid confusion. All references in the Alcoholic Beverages Article to the Tax – General Article are stated expressly.

SUBTITLE 2. STATEMENT OF POLICY; CONSTRUCTION OF ARTICLE.

1–201. STATEMENT OF POLICY.

(A) REGULATION AND CONTROL OF ALCOHOLIC BEVERAGES.

(1) (I) TO OBTAIN RESPECT AND OBEDIENCE TO LAW AND TO FOSTER AND PROMOTE TEMPERANCE, IT IS THE POLICY OF THE STATE TO REGULATE AND CONTROL:

1. THE MANUFACTURE, SALE, DISTRIBUTION, TRANSPORTATION, AND STORAGE OF ALCOHOLIC BEVERAGES IN THE STATE; AND

2. THE TRANSPORTATION AND DISTRIBUTION OF ALCOHOLIC BEVERAGES INTO AND OUT OF THE STATE.

(II) TO CARRY OUT THIS POLICY IN THE BEST PUBLIC INTEREST, IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE COMPTROLLER, LOCAL LICENSING BOARDS, LIQUOR CONTROL BOARDS, ENFORCEMENT OFFICERS, AND JUDGES OF THE COURTS OF THE STATE BE EMPOWERED TO ADMINISTER AND ENFORCE THIS ARTICLE.

(2) IT IS ALSO THE POLICY OF THE STATE TO:

(I) TAX ALCOHOLIC BEVERAGES AS PROVIDED IN THE TAX – GENERAL ARTICLE; AND

(II) DENY TO A POLITICAL SUBDIVISION IN THE STATE, BY PUBLIC GENERAL OR PUBLIC LOCAL LAW, THE POWER TO IMPOSE A TAX ON DISTILLED SPIRITS, BEER, WINE, AND ALL OTHER ALCOHOLIC BEVERAGES.

(3) THE RESTRICTIONS, REGULATIONS, PROVISIONS, AND PENALTIES CONTAINED IN THIS ARTICLE ARE FOR THE PROTECTION, HEALTH, WELFARE, AND SAFETY OF THE PEOPLE OF THE STATE.

(B) SALES AND DISTRIBUTION OF ALCOHOLIC BEVERAGES.

(1) IT CONTINUES TO BE THE POLICY OF THE STATE TO AUTHORIZE THE EXERCISE OF THE POWERS PROVIDED BY THIS ARTICLE TO DISPLACE OR LIMIT ECONOMIC COMPETITION BY REGULATING AND ENGAGING IN THE SALE OR DISTRIBUTION OF ALCOHOLIC BEVERAGES TO:

(I) OBTAIN RESPECT AND OBEDIENCE TO LAW;

(II) FOSTER AND PROMOTE TEMPERANCE;

(III) PREVENT DECEPTIVE, DESTRUCTIVE, AND UNETHICAL BUSINESS PRACTICES; AND

(IV) PROMOTE THE GENERAL WELFARE OF ITS RESIDENTS BY CONTROLLING THE SALE AND DISTRIBUTION OF ALCOHOLIC BEVERAGES.

(2) THE OFFICIALS AND UNITS GRANTED POWERS BY THIS ARTICLE TO REGULATE AND ENGAGE IN THE ALCOHOLIC BEVERAGES INDUSTRY MAY:

(I) DISPLACE OR LIMIT ECONOMIC COMPETITION BY REGULATING AND ENGAGING IN THE SALE OR DISTRIBUTION OF ALCOHOLIC BEVERAGES ON AN EXCLUSIVE BASIS AS PROVIDED IN THIS ARTICLE; AND

(II) ADOPT AND ENFORCE REGULATIONS AUTHORIZED BY THIS ARTICLE NOTWITHSTANDING ANY ANTICOMPETITIVE EFFECT.

(3) THE POWERS GRANTED TO AN OFFICIAL OR A UNIT IN ACCORDANCE WITH THIS SUBSECTION DO NOT:

(I) GRANT TO THE OFFICIAL OR UNIT POWERS IN ANY SUBSTANTIVE AREA NOT OTHERWISE GRANTED TO THE OFFICIAL OR UNIT BY OTHER PUBLIC GENERAL OR PUBLIC LOCAL LAW;

(II) RESTRICT THE OFFICIAL OR UNIT FROM EXERCISING ANY POWER GRANTED TO THE OFFICIAL OR UNIT BY OTHER PUBLIC GENERAL OR PUBLIC LOCAL LAW OR OTHERWISE;

(III) AUTHORIZE THE OFFICIAL OR UNIT OR OFFICERS OF THE UNIT TO ENGAGE IN ANY ACTIVITY THAT IS BEYOND THEIR POWER UNDER A PUBLIC GENERAL OR PUBLIC LOCAL LAW OR OTHERWISE; OR

(IV) PREEMPT OR SUPERSEDE THE REGULATORY AUTHORITY OF A STATE UNIT UNDER A PUBLIC GENERAL LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 1–101.

In subsection (a)(1)(ii) of this section, the former phrase “with sufficient authority” is deleted as unnecessary.

In subsections (a)(2)(ii) and (b)(1) and (2) of this section, the former references to “authority” are deleted as included in the references to “power”.

In subsection (a)(2)(ii) of this section, the former reference to “on and after July 1, 1955” is deleted as unnecessary.

In subsection (b)(1) and (2)(i) of this section, the former references to the sale or distribution of alcoholic beverages “or both” is deleted as unnecessary.

In subsection (b)(1)(iv) of this section, the reference to “residents” is substituted for the former reference to “citizens” because the meaning of the term “citizens” in this context is unclear.

In subsection (b)(2) and (3) of this section, the references to “unit[s]” are substituted for the former references to “agenc[ies]” for consistency with other revised articles of the Code.

In subsection (b)(3)(iv) of this section, the reference to a State “unit” is substituted for the former reference to a State “department or agency” for brevity. The term “unit” is broad enough to include all these types of entities.

Defined terms: “Alcoholic beverage” § 1–101

“Beer” § 1–101

“Comptroller” § 1–101

“Local licensing board” § 1–101

“State” § 1–101

“Wine” § 1–101

1–202. CONSTRUCTION OF ARTICLE.

(A) EXCEPTION OR QUALIFICATION PREVAILS OVER GENERAL RULE.

TO THE EXTENT THAT A STATEMENT OF A GENERAL RULE OF LAW CONFLICTS OR IS INCONSISTENT WITH AN EXCEPTION OR A QUALIFICATION APPLICABLE TO A SPECIAL AREA, PARTICULAR PERSON, OR SET OF CIRCUMSTANCES, THE EXCEPTION OR QUALIFICATION PREVAILS.

(B) DIVISION II PROVISION PREVAILS OVER DIVISION I PROVISION.

A PROVISION IN DIVISION II OF THIS ARTICLE PREVAILS OVER A CONFLICTING OR INCONSISTENT PROVISION IN DIVISION I OF THIS ARTICLE OR A PROVISION IN THE TAX – GENERAL ARTICLE RELATING TO ALCOHOLIC BEVERAGES.

REVISOR’S NOTE: Subsection (a) of this section is new language derived without substantive change from former Art. 2B, § 1–103.

Subsection (b) of this section is new language added to clarify that in this revised article, in which provisions applicable to only a particular jurisdiction are placed in Division II, a provision applicable to a particular jurisdiction prevails over a conflicting or inconsistent provision of general applicability.

In subsection (a) of this section, the former phrase “[i]n any part of this article” is deleted as surplusage.

Defined term: “Alcoholic beverage” § 1–101

1–203. ADDED FEES OR TAXES BY MUNICIPALITIES — PROHIBITED.

A MUNICIPALITY MAY NOT IMPOSE AN ADDITIONAL LICENSE FEE OR TAX OTHER THAN THE USUAL PROPERTY TAX ON ALCOHOLIC BEVERAGES OR THE EXERCISE OF A PRIVILEGE CONFERRED BY A LICENSE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 8–101(a).

The former phrase “except as hereinafter provided in this article” is deleted as unnecessary.

Defined terms: “Alcoholic beverage” § 1–101
“License” § 1–101

GENERAL REVISOR'S NOTE TO SUBTITLE

Former Art. 2B, § 1–104, which provided for the severability of provisions of former Article 2B, is deleted in light of § 1–210 of the General Provisions Article, which provides that all legislation enacted after July 1, 1973, is presumed to be severable absent specific language to the contrary, and in light of the standard rule of judicial construction favoring severability even in the absence of a severability clause in the statute. *See, e.g., Turner v. State*, 299 Md. 565 (1984): “Perhaps the most important of these principles [of statutory construction] is the presumption, even in the absence of an express clause or declaration, that a legislative body generally intends its enactments to be severed if possible. Moreover, when the dominant purpose of an enactment may largely be carried out, notwithstanding the statute’s partial invalidity, courts will generally hold the valid portions severable and enforce them.” 299 Md. 565, 576.

SUBTITLE 3. POWERS AND DUTIES OF COMPTROLLER.

1–301. “DIVISION DIRECTOR” DEFINED.

IN THIS SUBTITLE, “DIVISION DIRECTOR” MEANS THE DIRECTOR OF THE FIELD ENFORCEMENT DIVISION OF THE OFFICE OF THE COMPTROLLER.

REVISOR'S NOTE: This section is new language added to provide a convenient reference to the director of the Field Enforcement Division of the Office of the Comptroller.

Defined term: “Comptroller” § 1–101

1–302. REGULATIONS BY COMPTROLLER.

(A) IN GENERAL.

THE COMPTROLLER SHALL ADOPT REGULATIONS TO DISCHARGE THE DUTIES UNDER THIS ARTICLE.

(B) MATTERS FOR REGULATION.

THE COMPTROLLER MAY ADOPT REGULATIONS REGARDING:

(1) LABELING AND ADVERTISING SIMILAR TO THE REGULATIONS ADOPTED BY THE ALCOHOL AND TOBACCO TAX AND TRADE BUREAU OF THE UNITED STATES DEPARTMENT OF THE TREASURY;

(2) NATURE, FORM, AND CAPACITY OF CONTAINERS;

(3) CREDIT SALES;

(4) RECORDS TO BE KEPT BY LICENSE HOLDERS AND OTHERS ENGAGED IN THE BUSINESS;

(5) THE AMOUNT OF DEPOSIT ON RETURNABLE BEER CONTAINERS THAT MANUFACTURERS AND WHOLESALERS OF BEER CHARGE AND COLLECT; AND

(6) ANY OTHER SUBJECT THE COMPTROLLER CONSIDERS NECESSARY FOR THE PROPER ADMINISTRATION OF THE DUTIES OF THE COMPTROLLER UNDER THIS ARTICLE.

(C) REVOCATION OR SUSPENSION OF LICENSE; PENALTIES.

(1) ANY VIOLATION OF A REGULATION ADOPTED BY THE COMPTROLLER UNDER THIS ARTICLE OR THE PROVISIONS OF THE TAX – GENERAL ARTICLE RELATING TO THE ALCOHOLIC BEVERAGE TAX IS GROUNDS TO REVOKE OR SUSPEND A LICENSE.

(2) THE VIOLATOR IS SUBJECT TO THE PENALTIES PROVIDED UNDER § 6-402(A) OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 16-302, 16-303, and, as it related to the authority of the Comptroller to adopt regulations, 16-301(a).

Throughout this section, the former references to “rule[s]” are deleted as included in the references to “regulation[s]” and to conform to other similar provisions of the Code.

In subsection (a) of this section, the former phrase “[i]n addition to the powers otherwise provided by this article” is deleted as implicit in the grant of power.

Also in subsection (a) of this section, the former reference to “reasonable” regulations is deleted as unnecessary.

Also in subsection (a) of this section, the former reference to adopting regulations “as they may deem necessary to enable them effectively to discharge the duties” is deleted as implicit in the requirement to adopt regulations.

In the introductory language of subsection (b) of this section, the former references to “amend[ing]”, “alter[ing]”, and “publish[ing]” regulations are deleted as implicit in the references to “adopt[ing]” regulations and redundant of the requirements of the Administrative Procedure Act.

In subsection (b)(1) of this section, the reference to the “Alcohol and Tobacco Tax and Trade Bureau of the United States Department of the Treasury” is substituted for the former obsolete reference to the “Federal Bureau of Alcohol, Tobacco and Firearms”.

In subsection (c)(1) of this section, the reference to a regulation adopted “by the Comptroller under this article” is substituted for the former reference to regulations adopted “hereunder” for clarity.

Defined terms: “Alcoholic beverage” § 1–101

“Beer” § 1–101

“Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

“Wholesaler” § 1–101

1–303. FIELD ENFORCEMENT DIVISION.

(A) ESTABLISHED.

THERE IS A FIELD ENFORCEMENT DIVISION IN THE OFFICE OF THE COMPTROLLER.

(B) OFFICERS AND EMPLOYEES.

(1) THE FIELD ENFORCEMENT DIVISION MAY EMPLOY OFFICERS AND EMPLOYEES AS PROVIDED IN THE STATE BUDGET.

(2) THE OFFICERS AND EMPLOYEES OF THE FIELD ENFORCEMENT DIVISION:

(I) SHALL BE SWORN POLICE OFFICERS;

(II) SHALL HAVE THE POWERS, DUTIES, AND RESPONSIBILITIES OF PEACE OFFICERS TO ENFORCE THE PROVISIONS OF THIS ARTICLE RELATING TO:

1. THE UNLAWFUL IMPORTATION OF ALCOHOLIC BEVERAGES INTO THE STATE;

2. THE UNLAWFUL MANUFACTURE OF ALCOHOLIC BEVERAGES IN THE STATE;

3. THE TRANSPORTATION AND DISTRIBUTION THROUGHOUT THE STATE OF ALCOHOLIC BEVERAGES THAT ARE MANUFACTURED ILLEGALLY AND ON WHICH ANY ALCOHOLIC BEVERAGES TAXES IMPOSED BY THE STATE ARE DUE AND UNPAID; AND

4. THE MANUFACTURE, SALE, BARTER, TRANSPORTATION, DISTRIBUTION, OR OTHER FORM OF OWNING, HANDLING, OR DISPERSING ALCOHOLIC BEVERAGES BY ANY PERSON NOT LICENSED OR AUTHORIZED UNDER THIS ARTICLE OR PROVISIONS OF THE TAX – GENERAL ARTICLE RELATING TO ALCOHOLIC BEVERAGES; AND

(III) MAY MAKE COOPERATIVE ARRANGEMENTS FOR AND WORK AND COOPERATE WITH LOCAL STATE’S ATTORNEYS, SHERIFFS, BAILIFFS, POLICE, AND OTHER PROSECUTING AND PEACE OFFICERS TO ENFORCE THIS ARTICLE.

(C) DUTIES.

THE FIELD ENFORCEMENT DIVISION:

(1) SHALL CONSULT WITH AND ADVISE THE LOCAL STATE’S ATTORNEYS AND OTHER LAW ENFORCEMENT OFFICIALS AND POLICE OFFICERS REGARDING ENFORCEMENT PROBLEMS IN THEIR RESPECTIVE JURISDICTIONS; AND

(2) MAY RECOMMEND CHANGES TO IMPROVE THE ADMINISTRATION OF THIS ARTICLE AND PROVISIONS OF THE TAX – GENERAL ARTICLE RELATING TO ALCOHOLIC BEVERAGES.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 16–407.

Throughout this section, the references to “Field Enforcement Division” are substituted for the former obsolete references to “Field Enforcement Bureau”.

In subsection (a) of this section, the reference to the Field Enforcement Division being “in the Office of” the Comptroller is substituted for the former reference to the Division being “under” the Comptroller for clarity.

In subsection (b)(1) and (2)(iii) of this section, the former phrase “from time to time” is deleted as unnecessary.

In subsection (b)(2)(ii)3 of this section, the former reference to taxes that are “illegally” unpaid is deleted as surplusage.

In subsections (b)(2)(ii)4 and (c)(2) of this section and throughout this subtitle, the references to “provisions of the Tax – General Article relating to alcoholic beverages” are added for clarity in light of the deletion of the former defined term “this article”, which was defined to mean former Article 2B and “provisions in the Tax – General Article derived from [Article 2B]”.

In subsection (b)(2)(ii)4 of this section, the former reference to “persons” is deleted as included in the reference to “person” and in light of § 1–202 of the General Provisions Article, which provides that the singular includes the plural.

Also in subsection (b)(2)(ii)4 of this section, the former reference to “associations or corporation” is deleted as included in the defined term “person”.

In subsections (b)(2)(iii) and (c)(1) of this section, the references to “local” State’s Attorneys and peace officers are substituted for the former references to “various” and “several” State’s Attorneys and peace officers, respectively, for clarity.

In subsection (b)(2)(iii) of this section, the former reference to peace officers “of every sort” is deleted as surplusage.

Also in subsection (b)(2)(iii) of this section, the reference to “constables” is deleted as included in the reference to “sheriffs”.

Also in subsection (b)(2)(iii) of this section, the former phrase “as provided in this section” is deleted as included in the reference to “this article”.

In subsection (c)(2) of this section, the former reference to “suggestions” is deleted as included in the reference to “recommend[ing]”.

Also in subsection (c)(2) of this section, the former reference to “execution” is deleted as included in the reference to “administration”.

Defined terms: “Alcoholic beverage” § 1–101
“Comptroller” § 1–101

“Person” § 1-101

“State” § 1-101

1-304. DELEGATION — LICENSES AND PERMITS.

THE COMPTROLLER MAY DELEGATE AUTHORITY UNDER THIS ARTICLE AND PROVISIONS OF THE TAX – GENERAL ARTICLE RELATING TO ALCOHOLIC BEVERAGES TO THE DIVISION DIRECTOR TO ISSUE OR REFUSE TO ISSUE LICENSES AND PERMITS.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 16-404(b).

The defined term “Division director” is substituted for the former obsolete reference to the “director of the Alcohol and Tobacco Tax Bureau”.

Defined terms: “Alcoholic beverage” § 1-101

“Comptroller” § 1-101

“Division director” § 1-301

“License” § 1-101

1-305. DELEGATION — HEARINGS.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THE COMPTROLLER MAY DELEGATE AUTHORITY TO CONDUCT HEARINGS ON VIOLATIONS OF THIS ARTICLE OR OF ANY REGULATIONS ADOPTED UNDER THIS ARTICLE OR THE PROVISIONS OF THE TAX – GENERAL ARTICLE RELATING TO ALCOHOLIC BEVERAGES TO THE DIVISION DIRECTOR OR ANY OTHER EMPLOYEE OF THE COMPTROLLER’S OFFICE.

(B) LIMIT OF AUTHORITY.

THE DIVISION DIRECTOR OR ANY OTHER EMPLOYEE OF THE COMPTROLLER’S OFFICE DELEGATED AUTHORITY TO CONDUCT HEARINGS UNDER SUBSECTION (A) OF THIS SECTION:

(1) MAY NOT IMPOSE A PENALTY PROVIDED FOR UNDER THIS ARTICLE OR A PROVISION OF THE TAX – GENERAL ARTICLE RELATING TO ALCOHOLIC BEVERAGES; AND

(2) SHALL REPORT THE FINDINGS AND RECOMMENDATIONS TO THE COMPTROLLER TO TAKE THE ACTION THAT THE COMPTROLLER CONSIDERS APPROPRIATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 16–404(c).

In this section, the defined term “Division director” is substituted for the former obsolete references to the “director of the Alcohol and Tobacco Tax Bureau”.

In the introductory language of subsection (b) of this section, the reference to “delegated authority to conduct hearings under subsection (a) of this section” is substituted for the former reference to “delegated by the Comptroller” for clarity.

In subsection (b)(1) of this section, the reference to “impos[ing]” a penalty is substituted for the former reference to “hav[ing] the authority to invoke” a penalty for clarity and consistency with other similar provisions of the Code.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“Division director” § 1–301

1–306. STATISTICAL INFORMATION INCLUDED IN REPORTS.

TO PROVIDE A BASIS FOR ANNUAL COMPARISON OF THE SCOPE OF THE ALCOHOLIC BEVERAGES INDUSTRY IN THE STATE AND THE CONSUMPTION HABITS OF RESIDENTS OF THE STATE, THE COMPTROLLER IN EACH ANNUAL REPORT SHALL INCLUDE STATISTICAL INFORMATION ON THE ALCOHOLIC BEVERAGES BUSINESS IN THE STATE THAT THE COMPTROLLER BELIEVES TO BE OF INTEREST TO THE PUBLIC AND THE INDUSTRY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 14–203.

The former phrase “it being the intent and purpose of this section” is deleted as surplusage.

As to the annual report that the Comptroller must submit to the Governor and the General Assembly concerning the fiscal operations of the State, *see* SF § 2–102.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“State” § 1–101

1-307. RECORDS OF LICENSES.**(A) CONTENT AND INSPECTION.****THE COMPTROLLER SHALL:****(1) MAINTAIN A RECORD OF:****(I) EACH LICENSE ISSUED OR APPROVED UNDER THIS ARTICLE;****AND****(II) ANY REVOCATION, SUSPENSION, OR CANCELLATION OF A LICENSE AND ANY RESTRICTION IMPOSED ON A LICENSE WITH A BRIEF EXPLANATION OF THE REASON FOR THE ACTION; AND****(2) ALLOW ANY PERSON TO INSPECT THE RECORDS AT THE OFFICE OF THE COMPTROLLER DURING REGULAR BUSINESS HOURS.****(B) RETENTION PERIOD; DESTRUCTION.****THE RECORDS OF LICENSES REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AND ANY INDICES OR DOCKETS CREATED TO MAINTAIN THE RECORDS:****(1) SHALL BE RETAINED FOR THE LATER TO OCCUR OF:****(I) 3 YEARS AFTER THE DATE OF THE LAST RECORD ENTRY; OR****(II) THE DATE ON WHICH ALL AUDIT REQUIREMENTS HAVE BEEN COMPLIED WITH; AND****(2) MAY BE DESTROYED AFTER:****(I) THE RETENTION PERIOD IN ITEM (1) OF THIS SUBSECTION HAS EXPIRED; AND****(II) TITLE 10, SUBTITLE 6, PART III OF THE STATE GOVERNMENT ARTICLE HAS BEEN COMPLIED WITH.**

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 14-204(b) and, as it related to the duties of the Comptroller, (a).

In subsection (a)(1) of this section, the former reference to “accurate” records is deleted as implicit in the requirement to maintain records.

In subsection (b)(1) of this section, the phrase “for the later to occur of” is substituted for the former phrase “for a period of” for clarity.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“Person” § 1–101

1–308. POWERS OF COMPTROLLER.

THE COMPTROLLER MAY:

(1) UNDER § 6–202 OF THIS ARTICLE, INSPECT AND SEARCH A BUILDING, VEHICLE, OR PREMISES WHERE ALCOHOLIC BEVERAGES ARE AUTHORIZED TO BE KEPT, TRANSPORTED, MANUFACTURED, OR SOLD;

(2) UNDER § 6–203 OF THIS ARTICLE, USE CERTAIN EQUIPMENT AND OTHER MEANS TO MEASURE THE QUANTITY AND QUALITY OF ALCOHOLIC BEVERAGES; AND

(3) UNDER § 6–204 OF THIS ARTICLE, ISSUE SUMMONSES FOR WITNESSES FOR HEARINGS AND INQUIRIES.

REVISOR’S NOTE: This section is new language added to provide convenient references to specified powers of the Comptroller.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

1–309. ENFORCEMENT BY COMPTROLLER.

THE COMPTROLLER SHALL ENFORCE THE PROVISIONS OF THIS ARTICLE AND PROVISIONS OF THE TAX – GENERAL ARTICLE RELATING TO ALCOHOLIC BEVERAGES APPLICABLE TO:

(1) THE PURCHASE OR IMPORTATION OF ALCOHOLIC BEVERAGES BY A DEPARTMENT OF LIQUOR CONTROL OR A LIQUOR CONTROL BOARD; AND

(2) THE SALE OF ALCOHOLIC BEVERAGES TO A WHOLESALER OR RETAIL DEALER BY A DEPARTMENT OF LIQUOR CONTROL OR A LIQUOR CONTROL BOARD.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 16-407.1.

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"Retail dealer" § 1-101

"Wholesaler" § 1-101

1-310. INVESTIGATION OF INDUSTRIAL ALCOHOL UNFIT FOR BEVERAGE USE.

THE COMPTROLLER MAY:

(1) INVESTIGATE THE MANUFACTURE, SALE, PURCHASE, USE, AND TRANSPORTATION OF INDUSTRIAL ALCOHOL UNFIT FOR BEVERAGE USE TO THE EXTENT REASONABLY NECESSARY TO PREVENT CONVERSION INTO AN ALCOHOLIC BEVERAGE FIT FOR CONSUMPTION; AND

(2) REQUEST INFORMATION AND ASSISTANCE FROM OTHER ADMINISTRATIVE UNITS OF THE STATE, COUNTY, AND MUNICIPAL GOVERNMENTS, COUNTY AND MUNICIPAL POLICE DEPARTMENTS, AND ALL PROSECUTING OFFICERS AS CONSIDERED NECESSARY BY THE COMPTROLLER TO CARRY OUT THIS ARTICLE AND PROVISIONS OF THE TAX – GENERAL ARTICLE RELATING TO ALCOHOLIC BEVERAGES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 16-404(a).

In item (2) of this section, the reference to "units" is substituted for the former reference to "departments" for consistency with other revised articles of the Code.

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"County" § 1-101

"State" § 1-101

SUBTITLE 4. GENERAL LICENSING REGULATION.

1-401. BUYING, SELLING, OR POSSESSING ALCOHOLIC BEVERAGES.

(A) PROHIBITED UNLESS AUTHORIZED.

UNLESS OTHERWISE PROVIDED FOR IN THIS ARTICLE OR THE TAX – GENERAL ARTICLE, A PERSON MAY NOT:

- (1) SELL ALCOHOLIC BEVERAGES;
- (2) ALLOW ALCOHOLIC BEVERAGES TO BE SOLD;
- (3) ACCEPT OR DELIVER ALCOHOLIC BEVERAGES; OR

(4) FOR THE PURPOSE OF SALE, TRANSPORT, BUY, POSSESS, OR KEEP ALCOHOLIC BEVERAGES OR ALLOW ALCOHOLIC BEVERAGES TO BE TRANSPORTED, BOUGHT, POSSESSED, OR KEPT:

- (I) IN A VEHICLE, A WATER VESSEL, OR AN AIRCRAFT;
- (II) ON ANY PREMISES; OR
- (III) UNDER THE PERSON'S CHARGE OR CONTROL.

(B) ACTIVITIES RESTRICTED TO CONSUMERS, LICENSE HOLDERS, AND CERTAIN INDIVIDUALS UNDER 21 YEARS OF AGE.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A PERSON MAY NOT BUY, POSSESS, STORE, IMPORT, TRANSPORT, OR KEEP ALCOHOLIC BEVERAGES OR ALLOW ALCOHOLIC BEVERAGES TO BE BOUGHT, POSSESSED, STORED, IMPORTED, TRANSPORTED, OR KEPT:

- (I) IN A VEHICLE, A WATER VESSEL, OR AN AIRCRAFT;
- (II) ON ANY PREMISES; OR
- (III) UNDER THE PERSON'S CHARGE OR CONTROL.

(2) A PERSON MAY PERFORM AN ACTIVITY LISTED IN PARAGRAPH (1) OF THIS SUBSECTION IF THE PERSON IS:

- (I) A CONSUMER;
- (II) SUBJECT TO THE REQUIREMENTS UNDER THIS ARTICLE, A LICENSE HOLDER; OR

(III) AN INDIVIDUAL UNDER THE AGE OF 21 YEARS WHO POSSESSES OR IS TRANSPORTING ALCOHOLIC BEVERAGES FOR A LAWFUL PURPOSE:

1. WITH THE KNOWLEDGE AND CONSENT OF THE INDIVIDUAL'S PARENT OR GUARDIAN; OR

2. INCIDENT TO THE LAWFUL EMPLOYMENT OF THE INDIVIDUAL UNDER THIS ARTICLE.

(C) PROHIBITIONS AGAINST INDIVIDUAL UNDER 21 YEARS OF AGE.

AN INDIVIDUAL UNDER THE AGE OF 21 YEARS MAY NOT:

(1) BUY, CONSUME, POSSESS, STORE, IMPORT, TRANSPORT, OR KEEP ALCOHOLIC BEVERAGES FOR THE INDIVIDUAL'S OWN USE; OR

(2) BUY, POSSESS, STORE, IMPORT, TRANSPORT, OR KEEP ALCOHOLIC BEVERAGES FOR ANY PURPOSE IN A JURISDICTION WHERE PROHIBITED UNDER STATE LAW.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 1-201(a)(1) and (2) and 2-101(n).

In subsection (c)(2) of this section, the defined term "jurisdiction" is substituted for the former reference to "any county or Baltimore City" for brevity and to include the City of Annapolis.

Also in subsection (c)(2) of this section, the phrase "under State law" is substituted for the former phrase "by this article or any other law of this State" for brevity.

Defined terms: "Alcoholic beverage" § 1-101

"Consumer" § 1-101

"Jurisdiction" § 1-101

"License holder" § 1-101

"Person" § 1-101

"State" § 1-101

1-402. LICENSE OR PERMIT NOT REQUIRED FOR CERTAIN SALES.

(A) SALES BY OFFICIALS, SELLERS UNDER COURT ORDER, AND LIENHOLDERS.

A LICENSE OR PERMIT IS NOT REQUIRED FOR:

(1) A COUNTY OFFICIAL WHO SELLS CERTAIN SEIZED ALCOHOLIC BEVERAGES, AS SET OUT IN TITLE 6, SUBTITLE 1 OF THIS ARTICLE;

(2) A SHERIFF, A RECEIVER, AN AUCTIONEER, A TRUSTEE, AN ATTORNEY, AN EXECUTOR, OR AN ADMINISTRATOR WHO SELLS ALCOHOLIC BEVERAGES UNDER A COURT ORDER; OR

(3) A COMMON CARRIER, WAREHOUSEMAN, OR OTHER LIENHOLDER WHO SELLS ALCOHOLIC BEVERAGES UNDER A LIEN.

(B) SALES ONLY TO LICENSE HOLDER.

SALES AUTHORIZED BY SUBSECTION (A) OF THIS SECTION MAY BE MADE ONLY TO A LICENSE HOLDER.

(C) SELLER TO PAY TAXES BEFORE DELIVERY.

IF THE PURCHASER IN A SALE DESCRIBED IN SUBSECTION (A) OF THIS SECTION IS A RETAIL DEALER, THE SELLER SHALL PAY THE TAXES IMPOSED BY § 5–102 OF THE TAX – GENERAL ARTICLE BEFORE DELIVERY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 1–201(c).

In subsection (a)(1) and (3) of this section, the references to a person “who sells” alcoholic beverages are substituted for the former references to a person who “exercis[es]” the person’s “right” to sell alcoholic beverages for brevity.

In subsection (a)(1) of this section, the reference to “seized” alcoholic beverages is substituted for the former reference to “confiscated” alcoholic beverages to conform to the terminology used throughout this article.

Also in subsection (a)(1) of this section, the reference to “Title 6, Subtitle 1 of this article” is substituted for the former reference to “this section” to reflect the location of forfeiture provisions in this revised article.

Also in subsection (a)(1) of this section, the former reference to “Baltimore City” is deleted as included in the defined term “county”.

Also in subsection (a)(1) of this section, the former reference to an “authorized” county official is deleted as unnecessary.

In subsection (a)(2) of this section, the former reference to a “constable” is deleted as included in the reference to a “sheriff”.

In subsection (b) of this section, the reference to sales “authorized by subsection (a) of this section” is added for clarity.

In subsection (c) of this section, the reference to a sale “described in subsection (a) of this section” is added for clarity.

In subsection (c) of this section, the former reference to delivery being “made to the purchaser” is deleted as surplusage.

Defined terms: “Alcoholic beverage” § 1–101

“County” § 1–101

“License” § 1–101

“License holder” § 1–101

“Retail dealer” § 1–101

1–403. UNLAWFUL MANUFACTURING OF ALCOHOLIC BEVERAGES.

(A) PROHIBITED.

(1) UNLESS OTHERWISE PROVIDED FOR IN THIS ARTICLE, A PERSON MAY NOT MANUFACTURE, BLEND, RECTIFY, BOTTLE, OR ALLOW TO BE MANUFACTURED, BLENDED, RECTIFIED, OR BOTTLED ANY ALCOHOLIC BEVERAGES EXCEPT ON PREMISES LICENSED UNDER THIS ARTICLE.

(2) A PERSON MAY NOT BUY, BARGAIN, SELL, BORROW, LOAN, MANUFACTURE, POSSESS, TRANSPORT, OR ALLOW TO BE BOUGHT, BARGAINED, SOLD, LOANED, MANUFACTURED, POSSESSED, OR TRANSPORTED ANY PERSONAL PROPERTY DESIGNED, USED, OR INTENDED FOR USE DIRECTLY OR IMMEDIATELY IN CONNECTION WITH THE UNLAWFUL MANUFACTURE OF ALCOHOLIC BEVERAGES.

(B) PENALTY.

IN ADDITION TO ANY OTHER FINE OR PENALTY UNDER THIS ARTICLE, A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 5 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 16–505 and 1–201(a)(3) and the first sentence of (4).

In subsection (a)(2) of this section, the former reference to any “apparatus, materials, equipment, implements, [or] devices” is deleted as included in the reference to any “personal property”.

In subsection (b) of this section, the reference to being “guilty of a misdemeanor” is added to state expressly that which was only implied in the former law. In this State, any crime that was not a felony at common law and

has not been declared a felony by statute is considered to be a misdemeanor. See *State v. Canova*, 278 Md. 483, 490 (1976); *Bowser v. State*, 136 Md. 342, 345 (1920); *Williams v. State*, 4 Md. App. 342, 347 (1968); and *Dutton v. State*, 123 Md. 373, 378 (1914).

Also in subsection (b) of this section, the reference to “violat[ing] this section” is substituted for the former reference to “the unlawful manufacture of alcoholic beverages or the unlawful possession of materials, equipment, implements, devices and other property used or intended for use directly and immediately in connection with the unlawful manufacture of alcoholic beverages within this State” for brevity and clarity.

Also in subsection (b) of this section, the former reference to both “fine and imprisonment, in the discretion of the court” is deleted as surplusage and to conform to standard language for imposition of a penalty for a criminal conviction.

Also in subsection (b) of this section, the former reference to a fine “of not less than \$500.00” is deleted as unenforceable in light of § 14–102 of the Criminal Law Article, which provides that if a law sets a minimum penalty, the court in lieu of the minimum penalty may impose a lesser penalty of the same character.

Defined terms: “Alcoholic beverage” § 1–101
“Person” § 1–101

1–404. COMPLIANCE WITH WORKERS’ COMPENSATION ACT.

BEFORE A LICENSE OR ALCOHOLIC BEVERAGES PERMIT MAY BE ISSUED TO AN EMPLOYER TO ENGAGE IN AN ACTIVITY IN WHICH THE EMPLOYER MAY EMPLOY A COVERED EMPLOYEE, AS DEFINED IN § 9–101 OF THE LABOR AND EMPLOYMENT ARTICLE, THE EMPLOYER SHALL FILE WITH THE COMPTROLLER OR LOCAL LICENSING BOARD:

(1) A CERTIFICATE OF COMPLIANCE WITH THE MARYLAND WORKERS’ COMPENSATION ACT; OR

(2) THE NUMBER OF A WORKERS’ COMPENSATION INSURANCE POLICY OR BINDER.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 9–104.

In the introductory language of this section, the former phrase “as the case may be” is deleted as surplusage.

Defined terms: “Alcoholic beverage” § 1–101
 “Comptroller” § 1–101
 “License” § 1–101
 “Local licensing board” § 1–101

1–405. RESTRICTIONS ON LICENSING OF PREMISES.

(A) IN GENERAL.

A LICENSE MAY NOT BE ISSUED FOR A PREMISES UNLESS THE PREMISES CONFORMS TO ALL REQUIREMENTS SET OUT IN THIS ARTICLE OR THE TAX – GENERAL ARTICLE.

(B) ZONING RESTRICTIONS.

A LICENSE OR AN ALCOHOLIC BEVERAGES PERMIT MAY NOT BE ISSUED FOR A PREMISES UNLESS THE PREMISES CONFORMS WITH ALL ZONING LAWS, REGULATIONS, OR ORDINANCES PASSED IN ACCORDANCE WITH DIVISION I OF THE LAND USE ARTICLE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 9–103 and 9–105.

In subsection (a) of this section, the reference to “the Tax – General Article” is added for clarity.

Also in subsection (a) of this section, the former reference to “specifications” is deleted as included in the reference to “requirements”.

In subsection (b) of this section, the former reference to a rule or regulation “as the same may from time to time exist” is deleted as surplusage.

Also in subsection (b) of this section, the reference to a permit not being issued “for a premises unless the premises conforms with all” zoning laws, regulations, and ordinances is substituted for the former reference to a permit not being issued “in violation of” a zoning law, regulation, or ordinance for clarity.

Also in subsection (b) of this section, the former reference to “Chapter 599 of the Acts of the General Assembly of 1933” is deleted as obsolete.

Defined terms: “Alcoholic beverage” § 1–101
 “License” § 1–101

1–406. WAREHOUSE RECEIPTS COVERING ALCOHOLIC BEVERAGES.

(A) SALE OR PURCHASE OF RECEIPTS.

WAREHOUSE RECEIPTS COVERING ALCOHOLIC BEVERAGES STORED IN PUBLIC WAREHOUSES IN THE STATE, INCLUDING GOVERNMENT CONTROLLED WAREHOUSES, MAY BE PURCHASED OR SOLD WITHOUT A LICENSE OR PERMIT.

(B) WITHDRAWAL OR DELIVERY OF ALCOHOLIC BEVERAGES COVERED BY WAREHOUSE RECEIPT.

ALCOHOLIC BEVERAGES COVERED UNDER SUBSECTION (A) OF THIS SECTION MAY BE WITHDRAWN OR DELIVERED IN THE STATE ONLY TO A LICENSED MANUFACTURER OR LICENSED WHOLESALER.

(C) REGULATIONS.

THE COMPTROLLER MAY ADOPT REGULATIONS COVERING WAREHOUSE RECEIPT TRANSACTIONS.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 1-201(d).

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"License" § 1-101

"State" § 1-101

"Wholesaler" § 1-101

1-407. SALE AND DELIVERY TO FEDERAL RESERVATION.

(A) WINE AND LIQUOR SOLD AND DELIVERED TO FEDERAL RESERVATION — TAX EXEMPTION.

(1) THIS ARTICLE AND THE TAX – GENERAL ARTICLE DO NOT PROHIBIT A MANUFACTURER OR WHOLESALER FROM SELLING AND DELIVERING TO A FEDERALLY AUTHORIZED PURCHASER:

(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WINE AND LIQUOR WITHOUT PAYMENT OF TAXES, IF THE WINE AND LIQUOR ARE USED ONLY ON THE FEDERAL RESERVATION IN THE STATE WHERE THE PURCHASER IS ASSIGNED; AND

(II) BEER.

(2) THE COMPTROLLER MAY REQUIRE THAT EACH ORDER OF WINE OR LIQUOR BE APPROVED BEFORE PURCHASE OR DELIVERY.

(B) REFUND OF TAX ON BEER.

A TAX ON BEER THAT IS PAID WHEN THE BEER IS PURCHASED SHALL BE REFUNDED IF:

(1) A PROPER APPLICATION IS FILED WITH THE COMPTROLLER WITHIN 90 DAYS AFTER THE PURCHASE; AND

(2) THE COMPTROLLER APPROVES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-507.

In the introductory language of subsection (a)(1) of this section, the phrase "do not prohibit" is substituted for the former phrase "shall not be construed to prevent" for brevity.

Also in the introductory language of subsection (a)(1) of this section, the reference to a "federally authorized purchaser" is substituted for the former reference to "persons permitted by proper authority or authorities of the United States to purchase alcoholic beverages" for brevity.

In subsection (a)(2) of this section, the reference to "liquor" is substituted for the former reference to "distilled spirits" to conform to the terminology used throughout this article.

Also in subsection (a)(2) of this section, the former reference to the purchase or delivery "of same" is deleted as surplusage.

Defined terms: "Beer" § 1-101

"Comptroller" § 1-101

"State" § 1-101

"Wholesaler" § 1-101

"Wine" § 1-101

1-408. RECORDKEEPING AND REPORTING REQUIREMENTS.

(A) IN GENERAL.

A PERSON WHO MANUFACTURES, RECTIFIES, BLENDS, IMPORTS, DISTRIBUTES, TRANSPORTS, STORES, WAREHOUSES, SELLS, OR OFFERS FOR SALE ALCOHOLIC BEVERAGES OR WHO HOLDS A LICENSE TO DO THOSE ACTIVITIES SHALL:

(1) KEEP COMPLETE AND ACCURATE RECORDS OF ALL ALCOHOLIC BEVERAGES PURCHASED, SOLD, MANUFACTURED, RECTIFIED, BLENDED, IMPROVED, BREWED, FERMENTED, DISTILLED, PRODUCED, STORED, WAREHOUSED, WITHDRAWN FROM STORAGE, IMPORTED, OR TRANSFERRED;

(2) ON WRITTEN REQUEST OF THE COMPTROLLER, REPORT ON THE FORM THAT THE COMPTROLLER REQUIRES INFORMATION RELATING TO THE ALCOHOLIC BEVERAGES THAT ARE THE SUBJECT OF THE RECORDS REQUIRED TO BE KEPT; AND

(3) ON REQUEST OF THE COMPTROLLER, MAKE THE REPORT UNDER OATH.

(B) RECORDS PRESERVATION.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, EACH LICENSE HOLDER SHALL KEEP RECORDS AT THE LOCATION DESIGNATED IN THE LICENSE.

(2) IF THE LICENSE HOLDER IS ALLOWED TO HAVE MORE THAN ONE LOCATION, THE LICENSE HOLDER MAY KEEP THE RECORDS AT THE PRINCIPAL LOCATION.

(3) THE RECORDS SHALL:

(I) MEET FORM AND CONTENT REQUIREMENTS OF THE COMPTROLLER;

(II) BE PRESERVED FOR AT LEAST 2 YEARS IN A MANNER THAT ENSURES PERMANENCY; AND

(III) BE MADE AVAILABLE FOR AUDIT OR INSPECTION DURING REGULAR BUSINESS HOURS BY THE COMPTROLLER OR AN AUTHORIZED EMPLOYEE OF THE COMPTROLLER.

(C) PENALTY FOR FAILURE TO COMPLY.

(1) THE COMPTROLLER MAY WITHOUT A HEARING IMMEDIATELY SUSPEND FOR A MAXIMUM OF 30 DAYS THE LICENSE OF A LICENSE HOLDER WHO FAILS TO COMPLY WITH THIS SECTION.

(2) A LICENSE SUSPENDED UNDER THIS SECTION IS SUBJECT TO AN ADDITIONAL PERIOD OF SUSPENSION OR REVOCATION AFTER A HEARING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 14–201.

In the introductory language of subsection (a) of this section, the former reference to a person “within this State” is deleted as unnecessary in light of the scope of this revised article.

In subsection (a)(2) of this section, the former phrase “at any time, and from time to time” is deleted as surplusage.

In subsection (b)(1) of this section, the former reference to “maintain[ing]” records is deleted as included in the reference to “keep[ing]” records.

In subsection (b)(3)(i) of this section, the reference to records that “meet form and content requirements of the Comptroller” is substituted for the former reference to records “be[ing] of a kind and in the form prescribed by the Comptroller” for brevity.

In subsection (b)(3)(ii) of this section, the former reference to “safely” preserving records is deleted as surplusage.

In subsection (b)(3)(iii) of this section, the former reference to a “duly” authorized employee is deleted as surplusage.

Also in subsection (b)(3)(iii) of this section, the former reference to an authorized “representative” is deleted as included in the reference to an authorized “employee”.

In subsection (c) of this section, the former phrase “[i]n addition to the other penalties provided by this article” is deleted as implicit and a general rule of statutory construction.

In subsection (c)(2) of this section, the former reference to further suspension or revocation after a hearing “as elsewhere in this article provided” is deleted as surplusage.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

“Person” § 1–101

1–409. RECORDS OF LICENSES.

(A) IN GENERAL.

A LOCAL LICENSING BOARD SHALL:

(1) MAINTAIN A RECORD OF:

(I) EACH LICENSE THAT THE LOCAL LICENSING BOARD ISSUES;

AND

(II) ANY REVOCATION, SUSPENSION, OR CANCELLATION OF A LICENSE AND ANY RESTRICTION IMPOSED ON A LICENSE WITH A BRIEF EXPLANATION OF THE REASON FOR THE ACTION; AND

(2) SUBMIT THE RECORD TO THE COMPTROLLER; AND

(3) ALLOW ANY INDIVIDUAL TO INSPECT THE RECORDS AT THE OFFICE OF THE LOCAL LICENSING BOARD DURING REGULAR BUSINESS HOURS.

(B) RETENTION PERIOD; DESTRUCTION.

THE RECORDS OF LICENSES REQUIRED UNDER SUBSECTION (A) OF THIS SECTION AND ANY INDICES OR DOCKETS CREATED TO MAINTAIN THE RECORDS:

(1) SHALL BE RETAINED FOR THE LATER TO OCCUR OF:

(I) 3 YEARS AFTER THE DATE OF THE LAST RECORD ENTRY; OR

(II) THE DATE ON WHICH ALL AUDIT REQUIREMENTS HAVE BEEN COMPLIED WITH; AND

(2) MAY BE DESTROYED AFTER:

(I) THE RETENTION PERIOD IN ITEM (1) OF THIS SUBSECTION HAS EXPIRED; AND

(II) TITLE 10, SUBTITLE 6, PART III OF THE STATE GOVERNMENT ARTICLE HAS BEEN COMPLIED WITH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 14–204(b) and, as it related to the duties of local licensing boards, (a).

In subsection (a) of this section, the former reference to “license issuing authorit[y]” are deleted as included in the reference to “local licensing board”.

In subsection (a)(1) of this section, the former reference to “accurate” records is deleted as implicit in the requirement to maintain records.

In subsection (a)(1)(i) of this section, the former reference to “approved” is deleted as included in the reference to “issues”.

In subsection (b)(1) of this section, the phrase “for the later to occur of” is substituted for the former phrase “for a period of” for clarity.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“Local licensing board” § 1–101

1–410. REPORTING REQUIREMENTS FOR TRANSPORT OF ALCOHOLIC BEVERAGES.

(A) REPORTING OF CONSIGNMENTS AND DELIVERIES.

(1) ON WRITTEN REQUEST OF THE COMPTROLLER, EACH PERSON, INCLUDING A COMMON CARRIER, THAT TRANSPORTS ALCOHOLIC BEVERAGES IN THE STATE IN INTERSTATE OR INTRASTATE COMMERCE SHALL REPORT ALL CONSIGNMENTS OR DELIVERIES OF ALCOHOLIC BEVERAGES FOR THE PERIOD THAT THE COMPTROLLER SPECIFIES.

(2) THE REPORTS SHALL BE UNDER OATH AND ON THE FORM THAT THE COMPTROLLER REQUIRES.

(B) REQUIRED INFORMATION.

IF REQUIRED BY THE COMPTROLLER, THE REPORTS SHALL STATE:

(1) THE NAME AND ADDRESS OF THE PERSON TO WHOM THE DELIVERY HAS BEEN MADE;

(2) THE NAME AND ADDRESS OF THE ORIGINAL CONSIGNEE, IF ALCOHOLIC BEVERAGES HAVE BEEN DELIVERED TO ANY PERSON OTHER THAN THE ORIGINALLY NAMED CONSIGNEE;

(3) THE POINT OF ORIGIN;

(4) THE POINT OF DELIVERY;

(5) THE DATE OF DELIVERY;

(6) (I) THE NUMBER AND INITIALS OF EACH CAR, IF THE ALCOHOLIC BEVERAGES ARE SHIPPED BY RAIL;

(II) THE NAME OF THE WATER VESSEL, IF THE ALCOHOLIC BEVERAGES ARE SHIPPED BY WATER;

(III) THE LICENSE NUMBER OF EACH TRUCK, IF THE ALCOHOLIC BEVERAGES ARE SHIPPED BY TRUCK; OR

(IV) THE MANNER IN WHICH THE DELIVERY WAS MADE, IF THE DELIVERY IS BY OTHER MEANS;

(7) EACH KIND OF ALCOHOLIC BEVERAGES CONTAINED IN THE SHIPMENT AND THE NUMBER OF GALLONS OF EACH KIND; AND

(8) ANY OTHER INFORMATION RELATIVE TO SHIPMENTS THAT THE COMPTROLLER REQUIRES.

(C) CONSIGNMENT FROM OUTSIDE TO WITHIN STATE.

THIS SECTION DOES NOT AUTHORIZE:

(1) THE CONSIGNMENT OF ALCOHOLIC BEVERAGES FROM OUTSIDE THE STATE TO A PERSON WITHIN THE STATE OTHER THAN:

(I) THE HOLDER OF A PERMIT, MANUFACTURER'S LICENSE, OR WHOLESALER'S LICENSE; OR

(II) A CONSUMER UNDER TITLE 2, SUBTITLE 1, PART V OF THIS ARTICLE; OR

(2) THE CONSIGNMENT OF ALCOHOLIC BEVERAGES FROM WITHIN THE STATE TO A PERSON OUTSIDE THE STATE NOT AUTHORIZED TO RECEIVE THE CONSIGNMENT UNDER THE LAW GOVERNING THE POINT OF DESTINATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 14–202.

In subsection (a)(1) of this section, the former phrase “by rail, air, water or highway” is deleted as implicit in the reference to “a common carrier”.

Also in subsection (a)(1) of this section, the former phrase “at any time and from time to time” is deleted as surplusage.

Also in subsection (a)(1) of this section, the former phrase “by any means” is deleted as surplusage.

In subsection (b)(1) of this section, the reference to the person to whom “the delivery has been made” is substituted for the former reference to the person to whom “the deliveries of alcoholic beverages have actually and in fact been made” for brevity.

In subsection (b)(6)(ii) of this section, the former references to a “boat” and “barge” are deleted as included in the reference to a “water vessel”.

In subsection (c)(1)(i) of this section, the former reference to a manufacturer’s or wholesaler’s license “duly issued under this article” is deleted as surplusage.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that in subsection (b)(6)(iii) of this section, the reference to shipment by truck may be outdated. Shipments today are generally made by container. The General Assembly may wish to add a requirement to provide the container number, if the alcoholic beverages are shipped by container.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“Manufacturer’s license” § 1–101

“Person” § 1–101

“State” § 1–101

“Wholesaler’s license” § 1–101

GENERAL REVISOR’S NOTE TO TITLE

Former Art. 2B, § 15–109(a), which stated that the salaries of the members of boards of license commissioners are specified in former § 15–109, is deleted as unnecessary and obsolete. In this revised article, the salaries of members of boards of license commissioners are stated in Subtitle 2 of all titles in Division II. Additionally, currently in the State only the Howard County board serves ex officio, and the last amended version of former § 15–109 did not apply to that board.

TITLE 2. STATE-ISSUED PERMITS AND LICENSES.

SUBTITLE 1. STATE PERMITS.

PART I. PROCEDURES.

2–101. SCOPE OF PART.

THIS PART APPLIES STATEWIDE AND TO EACH PERMIT ISSUED UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section is new language added for clarity.

2–102. APPLICATION FOR PERMIT.**(A) APPLICATION TO COMPTROLLER.**

A PERSON SHALL APPLY TO THE COMPTROLLER FOR A PERMIT UNDER THIS SUBTITLE ON THE FORM THE COMPTROLLER PROVIDES.

(B) REGULATIONS.

THE COMPTROLLER SHALL ADOPT REGULATIONS FOR PERMITS UNDER THIS SUBTITLE REGARDING:

- (1) THE PROCEDURE FOR ISSUING PERMITS;**
- (2) THE PURCHASE OF ALCOHOLIC BEVERAGES; AND**
- (3) THE EXERCISE OF THE PRIVILEGES GRANTED UNDER EACH TYPE OF PERMIT.**

REVISOR'S NOTE: This section is new language derived without substantive change from the first and second sentences of former Art. 2B, § 2–101(a).

In this section and throughout this subtitle, the former references to the "Office of the" Comptroller are deleted as surplusage.

Defined terms: "Alcoholic beverage" § 1–101
"Comptroller" § 1–101
"Person" § 1–101

2–103. INVESTIGATION OF APPLICANT.**(A) INVESTIGATION BEFORE APPROVAL.**

ON RECEIPT OF AN APPLICATION, THE COMPTROLLER SHALL ORDER AN INVESTIGATION OF:

- (1) THE APPLICANT;
- (2) THE BUSINESS TO BE OPERATED; AND
- (3) THE STATEMENTS PRESENTED IN THE PERMIT APPLICATION.

(B) REASONS FOR DENIAL OF PERMIT.

ON COMPLETION OF THE INVESTIGATION, THE COMPTROLLER SHALL DENY THE PERMIT APPLICATION IF IN THE JUDGMENT OF THE COMPTROLLER:

(1) THE APPLICANT:

- (I) IS NOT FIT TO RECEIVE THE PERMIT;
- (II) MADE A MATERIAL FALSE STATEMENT IN THE APPLICATION;

OR

(III) COMMITTED FRAUD IN CONNECTION WITH THE APPLICATION; OR

(2) THERE ARE OTHER REASONS THAT THE PERMIT SHOULD NOT BE ISSUED.

(C) APPROVAL OF PERMIT.

IF THE COMPTROLLER DOES NOT FIND CAUSE TO DENY THE PERMIT, THE COMPTROLLER SHALL APPROVE THE APPLICATION AND ISSUE THE PERMIT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–201, as it related to permits issued by the Comptroller.

In the introductory language of subsection (a) of this section, the reference to the Comptroller “order[ing] an investigation” is substituted for the former reference to the Comptroller “caus[ing] an investigation to be made” for brevity.

In subsection (a)(3) of this section, the reference to “statements” is substituted for the former reference to “facts” for clarity.

In the introductory language of subsection (b) of this section, the reference to “[o]n completion of” the investigation is substituted for the former reference to “[a]fter” the investigation for clarity.

Also in the introductory language of subsection (b) of this section, the reference to “the judgment” of the Comptroller is substituted for the former references to “the opinion” and “in the discretion” of the Comptroller for clarity.

Also in the introductory language of subsection (b) of this section, the former statement that “no such ... permit shall be issued” is deleted as unnecessary in light of the statement that the Comptroller “shall deny the permit application”.

In subsection (b)(1) of this section, the former reference to the permit “applied for” is deleted as surplusage.

In subsection (c) of this section, the reference to the Comptroller not “find[ing] cause to deny the permit” is substituted for the former phrase “[i]f no such findings are made” by the Comptroller for clarity.

Defined term: “Comptroller” § 1–101

2–104. LIMITATIONS ON ACCEPTING OR DELIVERING ALCOHOLIC BEVERAGES.

A PERMIT HOLDER MAY NOT ACCEPT OR DELIVER ALCOHOLIC BEVERAGES EXCEPT AS PROVIDED IN THIS ARTICLE AND THE TAX – GENERAL ARTICLE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2–101(n), as it related to a permit holder.

Defined term: “Alcoholic beverage” § 1–101

2–105. EXPIRATION.

EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A PERMIT ISSUED UNDER THIS SUBTITLE IS AN ANNUAL PERMIT THAT EXPIRES ON OCTOBER 31 FOLLOWING THE DATE OF ITS ISSUE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2–101(b)(2)(i).

The reference to “an annual permit” is added to make explicit that which was formerly implied; that is, that the permit is valid for a 1–year period.

2–106. RESTRICTIONS, SUSPENSIONS, AND REVOCATIONS.

THE COMPTROLLER MAY RESTRICT, SUSPEND, OR REVOKE A PERMIT ISSUED UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the third sentence of former Art. 2B, § 2-101(a).

The former reference to the authority of the Comptroller to "cancel" a permit is deleted as included in the authority of the Comptroller to "revoke" a permit.

Defined term: "Comptroller" § 1-101

2-107. LICENSE OR PERMIT NOT REQUIRED FOR FAMILY WINE, BEER, OR CIDER.

A LICENSE OR PERMIT IS NOT REQUIRED FOR THE MANUFACTURE OF FAMILY WINE, BEER, OR CIDER THAT IS:

(1) EXCLUSIVELY FOR HOME CONSUMPTION, COMPETITION, OR USE IN A LICENSED NATIONAL FAMILY WINE EXHIBITION; AND

(2) NOT FOR SALE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 1-201(b)(1).

Defined terms: "Beer" § 1-101

"License" § 1-101

"Wine" § 1-101

2-108. RESERVED.

2-109. RESERVED.

PART II. BULK, STORAGE, AND TRANSPORTATION-RELATED PERMITS.

2-110. SCOPE OF PART.

THIS PART APPLIES STATEWIDE.

REVISOR'S NOTE: This section is new language added for clarity.

2-111. BULK TRANSFER PERMIT.

(A) ESTABLISHED.

THERE IS A BULK TRANSFER PERMIT.

(B) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO A PERSON:

(1) WHOSE ALCOHOLIC BEVERAGE LICENSE HAS EXPIRED OR OTHERWISE BEEN DISCONTINUED; AND

(2) WHO APPLIES FOR A PERMIT WITHIN 60 DAYS AFTER THE LAST DAY ON WHICH THE LICENSE WAS EFFECTIVE.

(C) SCOPE OF AUTHORIZATION.

(1) THE PERMIT AUTHORIZES THE HOLDER, WITH OR WITHOUT CONSIDERATION, TO TRANSFER TO A LICENSE HOLDER THE ALCOHOLIC BEVERAGES STOCK ON HAND ON THE DAY OF THE TRANSFER BY SALE, GIFT, INHERITANCE, ASSIGNMENT, OR OTHERWISE.

(2) THE TRANSFER OF THE ALCOHOLIC BEVERAGES STOCK TO THE LICENSE HOLDER SHALL BE COMPLETED IN THE PERIOD COVERED BY THE PERMIT.

(D) EXPIRATION.

(1) THE PERMIT:

(I) COVERS ONLY A SPECIFIC TRANSACTION; AND

(II) EXPIRES 10 DAYS AFTER IT IS ISSUED.

(2) IF THE PERMIT HOLDER SHOWS AN UNDUE BURDEN, THE COMPTROLLER MAY GRANT A REASONABLE EXTENSION OF THE PERMIT.

(E) FEE.

THE PERMIT FEE IS \$200.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that a bulk transfer permit exists.

Subsections (b) through (e) of this section are new language derived without substantive change from former Art. 2B, § 2-101(f) and (b)(5) and, as it related to the fee for a bulk transfer permit, (1)(i)3.

In subsection (b)(1) of this section, the reference to an "alcoholic beverage" license is added for clarity.

In subsection (b)(2) of this section, the former reference to applying “to the Comptroller” for a permit is deleted as surplusage.

In subsection (c)(2) of this section, the reference to the transfer being “completed” is substituted for the former reference to the transfer being “consummated” for clarity.

In subsection (d)(2) of this section, the clause “[i]f the permit holder shows an undue burden” is substituted for the former clause “[i]f the time restriction of this permit would be an undue burden” to clarify that the permit holder is required to meet the undue burden requirement.

Also in subsection (d)(2) of this section, the reference to an extension of “the permit” is substituted for the former reference to an extension “of time” for clarity.

In subsection (e) of this section, the former reference to “renew[ing]” a permit is deleted in light of the fact that the permit covers a specific transaction.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

“Person” § 1–101

2–112. CHANGE OF DOMICILE PERMIT.

(A) ESTABLISHED.

THERE IS A CHANGE OF DOMICILE PERMIT.

(B) SCOPE OF AUTHORIZATION.

SUBJECT TO SUBSECTION (C) OF THIS SECTION, THE PERMIT AUTHORIZES THE HOLDER, WHEN CHANGING DOMICILE TO THE STATE, TO TRANSPORT INTO THE STATE THE PERMIT HOLDER’S PRIVATE STOCK OF ALCOHOLIC BEVERAGES FOR PERSONAL CONSUMPTION.

(C) PAYMENT OF TAXES REQUIRED BEFORE TRANSPORT.

THE PERMIT HOLDER MAY NOT TRANSPORT INTO THE STATE THE PERMIT HOLDER’S PRIVATE STOCK OF ALCOHOLIC BEVERAGES FOR PERSONAL CONSUMPTION UNLESS THE TAXES IMPOSED UNDER § 5–102 OF THE TAX – GENERAL ARTICLE HAVE BEEN PAID.

(D) FEE.**THE PERMIT FEE:****(1) IS \$5; AND****(2) COVERS ONLY A SPECIFIC TRANSACTION.**

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that a change of domicile permit exists.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 2B, § 2–101(d) and (b)(3).

In subsection (c) of this section, the reference to taxes “imposed” is substituted for the former reference to taxes “levied” for consistency with other revised articles of the Code.

Also in subsection (c) of this section, the former reference to taxes being paid “to the Office of the Comptroller” is deleted as surplusage.

Defined terms: “Alcoholic beverage” § 1–101
“State” § 1–101

2–113. INDIVIDUAL STORAGE PERMIT.**(A) ESTABLISHED.****THERE IS AN INDIVIDUAL STORAGE PERMIT.****(B) SCOPE OF AUTHORIZATION.**

THE PERMIT AUTHORIZES THE HOLDER TO ESTABLISH A WAREHOUSE TO STORE ALCOHOLIC BEVERAGES IN WHICH TITLE TO THE ALCOHOLIC BEVERAGES IS VESTED IN THE PERMIT HOLDER.

(C) WRITTEN BOARD APPROVAL IN ANNE ARUNDEL COUNTY REQUIRED.

IN ANNE ARUNDEL COUNTY, A RETAILER IS REQUIRED TO HAVE WRITTEN APPROVAL FROM THE BOARD OF LICENSE COMMISSIONERS BEFORE APPLYING TO THE COMPTROLLER FOR THE PERMIT.

(D) FEE.

THE PERMIT FEE IS \$50.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that an individual storage permit exists.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 2B, § 2-101(h) and, as it related to the fee for an individual storage permit, (b)(1)(i)1.

Defined terms: "Alcoholic beverage" § 1-101
"Comptroller" § 1-101

2-114. INDIVIDUAL TRANSPORTATION PERMIT.**(A) ESTABLISHED.**

THERE IS AN INDIVIDUAL TRANSPORTATION PERMIT.

(B) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO TRANSPORT THE PERMIT HOLDER'S PRIVATE STOCK OF ALCOHOLIC BEVERAGES FROM OR EN ROUTE THROUGH THE STATE WITHOUT PAYMENT OF EXCISE TAXES IMPOSED UNDER § 5-102 OF THE TAX - GENERAL ARTICLE IF THE ALCOHOLIC BEVERAGES ARE NOT FOR USE OR DELIVERY IN THE STATE.

(C) VEHICLE IDENTIFICATION.

(1) THE COMPTROLLER SHALL PROVIDE A MEANS OF IDENTIFICATION FOR EACH VEHICLE AUTHORIZED UNDER THE PERMIT.

(2) THE IDENTIFICATION SHALL BE KEPT IN OR ON THE VEHICLE AT ALL TIMES WHEN THE VEHICLE TRANSPORTS ALCOHOLIC BEVERAGES.

(D) FEES.

(1) THE PERMIT FEE IS \$10.

(2) THE FEE FOR THE VEHICLE IDENTIFICATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION IS \$10 FOR EACH VEHICLE.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that an individual transportation permit exists.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 2B, § 2–101(e) and (b)(4) and (6)(ii) and, as it related to individual transportation permits, (i).

In subsection (b) of this section, the reference to taxes “imposed” is substituted for the former reference to taxes “levied” for consistency with other revised articles of the Code.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“State” § 1–101

2–115. NONRESIDENT STORAGE PERMIT.

(A) ESTABLISHED.

THERE IS A NONRESIDENT STORAGE PERMIT.

(B) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO A NONRESIDENT DEALER PERMIT HOLDER.

(C) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO STORE ALCOHOLIC BEVERAGES IN A LICENSED PUBLIC STORAGE WAREHOUSE IN THE STATE FOR SUBSEQUENT SHIPMENT TO:

(1) A HOLDER OF A WHOLESALER'S LICENSE;

(2) A HOLDER OF A MANUFACTURER'S LICENSE; OR

(3) A PERSON OUTSIDE THE STATE.

(D) SHIPMENT OF ALCOHOLIC BEVERAGES.

THE PERMIT HOLDER MAY NOT SHIP ALCOHOLIC BEVERAGES UNLESS:

(1) THE INVOICE FOR THE SHIPMENT ORIGINATES FROM THE OUT-OF-STATE PERMIT ADDRESS OF THE PERMIT HOLDER; AND

(2) THE HOLDER:

(I) SHIPS THE ALCOHOLIC BEVERAGES FROM THE PUBLIC STORAGE WAREHOUSE IN THE STATE TO THE PURCHASER; AND

(II) CONCURRENTLY TRANSMITS THE INVOICE TO THE PURCHASER.

(E) REPORT REQUIRED.

(1) EACH MONTH THE PERMIT HOLDER SHALL FILE A REPORT OF ITS STORAGE AND SHIPPING ACTIVITIES WITH THE COMPTROLLER.

(2) THE REPORT SHALL BE FILED IN THE MANNER AND ON THE FORM THAT THE COMPTROLLER PROVIDES.

(F) FEE.

THE PERMIT FEE IS \$500.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 2B, § 2-101(p) and (b)(8).

In the introductory language of subsection (d) of this section, the former phrase "as provided under this section" is deleted as surplusage.

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"Manufacturer's license" § 1-101

"Person" § 1-101

"State" § 1-101

"Wholesaler's license" § 1-101

2-116. PRIVATE BULK SALES PERMIT.

(A) ESTABLISHED.

THERE IS A PRIVATE BULK SALES PERMIT.

(B) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO AN INDIVIDUAL WHO:

- (1) IS AT LEAST 21 YEARS OLD;**
- (2) IS A RESIDENT OF THE STATE;**
- (3) FILES WITH THE COMPTROLLER AN INVENTORY OF ALL ALCOHOLIC BEVERAGES TO BE SOLD; AND**
- (4) CERTIFIES THAT ALL ALCOHOLIC BEVERAGES TO BE SOLD:**
 - (I) HAVE BEEN ACQUIRED LEGALLY AND TRANSPORTED INTO THE STATE IN ACCORDANCE WITH THIS ARTICLE; AND**
 - (II) ARE OWNED BY THE INDIVIDUAL AT THE TIME OF APPLICATION.**

(C) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO SELL THE PERMIT HOLDER'S PRIVATE STOCK OF ALCOHOLIC BEVERAGES TO A PERSON IN ACCORDANCE WITH THIS SECTION.

(D) AUTHORIZED SALES.**A SALE UNDER THE PERMIT MAY:**

- (1) BE MADE BY:**
 - (I) THE PERMIT HOLDER; OR**
 - (II) AN UNLICENSED AGENT OR AUCTION COMPANY ACTING ON BEHALF OF THE PERMIT HOLDER;**
- (2) TAKE PLACE ON:**
 - (I) A PREMISES NOT LICENSED UNDER THIS ARTICLE; OR**
 - (II) A PRIVATE ROOM OF AN ON-SALE RETAIL LICENSE HOLDER;**

AND

- (3) BE MADE TO:**

(I) A STATE RESIDENT WHO IS AT LEAST 21 YEARS OLD;

(II) A RETAIL DEALER WHO HOLDS THE PROPER CLASS OF LICENSE; OR

(III) A PERSON OUTSIDE THE STATE, IF THE PERSON MAY SHIP ALCOHOLIC BEVERAGES PURCHASED UNDER THE PERMIT TO THE PERSON'S HOME STATE OR STATE OF ULTIMATE DESTINATION.

(E) EXPIRATION; MULTIPLE PERMITS.

(1) A PERMIT EXPIRES 60 DAYS AFTER IT IS ISSUED.

(2) A PERSON MAY NOT BE ISSUED MORE THAN TWO PERMITS IN A CALENDAR YEAR.

(F) FEE.

THE PERMIT FEE:

(1) IS \$25; AND

(2) COVERS THE SALE OF A SPECIFIC INVENTORY OF ALCOHOLIC BEVERAGES.

(G) REGULATIONS.

THE COMPTROLLER MAY ADOPT REGULATIONS REGARDING ANY ACTIVITY RELATING TO THE PERMIT, INCLUDING RECORD KEEPING AND REPORTING REQUIREMENTS.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that a private bulk sales permit exists.

Subsections (b) through (g) of this section are new language derived without substantive change from former Art. 2B, § 2-101(t) and (b)(10).

In the introductory language of subsection (b) of this section, the clause "the permit to an individual who" is substituted for the former phrase "[i]n order to qualify for a bulk sale permit, an applicant must" for brevity and to conform to the terminology used throughout this subtitle.

In subsection (b)(1) of this section, the former reference to being at least 21 years old “or older” is deleted as surplusage.

In subsection (b)(2) of this section, the former reference to being a “current” resident of the State is deleted as surplusage.

In subsections (c), (d)(3)(iii), and (e)(2) of this section, the defined term “person” is substituted for the former references to “individual or entity” for brevity.

In subsection (c) of this section, the reference to a private “stock of” alcoholic beverages is substituted for the former reference to a private alcoholic beverages “inventory” for consistency with other similar provisions of this subtitle.

In the introductory language of subsection (d)(2) of this section, the former reference to sales “transactions” is deleted as surplusage.

In subsection (d)(2)(ii) of this section, the defined term “on-sale” is substituted for the former reference to “on-premises” for consistency with the terminology used throughout this article.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

“On-sale” § 1–101

“Person” § 1–101

“Retail dealer” § 1–101

“State” § 1–101

2–117. PUBLIC STORAGE PERMIT.

(A) ESTABLISHED.

THERE IS A PUBLIC STORAGE PERMIT.

(B) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO OPERATE A WAREHOUSE TO STORE ALCOHOLIC BEVERAGES FOR THE ACCOUNTS OF OTHER PERSONS.

(C) FEE.

THE PERMIT FEE IS \$75.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that a public storage permit exists.

Subsections (b) and (c) of this section are new language derived without substantive change from former Art. 2B, § 2-101(g)(1) and (2), as they related to a public storage permit, and (b)(1)(i)2, as it related to the fee for a public storage permit.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that subsection (b) of this section allows the permit holder to store alcoholic beverages for other "persons". In practice, the Comptroller requires those persons to be license holders.

Defined terms: "Alcoholic beverage" § 1-101
 "Person" § 1-101

2-118. PUBLIC STORAGE AND TRANSPORTATION PERMIT.

(A) ESTABLISHED.

THERE IS A PUBLIC STORAGE AND TRANSPORTATION PERMIT.

(B) SCOPE OF AUTHORIZATION.

(1) THE PERMIT AUTHORIZES THE HOLDER TO OPERATE A WAREHOUSE TO:

(I) STORE ALCOHOLIC BEVERAGES FOR THE ACCOUNTS OF OTHER PERSONS; AND

(II) TRANSPORT ALCOHOLIC BEVERAGES FOR THE ACCOUNTS OF OTHER PERSONS INTO, IN, OR OUT OF THE STATE.

(2) THE PERMIT HOLDER MAY USE THE PERMIT FOR STORAGE OR TRANSPORTATION.

(C) VEHICLE IDENTIFICATION.

(1) THE COMPTROLLER SHALL PROVIDE A MEANS OF IDENTIFICATION FOR EACH VEHICLE AUTHORIZED UNDER THE PERMIT.

(2) THE IDENTIFICATION SHALL BE KEPT IN OR ON THE VEHICLE AT ALL TIMES WHEN THE VEHICLE TRANSPORTS ALCOHOLIC BEVERAGES.

(D) FEES.**(1) THE PERMIT FEE IS \$200.****(2) THE FEE FOR THE VEHICLE IDENTIFICATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION IS \$10 FOR EACH VEHICLE.****(E) TRANSPORTATION PERMIT NOT REQUIRED UNDER CERTAIN CIRCUMSTANCES.****A LICENSE HOLDER OR PERMIT HOLDER IS NOT REQUIRED TO HAVE THE PERMIT TO DELIVER ALCOHOLIC BEVERAGES THAT THE LICENSE HOLDER OR PERMIT HOLDER MAY OTHERWISE ACQUIRE, STORE, SELL, OR USE.**

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that a public storage and transportation permit exists.

Subsections (b) through (e) of this section are new language derived without substantive change from former Art. 2B, § 2-101(g) and (b)(6)(ii) and, as they related to a public storage and transportation permit, (b)(1)(i)3 and (6)(i).

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that a public storage and transportation permit is intended to be an inexpensive and convenient permit for a person that wishes to exercise the privileges for both a public storage permit and a public transportation permit. Yet the fee for a public storage and transportation permit is \$200 — \$50 more than the combined fees of a public storage permit and a public transportation permit. This was the result of 2009 legislation that intended to increase the fee of a bulk transfer permit to \$200 but also inadvertently increased the fee of a public storage and transportation permit to the same amount.

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"License holder" § 1-101

"Person" § 1-101

"State" § 1-101

2-119. PUBLIC TRANSPORTATION PERMIT.**(A) ESTABLISHED.****THERE IS A PUBLIC TRANSPORTATION PERMIT.****(B) SCOPE OF AUTHORIZATION.**

THE PERMIT AUTHORIZES THE HOLDER TO OPERATE A WAREHOUSE TO TRANSPORT ALCOHOLIC BEVERAGES FOR THE ACCOUNTS OF OTHER PERSONS INTO, IN, OR OUT OF THE STATE.

(C) VEHICLE IDENTIFICATION.

(1) THE COMPTROLLER SHALL PROVIDE A MEANS OF IDENTIFICATION FOR EACH VEHICLE AUTHORIZED UNDER THE PERMIT.

(2) THE IDENTIFICATION SHALL BE KEPT IN OR ON THE VEHICLE AT ALL TIMES WHEN THE VEHICLE TRANSPORTS ALCOHOLIC BEVERAGES.

(D) FEES.

(1) THE PERMIT FEE IS \$75.

(2) THE FEE FOR THE VEHICLE IDENTIFICATION REQUIRED UNDER SUBSECTION (C) OF THIS SECTION IS \$10 FOR EACH VEHICLE.

(E) TRANSPORTATION PERMIT NOT REQUIRED UNDER CERTAIN CIRCUMSTANCES.

A LICENSE HOLDER OR PERMIT HOLDER IS NOT REQUIRED TO HAVE THE PERMIT TO DELIVER ALCOHOLIC BEVERAGES THAT THE LICENSE HOLDER OR PERMIT HOLDER MAY OTHERWISE ACQUIRE, STORE, SELL, OR USE.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that a public transportation permit exists.

Subsections (b) through (e) of this section are new language derived without substantive change from former Art. 2B, § 2-101(g) and (b)(6)(ii) and, as they related to a public transportation permit, (1)(i)2 and (6)(i).

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"License holder" § 1-101

"Person" § 1-101

"State" § 1-101

2-120. RESERVED.

2-121. RESERVED.

PART III. IMPORT–EXPORT, DEALER’S, AND SOLICITOR’S PERMITS.**2–122. SCOPE OF PART.**

THIS PART APPLIES STATEWIDE.

REVISOR’S NOTE: This section is new language added for clarity.

2–123. IMPORT–EXPORT PERMIT.**(A) ESTABLISHED.**

THERE IS AN IMPORT–EXPORT PERMIT.

(B) SCOPE OF AUTHORIZATION.

(1) THE PERMIT AUTHORIZES THE HOLDER TO IMPORT ALCOHOLIC BEVERAGES INTO THE STATE FOR STORAGE IN PUBLIC WAREHOUSES FOR SUBSEQUENT SHIPMENT OUTSIDE THE STATE.

(2) THE PERMIT HOLDER MAY NOT IMPORT ALCOHOLIC BEVERAGES INTO THE STATE FOR SALE, CONSIGNMENT, OR DELIVERY TO A PERSON IN THE STATE.

(C) PERMIT NOT REQUIRED.

A PERSON IS NOT REQUIRED TO HAVE THE PERMIT IF THE ALCOHOLIC BEVERAGES ARE:

(1) NOT FOR SALE, CONSIGNMENT, OR DELIVERY TO A PERSON IN THE STATE;

(2) STORED IN A WAREHOUSE SUBJECT TO A PUBLIC BOND; AND

(3) SUBJECT TO A CUSTOMS BOND.

(D) FEE.

THE PERMIT FEE IS \$75.

REVISOR’S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that an import–export permit exists.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 2B, §§ 1–201(h) and 2–101(j) and, as it related to the fee for an import–export permit, (b)(1)(i)2.

Defined terms: “Alcoholic beverage” § 1–101

“Person” § 1–101

“State” § 1–101

2–124. NONRESIDENT DEALER’S PERMIT.

(A) ESTABLISHED.

THERE IS A NONRESIDENT DEALER’S PERMIT.

(B) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO:

(1) A BOTTLER, BREWER, DISTILLER, MANUFACTURER, RECTIFIER, VINTNER, OR WINERY;

(2) A SALES AGENT OF A PERSON DESCRIBED IN ITEM (1) OF THIS SUBSECTION, ON PRESENTATION OF PROOF OF THE SALES AGENCY RELATIONSHIP TO THE COMPTROLLER;

(3) AN IMPORTER OF BEER, WINE, OR DISTILLED SPIRITS PRODUCED OUTSIDE THE UNITED STATES THAT PURCHASES DIRECTLY FROM THE BRAND OWNER OR FROM A SALES AGENT OF A PERSON DESCRIBED IN ITEM (1) OF THIS SUBSECTION THAT:

(I) IS AUTHORIZED BY THE BRAND OWNER TO SELL IN THE STATE; AND

(II) PROVIDES PROOF OF THE SALES AGENCY RELATIONSHIP TO THE COMPTROLLER; OR

(4) AN AMERICAN SALES AGENT OF AN IMPORTER DESCRIBED IN ITEM (3) OF THIS SUBSECTION, ON PRESENTATION OF PROOF OF THE SALES AGENCY RELATIONSHIP TO THE COMPTROLLER.

(C) PERSONS INELIGIBLE FOR PERMIT.

THE COMPTROLLER MAY NOT ISSUE THE PERMIT TO A PERSON THAT:

- (1) IS A HOLDER OF A WHOLESALER'S LICENSE OR RETAIL LICENSE;
 - (2) HAS AN INTEREST IN A WHOLESALER LICENSED UNDER THIS ARTICLE; OR
 - (3) HAS AN INTEREST IN ANY RETAIL LICENSE HOLDER.
- (D) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO SELL BEER, WINE, OR DISTILLED SPIRITS TO LICENSE HOLDERS AUTHORIZED TO RECEIVE THE BEVERAGES.

- (E) SALES, CONSIGNMENTS, OR DELIVERIES FROM OUTSIDE THE STATE.

THE PERMIT HOLDER MAY SELL, CONSIGN, OR DELIVER FROM A LOCATION OUTSIDE THE STATE TO A PERSON IN THE STATE THAT IS AUTHORIZED TO RECEIVE THEM THOSE BEERS, WINES, OR DISTILLED SPIRITS THAT THE PERMIT HOLDER:

- (1) BOTTLES, DISTILLS, IMPORTS, MANUFACTURES, PRODUCES, OR RECTIFIES FROM OUTSIDE THE UNITED STATES; OR
 - (2) REPRESENTS AS THE DESIGNATED SALES AGENT.
- (F) DISCRIMINATION IN PRICE PROHIBITED.

A PERSON WHO IS A BOTTLER, A BREWER, A DISTILLER, AN IMPORTER, A MANUFACTURER, A RECTIFIER, A VINTNER, OR A WINERY OR THE DESIGNATED AGENT OF THE PERSON MAY NOT DISCRIMINATE DIRECTLY OR INDIRECTLY IN PRICE BETWEEN LICENSE HOLDERS.

- (G) SALES, CONSIGNMENT, AND DELIVERY ALLOWED UNTIL APPOINTMENT OF NEW FRANCHISEE.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, THE PERMIT HOLDER MAY CONTINUE TO SELL, CONSIGN, OR DELIVER A BRAND OF BEER IN THE STATE FROM OUTSIDE THE STATE:

- (1) TO A PERSON IN THE STATE WHO MAY RECEIVE THE BEER UNDER THIS ARTICLE; AND
- (2) UNTIL THE PERSON WHO IS THE BREWER OR IMPORTER OF THAT BRAND OF BEER OR THE PERSON'S DESIGNATED SALES AGENT PREEMPTS THE

SALES TERRITORY BY APPOINTING A FRANCHISE LICENSE HOLDER IN ACCORDANCE WITH THE BEER FRANCHISE FAIR DEALING ACT UNDER TITLE 5, SUBTITLE 1 OF THIS ARTICLE.

(H) DIRECT SALES AND SHIPMENTS NOT REQUIRED.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS SUBTITLE, A PERMIT IS NOT REQUIRED TO MAKE DIRECT SALES AND SHIPMENTS TO A WHOLESALER IN THE STATE FROM A LOCATION OUTSIDE THE CONTINENTAL LIMITS AND POSSESSIONS OF THE UNITED STATES.

(I) FEE.

THE PERMIT FEE IS \$200.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-101(i)(1) through (5) and, as it related to the fee for a nonresident dealer's permit, (b)(1)(i)3.

In subsection (b)(3) of this section, the reference to distilled "spirits" is substituted for the former reference to distilled "beverages" to conform to the terminology used throughout this subtitle.

In subsection (c)(1) of this section, the reference to "a" wholesaler's license or retail license is substituted for the former reference to a wholesaler's or retail license "of any class" for brevity and clarity.

In the introductory language of subsection (g) of this section, the former reference to beer "presently being sold, consigned, or delivered" by a permit holder is deleted as obsolete.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the language of subsection (h) of this section does not include Hawaii.

Defined terms: "Alcoholic beverage" § 1-101

"Beer" § 1-101

"Comptroller" § 1-101

"License holder" § 1-101

"Person" § 1-101

"State" § 1-101

"Wholesaler" § 1-101

"Wholesaler's license" § 1-101

"Wine" § 1-101

2-125. RESIDENT DEALER'S PERMIT.**(A) ESTABLISHED.**

THERE IS A RESIDENT DEALER'S PERMIT.

(B) AUTHORIZED HOLDER.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COMPTROLLER MAY ISSUE THE PERMIT TO:

(I) AN IMPORTER OF BEER, WINE, OR DISTILLED SPIRITS PRODUCED OUTSIDE THE UNITED STATES THAT:

1. PURCHASES DIRECTLY FROM THE BRAND OWNER OR FROM A SALES AGENT OF A BOTTLER, BREWER, DISTILLER, MANUFACTURER, RECTIFIER, VINTNER, OR WINERY;

2. IS AUTHORIZED BY THE BRAND OWNER TO SELL IN THE STATE; AND

3. PROVIDES PROOF OF THE SALES AGENCY RELATIONSHIP TO THE COMPTROLLER; OR

(II) AN AMERICAN SALES AGENT OF AN IMPORTER UNDER ITEM (I) OF THIS PARAGRAPH, ON PRESENTATION OF PROOF OF THE SALES AGENCY RELATIONSHIP TO THE COMPTROLLER.

(2) AN INDIVIDUAL APPLICANT, AN APPLICANT QUALIFYING AS A RESIDENT APPLICANT FOR A CORPORATION, OR EACH APPLICANT FOR A PARTNERSHIP IS NOT ELIGIBLE FOR THE PERMIT UNLESS THE INDIVIDUAL HAS BEEN A RESIDENT OF THE STATE FOR AT LEAST 2 YEARS IMMEDIATELY BEFORE APPLYING FOR THE PERMIT.

(C) PERSONS INELIGIBLE FOR PERMIT.

THE COMPTROLLER MAY NOT ISSUE THE PERMIT TO A PERSON THAT:

(1) IS A HOLDER OF A WHOLESALER'S LICENSE OR RETAIL LICENSE;

(2) HAS AN INTEREST IN A WHOLESALER LICENSED UNDER THIS ARTICLE; OR

(3) HAS AN INTEREST IN ANY RETAIL LICENSE HOLDER.

(D) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO SELL ALCOHOLIC BEVERAGES TO:

(1) A HOLDER OF A WHOLESALER'S LICENSE; OR

(2) A PERSON OUTSIDE THE STATE THAT THE COMPTROLLER AUTHORIZES TO ACQUIRE THE ALCOHOLIC BEVERAGES.

(E) WAREHOUSE OWNERSHIP PROHIBITED.

THE PERMIT HOLDER MAY NOT OWN OR OPERATE A WAREHOUSE IN THE STATE.

(F) FEE.

THE PERMIT FEE IS \$200.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that a resident dealer's permit exists.

Subsections (b) through (f) of this section are new language derived without substantive change from former Art. 2B, § 2-101(v) and, as it related to the fee for a resident dealer's permit, (b)(1)(i)3.

In subsection (c)(1) of this section, the reference to "a" wholesaler's license or retail license is substituted for the former reference to a wholesaler or retailer license "of any class" for brevity and clarity.

In subsection (d)(1) of this section, the former reference to holding a wholesaler's license "under this article in the State" is deleted as surplusage.

Defined terms: "Alcoholic beverage" § 1-101

"Beer" § 1-101

"Comptroller" § 1-101

"License holder" § 1-101

"Person" § 1-101

"State" § 1-101

"Wholesaler" § 1-101

"Wholesaler's license" § 1-101

"Wine" § 1-101

2-126. SOLICITOR'S PERMIT.**(A) ESTABLISHED.**

THERE IS A SOLICITOR'S PERMIT.

(B) HOLDER MAY BE RESIDENT OR NONRESIDENT OF STATE.

THE PERMIT HOLDER MAY BE A RESIDENT OR A NONRESIDENT OF THE STATE.

(C) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO PROMOTE, SELL, OR OFFER FOR SALE BEER, WINE, OR DISTILLED SPIRITS TO HOLDERS OF MANUFACTURER'S, WHOLESALER'S, OR RETAIL LICENSES.

(D) PROHIBITED ACTS.**(1) THE PERMIT HOLDER:**

(I) MAY NOT CONTACT CONSUMERS; AND

(II) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, MAY NOT SELL, PROMOTE, OR OFFER FOR SALE ALCOHOLIC BEVERAGES TO RETAIL DEALERS, IF EMPLOYED BY A RESIDENT DEALER OR A NONRESIDENT DEALER.

(2) THE PROHIBITION UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION DOES NOT APPLY IF THE ACCOUNT IS FOR A STATE WHOLESALER OR MANUFACTURER THAT IS A DISTRIBUTOR FOR THE PRODUCTS OF THE EMPLOYER OF THE PERMIT HOLDER.

(E) FEE.

THE PERMIT FEE IS \$50.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-101(k) and, as it related to the fee for a solicitor's permit, (b)(1)(i)1.

In subsection (b) of this section, the former reference to the permit being issued "in the discretion of the Office of the Comptroller" is deleted as surplusage.

In subsection (d)(2) of this section, the reference to the employer of the “permit holder” is substituted for the former reference to the employer of the “nonresident person or resident person holding such a permit” for brevity.

Defined terms: “Alcoholic beverage” § 1–101

“Beer” § 1–101

“Manufacturer’s license” § 1–101

“Retail dealer” § 1–101

“State” § 1–101

“Wholesaler” § 1–101

“Wholesaler’s license” § 1–101

“Wine” § 1–101

2–127. RESERVED.

2–128. RESERVED.

PART IV. BEER AND WINE PERMITS.

2–129. SCOPE OF PART.

THIS PART APPLIES STATEWIDE.

REVISOR’S NOTE: This section is new language added for clarity.

2–130. BREWING COMPANY OFF–SITE PERMIT.

(A) “LIMITED PERMIT HOLDER” DEFINED.

IN THIS SECTION, “LIMITED PERMIT HOLDER” MEANS A PERSON WHO HOLDS A BREWING COMPANY OFF–SITE PERMIT AND ALSO HOLDS A MANUFACTURER’S LICENSE FOR:

(1) A CLASS 5 BREWERY THAT PRODUCES LESS THAN 3,000 BARRELS A YEAR;

(2) A CLASS 7 MICRO–BREWERY THAT PRODUCES LESS THAN 3,000 BARRELS A YEAR; OR

(3) A CLASS 8 FARM BREWERY.

(B) ESTABLISHED.

THERE IS A BREWING COMPANY OFF–SITE PERMIT.

(C) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO:

- (1) A CLASS 5 BREWERY;**
- (2) A CLASS 7 MICRO-BREWERY; OR**
- (3) A CLASS 8 FARM BREWERY.**

(D) SCOPE OF AUTHORIZATION.

DURING AN EVENT LISTED IN SUBSECTION (F) OF THIS SECTION, A LIMITED PERMIT HOLDER MAY:

(1) PROVIDE TO A CONSUMER A SAMPLE OF BEER THAT HAS BEEN PRODUCED BY THE LIMITED PERMIT HOLDER AND THAT MAY NOT EXCEED 1 FLUID OUNCE FOR EACH OFFERING;

(2) SELL TO A CONSUMER UP TO 288 OUNCES OF BEER THAT HAS BEEN PRODUCED BY THE LIMITED PERMIT HOLDER FOR OFF-PREMISES CONSUMPTION; AND

(3) EXCEPT FOR FARMERS' MARKETS LISTED IN SUBSECTION (F) OF THIS SECTION, SELL TO A CONSUMER UP TO 288 OUNCES OF BEER THAT IS PRODUCED BY THE LIMITED PERMIT HOLDER FOR ON- AND OFF-PREMISES CONSUMPTION.

(E) ALCOHOL AWARENESS PROGRAM AGENT.

WHILE SELLING BEER OR PROVIDING SAMPLES OF BEER AT A FARMERS' MARKET AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, A LIMITED PERMIT HOLDER SHALL HAVE AN AGENT PRESENT WHO IS CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM.

(F) EVENTS ELIGIBLE FOR PERMIT.

EXCEPT AS OTHERWISE AUTHORIZED UNDER SUBSECTION (G) OF THIS SECTION, A LIMITED PERMIT HOLDER MAY USE THE BREWING COMPANY OFF-SITE PERMIT ONLY:

- (1) AT THE MONTGOMERY COUNTY AGRICULTURAL FAIR;**

(2) AT THE MARYLAND STATE AGRICULTURAL FAIR;

(3) AT THE FREDERICK COUNTY AGRICULTURAL FAIR;

(4) ONE NIGHT EACH WEEK FROM JUNE THROUGH NOVEMBER AT THE NORTH BEACH FRIDAY NIGHT FARMERS' MARKET;

(5) FOR UP TO SEVEN EVENTS, AT AN EVENT THAT HAS AS ITS MAJOR PURPOSE AN ACTIVITY:

(I) THAT IS OTHER THAN THE SALE AND PROMOTION OF ALCOHOLIC BEVERAGES; AND

(II) FOR WHICH THE PARTICIPATION OF A BREWING COMPANY IS A SUBORDINATE ACTIVITY; AND

(6) AT OTHER FARMERS' MARKETS THAT ARE LISTED ON THE FARMERS' MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE.

(G) NONPROFIT BEER FESTIVAL.

A PERSON THAT HOLDS A BREWING COMPANY OFF-SITE PERMIT MAY USE THE PERMIT AT A NONPROFIT BEER FESTIVAL THAT:

(I) HAS AS ITS PRIMARY PURPOSE THE PROMOTION OF MARYLAND BEER; AND

(II) IS AUTHORIZED BY A LOCAL LICENSING BOARD UNDER § 2-131 OF THIS SUBTITLE.

(H) NOTICE.

(1) NO LATER THAN THE 20TH DAY OF THE MONTH PRECEDING THE OFF-SITE EVENT, THE PERMIT HOLDER SHALL NOTIFY THE COMPTROLLER OF THE PERMIT HOLDER'S INTENTION TO ATTEND AN OFF-SITE EVENT.

(2) THE NOTICE SHALL BE ON A FORM THAT THE COMPTROLLER PROVIDES.

(I) TERM OF PERMIT.

THE PERMIT IS VALID FOR 1 YEAR.

(J) FILING OF APPLICATION.

AN APPLICANT SHALL SUBMIT AN APPLICATION FOR THE PERMIT TO THE COMPTROLLER ON A FORM THAT THE COMPTROLLER PROVIDES.

(K) FEE.

THE PERMIT FEE IS \$100.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2–105(a) through (j) and 2–101(b)(1)(i)9.

In subsections (d)(1) and (e) of this section, the references to a sample “of beer” is added for clarity.

In subsection (d)(1) of this section, the reference to “offering” is substituted for the former reference to “brand” for clarity.

In subsection (j) of this section, the former reference to a “completed” application is deleted as surplusage.

Former Art. 2B, § 2–105(k), which stated that the Comptroller may adopt regulations to require a permit holder to notify the board of license commissioners of the permit holder’s intention to attend an off-site event, is deleted as unnecessary in light of § 1–302 of this article which authorizes the Comptroller to adopt regulations.

Defined terms: “Alcoholic beverage” § 1–101

“Beer” § 1–101

“Comptroller” § 1–101

“Consumer” § 1–101

“Local licensing board” § 1–101

“Person” § 1–101

2–131. NONPROFIT BEER FESTIVAL PERMIT.

(A) ESTABLISHED.

THERE IS A NONPROFIT BEER FESTIVAL PERMIT.

(B) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO A NONPROFIT ORGANIZATION, AS DEFINED BY § 501(C)(3) OF THE INTERNAL REVENUE CODE, THAT MEETS THE REQUIREMENTS OF THIS SECTION.

(C) SCOPE OF AUTHORIZATION.

(1) THE PERMIT AUTHORIZES THE PERMIT HOLDER TO:

(I) CONDUCT A NONPROFIT BEER FESTIVAL FOR AT LEAST 1 DAY AND NOT MORE THAN 3 CONSECUTIVE DAYS; AND

(II) PURCHASE BEER AT WHOLESALE TO:

1. PROVIDE TO A CONSUMER A SAMPLE THAT MAY NOT EXCEED 1 FLUID OUNCE FOR EACH OFFERING; AND

2. SELL TO A CONSUMER BEER FOR ON- AND OFF-PREMISES CONSUMPTION.

(2) THE PERMIT HOLDER SHALL PROVIDE SPACE AT A NONPROFIT BEER FESTIVAL FOR HOLDERS OF BREWING COMPANY OFF-SITE PERMITS.

(3) A HOLDER OF A BREWING COMPANY OFF-SITE PERMIT THAT ATTENDS A NONPROFIT BEER FESTIVAL MAY PROVIDE BEER TO A CONSUMER IN THE SAME MANNER AS THE HOLDER OF THE NONPROFIT BEER FESTIVAL PERMIT.

(4) THE PERMIT HOLDER MAY PROVIDE OR SELL AT THE NONPROFIT BEER FESTIVAL ONLY ALCOHOLIC BEVERAGES PROVIDED BY THE PERMIT HOLDER OR A HOLDER OF A BREWING COMPANY OFF-SITE PERMIT THAT IS IN ATTENDANCE.

(D) ALCOHOL AWARENESS PROGRAM AGENTS.

AT ALL TIMES DURING THE NONPROFIT BEER FESTIVAL, THE PERMIT HOLDER SHALL HAVE PRESENT AT LEAST TWO AGENTS, ONE OF WHOM MAY BE THE PERMIT HOLDER, WHO ARE CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM.

(E) FILING OF APPLICATION.

(1) NOT LESS THAN 30 DAYS BEFORE THE NONPROFIT BEER FESTIVAL, A PERSON SHALL SUBMIT AN APPLICATION TO THE LOCAL LICENSING BOARD.

(2) THE APPLICATION SHALL:

(I) BE ON A FORM THAT THE COMPTROLLER PROVIDES;

(II) STATE THAT THE PRIMARY PURPOSE OF THE NONPROFIT BEER FESTIVAL IS TO PROMOTE MARYLAND BEER;

(III) PROVIDE DETAILS OF THE NONPROFIT BEER FESTIVAL, INCLUDING THE LOCATION, DATES, AND TIMES OF OPERATION; AND

(IV) INCLUDE APPROPRIATE EVIDENCE THAT THE APPLICANT HAS BEEN GIVEN PERMISSION BY THE OWNER OF THE PROPERTY WHERE THE NONPROFIT BEER FESTIVAL IS TO BE HELD.

(F) LIST OF PERMIT HOLDERS.

NOT LESS THAN 15 DAYS BEFORE THE NONPROFIT BEER FESTIVAL, THE PERMIT HOLDER SHALL PROVIDE THE LOCAL LICENSING BOARD WITH A LIST OF BREWING COMPANY OFF-SITE PERMIT HOLDERS THAT WILL ATTEND.

(G) FEE.

THE PERMIT FEE IS \$100.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-106.

In subsection (e)(1) of this section, the reference to the "nonprofit beer festival" is substituted for the former reference to the "proposed event" for clarity.

Also in subsection (e)(1) of this section, the former reference to the "completed" application is deleted as surplusage.

Defined terms: "Alcoholic beverage" § 1-101

"Beer" § 1-101

"Comptroller" § 1-101

"Consumer" § 1-101

"Local licensing board" § 1-101

"Person" § 1-101

2-132. NONRESIDENT BREWERY PERMIT.

(A) ESTABLISHED.

THERE IS A NONRESIDENT BREWERY PERMIT.

(B) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO A PERSON THAT:

(1) IS LICENSED OUTSIDE THE STATE TO ENGAGE IN THE MANUFACTURE OF BEER;

(2) PRODUCES IN THE AGGREGATE FROM ALL OF ITS LOCATIONS NOT MORE THAN 22,500 BARRELS OF BEER ANNUALLY; AND

(3) DOES NOT HOLD A NONRESIDENT DEALER'S PERMIT.

(C) SCOPE OF AUTHORIZATION.

(1) THE PERMIT AUTHORIZES THE PERMIT HOLDER TO SELL AND DELIVER NOT MORE THAN 3,000 BARRELS OF THE PERMIT HOLDER'S OWN BEER ANNUALLY FROM A LOCATION OUTSIDE THE STATE TO A RETAIL LICENSE HOLDER OR PERMIT HOLDER IN THE STATE AUTHORIZED TO ACQUIRE THE BEER.

(2) THE PERMIT HOLDER SHALL COMPLY WITH ALL THE REQUIREMENTS OF THIS ARTICLE, THE TAX - GENERAL ARTICLE, AND THE REGULATIONS OF THE COMPTROLLER THAT APPLY TO A HOLDER OF A CLASS 7 LIMITED BEER WHOLESALER'S LICENSE.

(D) FEE.

THE ANNUAL PERMIT FEE IS \$50.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-101(x).

Subsection (a) of this section is revised in standard language used throughout this article to establish a permit.

In the introductory language of subsection (b) and in subsection (c)(2) of this section, the former references to the "Office of the" Comptroller are deleted as surplusage.

Defined terms: "Beer" § 1-101

"Comptroller" § 1-101

"License holder" § 1-101

"Person" § 1-101

"State" § 1-101

2-133. WINERY OFF-SITE PERMIT.**(A) ESTABLISHED.**

THERE IS A WINERY OFF-SITE PERMIT.

(B) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO A CLASS 4 LIMITED WINERY THAT MEETS THE REQUIREMENTS OF THIS SECTION.

(C) SCOPE OF AUTHORIZATION.

DURING AN EVENT LISTED IN SUBSECTION (E) OF THIS SECTION, THE PERMIT HOLDER MAY:

(1) PROVIDE TO A CONSUMER A SAMPLE OF WINE THAT:

(I) HAS BEEN PRODUCED BY THE PERMIT HOLDER; AND

(II) DOES NOT EXCEED 1 FLUID OUNCE FOR EACH OFFERING;

(2) SELL TO A CONSUMER WINE THAT HAS BEEN PRODUCED BY THE PERMIT HOLDER FOR OFF-PREMISES CONSUMPTION; AND

(3) EXCEPT FOR A FARMERS' MARKET LISTED IN SUBSECTION (E) OF THIS SECTION, SELL TO A CONSUMER WINE THAT IS PRODUCED BY THE PERMIT HOLDER FOR ON- AND OFF-PREMISES CONSUMPTION.

(D) ALCOHOL AWARENESS PROGRAM AGENT.

WHILE SELLING WINE OR PROVIDING SAMPLES OF WINE AT A FARMERS' MARKET AS PROVIDED IN SUBSECTION (E)(4) OF THIS SECTION, THE PERMIT HOLDER SHALL HAVE AN AGENT PRESENT WHO IS CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM.

(E) EVENTS ELIGIBLE FOR PERMIT.

THE PERMIT MAY BE USED ONLY:

(1) AT THE MONTGOMERY COUNTY AGRICULTURAL FAIR;

(2) 1 NIGHT EACH WEEK FROM JUNE THROUGH NOVEMBER AT THE NORTH BEACH FRIDAY NIGHT FARMERS' MARKET;

(3) AT AN EVENT THAT HAS AS ITS MAJOR PURPOSE AN ACTIVITY:

(I) THAT IS OTHER THAN THE SALE AND PROMOTION OF ALCOHOLIC BEVERAGES; AND

(II) FOR WHICH THE PARTICIPATION OF A WINERY IS A SUBORDINATE ACTIVITY;

(4) AT A FARMERS' MARKET THAT IS LISTED ON THE FARMERS' MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE; AND

(5) AT A WINE FESTIVAL THAT:

(I) HAS AS ITS PRIMARY PURPOSE THE PROMOTION OF MARYLAND WINE; AND

(II) IS AUTHORIZED BY THE COMPTROLLER UNDER § 2-134 OF THIS SUBTITLE.

(F) PARTICIPATION LIMITS AT EVENTS.

EACH CALENDAR YEAR, A PERMIT HOLDER MAY PARTICIPATE IN NO MORE THAN:

(1) 32 EVENTS DESCRIBED IN SUBSECTION (E)(3) OF THIS SECTION OR WINE FESTIVALS DESCRIBED IN § 2-134 OF THIS SUBTITLE STATEWIDE; AND

(2) NINE EVENTS AT ANY SINGLE VENUE.

(G) NOTICE.

(1) (I) THE PERMIT HOLDER SHALL NOTIFY THE COMPTROLLER OF THE PERMIT HOLDER'S INTENTION TO ATTEND AN OFF-SITE EVENT WITHIN A TIME PERIOD THAT THE COMPTROLLER DETERMINES.

(II) THE NOTICE SHALL BE ON A FORM THAT THE COMPTROLLER PROVIDES.

(2) THE COMPTROLLER MAY ADOPT REGULATIONS TO REQUIRE THE PERMIT HOLDER TO NOTIFY THE BOARD OF LICENSE COMMISSIONERS IN THE

COUNTY WHERE THE EVENT IS BEING HELD OF THE PERMIT HOLDER'S INTENTION TO ATTEND AN OFF-SITE EVENT.

(H) TERM OF PERMIT.

THE PERMIT IS VALID FOR 1 YEAR.

(I) FILING OF APPLICATION.

A PERSON SHALL SUBMIT THE APPLICATION FOR THE PERMIT TO THE COMPTROLLER ON A FORM THE COMPTROLLER PROVIDES.

(J) FEE.

THE PERMIT FEE IS \$100.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2-102, 2-104, and 2-101(b)(1)(i)7.

In subsections (c)(1) and (d) of this section, the references to a sample "of wine" are added for clarity.

In subsection (c)(1)(ii) of this section, the reference to each "offering" is substituted for the former reference to each "brand" for clarity.

In subsection (i) of this section, the former reference to a "completed" application is deleted as surplusage.

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"Consumer" § 1-101

"County" § 1-101

"Person" § 1-101

"Wine" § 1-101

2-134. WINE FESTIVAL PERMIT.

(A) ESTABLISHED.

THERE IS A WINE FESTIVAL PERMIT.

(B) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO A NONPROFIT ORGANIZATION, AS DEFINED BY § 501(C) OF THE INTERNAL REVENUE CODE, THAT MEETS THE REQUIREMENTS OF THIS SECTION.

(C) SCOPE OF AUTHORIZATION.

(1) THE PERMIT AUTHORIZES THE PERMIT HOLDER TO:

(I) CONDUCT A WINE FESTIVAL FOR AT LEAST 1 DAY BUT NOT MORE THAN 3 CONSECUTIVE DAYS; AND

(II) PURCHASE WINE AT WHOLESALE TO:

1. PROVIDE TO A CONSUMER A SAMPLE THAT DOES NOT EXCEED 1 FLUID OUNCE FOR EACH OFFERING; AND

2. SELL TO A CONSUMER WINE FOR ON- AND OFF-PREMISES CONSUMPTION.

(2) THE PERMIT HOLDER SHALL PROVIDE SPACE AT A WINE FESTIVAL FOR HOLDERS OF WINERY OFF-SITE PERMITS.

(3) A HOLDER OF A WINERY OFF-SITE PERMIT THAT ATTENDS A WINE FESTIVAL MAY PROVIDE WINE TO A CONSUMER IN THE SAME MANNER AS THE HOLDER OF THE WINE FESTIVAL PERMIT.

(4) THE PERMIT HOLDER MAY PROVIDE OR SELL AT THE WINE FESTIVAL ONLY ALCOHOLIC BEVERAGES PROVIDED BY THE PERMIT HOLDER OR A HOLDER OF A WINERY OFF-SITE PERMIT THAT IS IN ATTENDANCE.

(D) ALCOHOL AWARENESS PROGRAM AGENTS.

AT ALL TIMES DURING THE WINE FESTIVAL, THE PERMIT HOLDER SHALL HAVE PRESENT AT LEAST TWO AGENTS, ONE OF WHOM MAY BE THE PERMIT HOLDER, WHO ARE CERTIFIED BY AN APPROVED ALCOHOL AWARENESS PROGRAM.

(E) FILING OF APPLICATION.

(1) NOT LESS THAN 30 DAYS BEFORE THE WINE FESTIVAL, A PERSON SHALL SUBMIT AN APPLICATION FOR THE PERMIT TO THE COMPTROLLER.

(2) THE APPLICATION SHALL:

(I) BE ON A FORM THAT THE COMPTROLLER PROVIDES;

(II) STATE THAT THE PRIMARY PURPOSE OF THE WINE FESTIVAL IS TO PROMOTE MARYLAND WINE;

(III) PROVIDE DETAILS OF THE WINE FESTIVAL, INCLUDING THE LOCATION, DATES, AND TIMES OF OPERATION; AND

(IV) INCLUDE APPROPRIATE EVIDENCE THAT THE APPLICANT HAS BEEN GIVEN PERMISSION BY THE OWNER OF THE PROPERTY WHERE THE WINE FESTIVAL IS TO BE HELD.

(F) LIST OF PERMIT HOLDERS.

NOT LESS THAN 15 DAYS BEFORE THE WINE FESTIVAL, THE PERMIT HOLDER SHALL PROVIDE THE COMPTROLLER WITH A LIST OF WINERY OFF-SITE PERMIT HOLDERS THAT WILL ATTEND.

(G) FEE.

THE PERMIT FEE IS \$100.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2-103 and 2-101(b)(1)(i)8.

In subsection (c)(1)(ii) of this section, the reference to each "offering" is substituted for the former reference to each "brand" for clarity.

In subsection (e)(1) of this section, the reference to the "wine festival" is substituted for the former reference to the "proposed event" for clarity.

Also in subsection (e)(1) of this section, the former reference to the "completed" application is deleted as surplusage.

In subsection (e)(2)(iv) of this section, the former reference to the property "in which the wine festival may be held" is deleted as surplusage.

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"Consumer" § 1-101

"Person" § 1-101

"Wine" § 1-101

2-135. NONRESIDENT WINERY PERMIT.

(A) ESTABLISHED.

THERE IS A NONRESIDENT WINERY PERMIT.

(B) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO A PERSON THAT:

(1) IS LICENSED OUTSIDE THE STATE TO ENGAGE IN THE MANUFACTURE OF WINE;

(2) PRODUCES NOT MORE THAN 27,500 GALLONS OF ITS OWN WINE ANNUALLY; AND

(3) DOES NOT HOLD A NONRESIDENT DEALER'S PERMIT UNDER § 2-124 OF THIS SUBTITLE.

(C) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO SELL AND DELIVER ITS OWN WINE FROM A LOCATION OUTSIDE THE STATE TO A HOLDER OF A PERMIT OR RETAIL LICENSE IN THE STATE AUTHORIZED TO ACQUIRE THE WINE.

(D) COMPLIANCE WITH STATE LAW.

THE PERMIT HOLDER SHALL COMPLY WITH REQUIREMENTS THAT APPLY TO A HOLDER OF A CLASS 6 LIMITED WINE WHOLESALER'S LICENSE UNDER:

(1) THIS ARTICLE;

(2) THE TAX – GENERAL ARTICLE; AND

(3) THE REGULATIONS OF THE COMPTROLLER.

(E) FEE.

THE PERMIT FEE IS \$50.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-101(u) and, as it related to the fee for a nonresident winery permit, (b)(1)(i)1.

In subsection (b)(3) of this section, the reference to a nonresident dealer's permit "under § 2-125 of this subtitle" is added for clarity.

Defined terms: “Comptroller” § 1–101
“Permit holder” § 1–101
“Person” § 1–101
“State” § 1–101
“Wholesaler’s license” § 1–101
“Wine” § 1–101

2–136. FARMERS’ MARKET PERMIT.

(A) ESTABLISHED.

THERE IS A FARMERS’ MARKET PERMIT.

(B) AUTHORIZED HOLDER.

(1) THE COMPTROLLER MAY ISSUE THE PERMIT TO A HOLDER OF A LICENSE:

(I) OTHER THAN A CLASS 4 LIMITED WINERY LICENSE, THAT ALLOWS THE LICENSE HOLDER TO SELL ALCOHOLIC BEVERAGES TO THE PUBLIC FOR OFF–PREMISES CONSUMPTION; AND

(II) THAT WAS ISSUED BY THE LOCAL LICENSING BOARD OF THE JURISDICTION IN WHICH THE FARMERS’ MARKET WILL BE HELD.

(2) THE HOLDER OF A PERMIT SHALL NOTIFY THE LOCAL LICENSING BOARD OF THE JURISDICTION IN WHICH THE FARMERS’ MARKET WILL BE HELD THAT THE PERMIT HAS BEEN ISSUED.

(C) SCOPE OF AUTHORIZATION.

(1) A PERMIT MAY BE USED ONLY:

(I) AT A FARMERS’ MARKET THAT IS LISTED IN THE FARMERS’ MARKET DIRECTORY OF THE MARYLAND DEPARTMENT OF AGRICULTURE;

(II) AT THE FARMERS’ MARKET NAMED IN THE PERMIT; AND

(III) DURING THE HOURS OF OPERATION OF THE FARMERS’ MARKET FOR WHICH IT IS OBTAINED.

(2) A PERMIT AUTHORIZES THE HOLDER TO:

(I) OCCUPY STALL SPACE AT A FARMERS' MARKET; AND

(II) SUBJECT TO SUBSECTION (E) OF THIS SUBSECTION:

1. OFFER AND SELL SEALED CONTAINERS OF WINE TO CONSUMERS FOR CONSUMPTION OFF THE LICENSED PREMISES OF THE FARMERS' MARKET; AND

2. PROVIDE AT NO CHARGE SAMPLES OF WINE NOT TO EXCEED 1 FLUID OUNCE FOR EACH OFFERING TO CONSUMERS FOR CONSUMPTION ON THE LICENSED PREMISES OF THE FARMERS' MARKET.

(D) LIMIT OF ONE PERMIT FOR EACH FARMERS' MARKET.

THE COMPTROLLER MAY ISSUE NOT MORE THAN ONE PERMIT FOR USE AT EACH FARMERS' MARKET.

(E) ALL WINE TO BE PRODUCT OF CLASS 4 LIMITED WINERY.

ALL WINE OFFERED FOR SALE OR SAMPLINGS BY THE PERMIT HOLDER SHALL BE THE PRODUCT OF A CLASS 4 LIMITED WINERY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-101(y)(2) through (7).

In subsection (c)(2)(ii)2 of this section, the reference to "each offering" is substituted for the former reference to "per brand" to conform to the terminology used throughout this article.

Former Art. 2B, § 2-101(y)(1), which defined "permit" to mean a farmers' market permit, is deleted as surplusage.

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"License holder" § 1-101

"Local licensing board" § 1-101

"Wine" § 1-101

2-137. CHARITY WINE AUCTION PERMIT.

(A) "CHARITABLE ORGANIZATION" DEFINED.

(1) IN THIS SECTION, "CHARITABLE ORGANIZATION" MEANS AN ORGANIZATION THAT:

(I) IS A BENEVOLENT, EDUCATIONAL, PHILANTHROPIC, HUMANE, PATRIOTIC, RELIGIOUS, OR ELEEMOSYNARY ORGANIZATION THAT SOLICITS OR OBTAINS CONTRIBUTIONS SOLICITED FROM THE PUBLIC FOR CHARITABLE OR BENEVOLENT PURPOSES; AND

(II) IS REGISTERED WITH THE SECRETARY OF STATE IN ACCORDANCE WITH TITLE 6, SUBTITLE 4 OF THE BUSINESS REGULATION ARTICLE.

(2) “CHARITABLE ORGANIZATION” INCLUDES AN OFFICE, A BRANCH, A CHAPTER, OR A SIMILAR AFFILIATED ENTITY THAT HAS ITS PRINCIPAL PLACE OF BUSINESS OUTSIDE THE STATE.

(3) “CHARITABLE ORGANIZATION” DOES NOT INCLUDE:

(I) A POLITICAL PARTY, POLITICAL COMMITTEE, OR POLITICAL CLUB;

(II) A UNIT OF THE STATE GOVERNMENT OR A POLITICAL SUBDIVISION OF THE STATE;

(III) A FRATERNAL ORGANIZATION;

(IV) A FIRE COMPANY;

(V) A RESCUE OR AMBULANCE SQUAD; OR

(VI) A POLICE FORCE OR OTHER LAW ENFORCEMENT ORGANIZATION.

(B) ESTABLISHED.

THERE IS A CHARITY WINE AUCTION PERMIT.

(C) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO A CHARITABLE ORGANIZATION.

(D) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO SELL WINE AT PUBLIC OR PRIVATE AUCTION TO A CONSUMER THROUGH THE SOLICITATION AND ACCEPTANCE OF BIDS.

(E) TERM OF PERMIT.

THE PERMIT IS VALID FOR 1 DAY.

(F) PREMISES ALLOWED.

THE PERMIT MAY BE GRANTED FOR:

- (1) AN UNLICENSED PREMISES; OR**
- (2) A CLASS B, CLASS C, OR CLASS B-D-7 LICENSED PREMISES.**

(G) LIMITATIONS.

(1) A CHARITABLE ORGANIZATION MAY BE ISSUED NOT MORE THAN ONE PERMIT DURING A CALENDAR YEAR.

(2) A PERMIT ALLOWS THE HOLDER TO CONDUCT ONE AUCTION OF WINE DURING A CALENDAR YEAR.

(H) WINE FOR AUCTION.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE PERMIT HOLDER MAY RECEIVE WINE FOR THE AUCTION FROM:

- (I) A HOLDER OF A WHOLESALER'S LICENSE;**
- (II) A CLASS 3 OR CLASS 4 WINERY;**
- (III) A RETAIL DEALER;**
- (IV) AN INDIVIDUAL RESIDING IN THE STATE; OR**
- (V) A BUSINESS ENTITY IN THE STATE THAT IS NOT LICENSED UNDER THIS ARTICLE.**

(2) THE PERMIT HOLDER MAY RECEIVE COMMERCIALY PRODUCED WINE THAT IS NOT AUTHORIZED FOR DISTRIBUTION AND SALE IN THE STATE FROM:

- (I) A NONRESIDENT INDIVIDUAL; OR**
- (II) A BUSINESS ENTITY THAT IS LOCATED OUTSIDE THE STATE.**

(I) TAXES ON WINE.

(1) WINE THAT THE PERMIT HOLDER RECEIVES FROM THE FOLLOWING SOURCES IS SUBJECT TO STATE TAX UNDER § 5-102 OF THE TAX – GENERAL ARTICLE:

- (I) A HOLDER OF A WHOLESALER’S LICENSE;**
- (II) A CLASS 3 WINERY;**
- (III) A CLASS 4 WINERY; AND**
- (IV) ANY SOURCE OUTSIDE THE STATE.**

(2) TAXES ARE PRESUMED TO HAVE BEEN PAID ON WINE THAT THE PERMIT HOLDER RECEIVES FROM THE FOLLOWING SOURCES:

- (I) A RETAIL DEALER;**
- (II) AN INDIVIDUAL RESIDING IN THE STATE; AND**
- (III) A BUSINESS ENTITY IN THE STATE THAT IS NOT LICENSED UNDER THIS ARTICLE.**

(J) REPORT AND PAYMENT OF TAXES REQUIRED.

(1) WITHIN 30 DAYS AFTER THE AUCTION ENDS, THE PERMIT HOLDER SHALL:

- (I) FILE A REPORT WITH THE COMPTROLLER; AND**
- (II) PAY ALL TAXES DUE ON WINE RECEIVED FOR THE AUCTION.**

(2) THE REPORT SHALL:

- (I) INCLUDE THE TOTAL NUMBER OF GALLONS AND EACH SOURCE OF WINE THAT WAS RECEIVED FOR THE AUCTION; AND**
- (II) BE FILED ON THE FORM THAT THE COMPTROLLER PROVIDES.**

(K) PREPAYMENT OF ANTICIPATED WINE TAX.

THE COMPTROLLER MAY REQUIRE THAT THE PERMIT HOLDER PREPAY ON OR BEFORE THE SEVENTH DAY BEFORE THE AUCTION AN AMOUNT SUFFICIENT TO COVER THE ANTICIPATED WINE TAX DUE.

(L) DELIVERY OF WINE PURCHASED AT AUCTION.

(1) WINE PURCHASED AT A CHARITY WINE AUCTION SHALL BE DELIVERED TO THE PURCHASER:

(I) AT THE EVENT; OR

(II) FROM A LICENSED WAREHOUSE, LICENSED RETAIL DEALER'S PREMISES, OR OTHER PREMISES THAT THE COMPTROLLER APPROVES.

(2) WINE DELIVERED UNDER THIS SUBSECTION IS SUBJECT TO APPLICABLE SALES TAXES.

(M) RESALE.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS ARTICLE, A PERSON AUTHORIZED TO SELL WINE AT RETAIL MAY PURCHASE WINE OFFERED AT A CHARITY WINE AUCTION IN AN AMOUNT NOT TO EXCEED 5 GALLONS (18 LITERS) AND RESELL THE WINE IN ACCORDANCE WITH THE TERMS OF THE PERSON'S LICENSE.

(N) FEE.

THE PERMIT FEE IS \$10.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-101(o)(1) through (12).

In subsection (a)(1)(ii) of this section, the phrase "in accordance with Title 6, Subtitle 4 of the Business Regulation Article" is substituted for the former phrase "as required by law" for clarity and accuracy.

In subsection (a)(2) of this section, the former reference to an "area" office is deleted as surplusage.

In subsection (a)(3)(ii) of this section, the term "unit" is substituted for the former term "agency" to conform to the terminology used throughout this article.

In subsection (a)(3)(iv) of this section, the reference to “a fire company” is substituted for the former reference to “fire fighters” for clarity and consistency with the terminology used in the Public Safety Article.

In subsections (j) and (k) of this section, the former references to “owing” are deleted as included in the references to “due”.

In subsection (m) of this section, the reference to a “charity” wine auction is substituted for the former reference to a wine auction “provided for under this section” for brevity.

Former Art. 2B, § 2–101(o)(13), which authorized the Office of the Comptroller to adopt regulations to implement the provisions of former Art. 2B, § 2–101(o), is deleted as redundant of § 1–302 of this article, which authorizes the Comptroller to adopt regulations.

Defined terms: “Comptroller” § 1–101
“Permit holder” § 1–101
“Person” § 1–101
“Retail dealer” § 1–101
“State” § 1–101
“Wholesaler’s license” § 1–101
“Wine” § 1–101

2–138. FAMILY BEER AND WINE FACILITY PERMIT.

(A) ESTABLISHED.

THERE IS A FAMILY BEER AND WINE FACILITY PERMIT.

(B) SCOPE OF AUTHORIZATION.

(1) THE PERMIT AUTHORIZES THE HOLDER TO ESTABLISH A FACILITY TO PRODUCE FAMILY BEER OR WINE BY A CONSUMER WHO:

(I) IS OF LEGAL DRINKING AGE; BUT

(II) DOES NOT HAVE A LICENSE.

(2) THE PERMIT AUTHORIZES THE HOLDER TO PROVIDE EQUIPMENT, RAW MATERIALS, AND INSTRUCTIONS TO A CONSUMER.

(3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, THE PERMIT HOLDER MAY NOT ENGAGE IN THE PRODUCTION OR MANUFACTURE OF BEER OR WINE.

(4) A PERMIT AUTHORIZES THE HOLDER TO ENGAGE IN THE PRODUCTION OR MANUFACTURE OF BEER OR WINE FOR:

(I) TESTING EQUIPMENT OR RECIPES; AND

(II) SAMPLING, PROVIDED THAT:

1. EACH PATRON HAS NO MORE THAN FIVE SAMPLES;

2. EACH SAMPLE DOES NOT EXCEED 2 OUNCES; AND

3. EACH SAMPLE IS CONSUMED ON THE PREMISES BY AN INDIVIDUAL WHO HAS A NONREFUNDABLE CONTRACT TO BREW OR FERMENT AT THE FACILITY.

(C) REMOVAL AND USE OF BEER AND WINE PRODUCED AT FACILITY.

FAMILY BEER AND WINE PRODUCED AT A FAMILY BEER AND WINE FACILITY:

**(1) SHALL BE REMOVED FROM THE PREMISES BY THE CONSUMER;
AND**

(2) MAY BE USED ONLY FOR HOME CONSUMPTION AND THE PERSONAL USE OF THE CONSUMER.

(D) LIMITATION ON PRODUCTION.

THE COMPTROLLER MAY RESTRICT THE PERMIT HOLDER TO THE PRODUCTION OF FAMILY-PRODUCED BEER OR FAMILY-PRODUCED WINE.

(E) HOLDER PROHIBITED TO HOLD OTHER LICENSE.

THE PERMIT HOLDER MAY NOT HOLD ANOTHER LICENSE SIMULTANEOUSLY.

(F) FEE.

THE PERMIT FEE IS \$400.

(G) REGULATIONS.

THE COMPTROLLER MAY ADOPT REGULATIONS REGARDING ANY ACTIVITY RELATING TO THE OPERATION OF THE FACILITY, INCLUDING LIMITS ON THE QUANTITIES OF BEER AND WINE PRODUCED AND RECORD KEEPING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-101(s) and (b)(1)(i)4.

In subsection (b)(4)(ii) of this section, the former reference to a sampling "privilege" is deleted as surplusage.

In subsection (e) of this section, the former reference to a license "issued pursuant to this article" is deleted in light of the defined term "license".

In subsection (g) of this section, the reference to quantities "of beer and wine" is added for clarity.

Defined terms: "Beer" § 1-101

"Comptroller" § 1-101

"Consumer" § 1-101

"License" § 1-101

"Wine" § 1-101

2-139. NATIONAL FAMILY BEER AND WINE EXHIBITION PERMIT.

(A) ESTABLISHED.

THERE IS A NATIONAL FAMILY BEER AND WINE EXHIBITION PERMIT.

(B) AUTHORIZED HOLDER.

THE COMPTROLLER MAY ISSUE THE PERMIT TO A BONA FIDE:

(1) NATIONAL FAMILY WINE ASSOCIATION;

(2) NATIONAL FAMILY BEER ASSOCIATION; OR

(3) NATIONAL FAMILY BEER AND WINE ASSOCIATION.

(C) SCOPE OF AUTHORIZATION.

(1) THE PERMIT AUTHORIZES THE HOLDER TO CONDUCT A NATIONAL FAMILY BEER AND WINE EXHIBITION AND COMPETITION AT WHICH THE PERMIT HOLDER MAY EXHIBIT, JUDGE, AND TASTE BEER AND WINE ACQUIRED IN ACCORDANCE WITH THIS SECTION AT THE PLACE DESIGNATED IN THE PERMIT APPLICATION.

(2) THE PERMIT AUTHORIZES THE HOLDER TO RECEIVE FOR USE, EXHIBITION, AND TASTINGS AT AN EXHIBITION:

(I) TAX-FREE FAMILY PRODUCED BEER AND WINE;

(II) TAX-PAID COMMERCIALY PRODUCED:

1. BEER AND WINE FROM LICENSED NONRESIDENT DEALERS OR MANUFACTURERS THROUGH HOLDERS OF WHOLESALER'S LICENSES; OR

2. WINES FROM CLASS 4 WINERIES; AND

(III) COMMERCIALY PRODUCED BEER AND WINE FROM MANUFACTURERS OR SUPPLIERS LICENSED BY ANOTHER STATE AND SUBJECT TO THE TAX IMPOSED UNDER § 5-102 OF THE TAX - GENERAL ARTICLE.

(3) THE PERMIT HOLDER MAY NOT SELL BEER AND WINE AT THE EXHIBITION AND COMPETITION.

(4) NOTWITHSTANDING § 6-319 OF THIS ARTICLE, THE PERMIT HOLDER MAY ALLOW A PERSON TO POSSESS AND CONSUME BEER AND WINE ON THE PREMISES GOVERNED BY THE PERMIT AS PROVIDED IN THIS SECTION.

(D) DURATION OF EXHIBITION.

AN EXHIBITION MAY NOT LAST MORE THAN 5 DAYS.

(E) PREMISES FOR EXHIBITION.

THE PERMIT MAY BE GRANTED FOR:

(1) AN UNLICENSED PREMISES; OR

(2) A CLASS B, CLASS C, OR CLASS B-D-7 LICENSED PREMISES.

(F) JUDGES AND PARTICIPANTS.

PERSONS AUTHORIZED TO JUDGE OR PARTICIPATE AT A NATIONAL FAMILY BEER AND WINE EXHIBITION INCLUDE A:

(1) MANUFACTURER;

(2) NONRESIDENT DEALER;

(3) SUPPLIER;

(4) WHOLESALER; AND

(5) REPRESENTATIVE OF ANY OF THE PERSONS LISTED IN ITEMS (1) THROUGH (4) OF THIS SUBSECTION.

(G) NONRESIDENT DEALER'S PERMIT NOT REQUIRED.

A SUPPLIER LICENSED BY ANOTHER STATE IS NOT REQUIRED TO HAVE A NONRESIDENT DEALER'S PERMIT TO SHIP BEER AND WINE TO THE PERMIT HOLDER.

(H) REPORT AND PAYMENT OF TAXES REQUIRED.

(1) WITHIN 30 DAYS AFTER THE EXHIBITION ENDS, THE PERMIT HOLDER SHALL:

(I) FILE A REPORT, ON THE FORMS THAT THE COMPTROLLER PROVIDES, OF THE NUMBER OF GALLONS OF COMMERCIALY PRODUCED BEER AND WINE THAT THE PERMIT HOLDER RECEIVED FROM SUPPLIERS THAT ARE NOT LICENSED; AND

(II) PAY THE TAX REQUIRED UNDER § 5-102 OF THE TAX – GENERAL ARTICLE.

(2) THE COMPTROLLER MAY REQUIRE THE PERMIT HOLDER TO PREPAY AN AMOUNT SUFFICIENT TO COVER THE ANTICIPATED TAX RATHER THAN POST A BOND.

(I) FEE.

THE PERMIT FEE IS \$50.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-101(m) and (b)(7).

In subsections (c)(2)(iii) and (g) of this section, the references to manufacturers or suppliers "licensed by another state" are substituted for the former references to "non-Maryland licensed" manufacturers and suppliers for clarity.

In subsection (c)(4) of this section, the reference to the permit holder “allow[ing] a person to possess and consume beer and wine” is substituted for the former reference to the permit “authoriz[ing] the possession and consumption of beer and wine ... with the permission of the licensee” for brevity.

Also in subsection (c)(4) of this section, the reference to the premises “governed by the permit” is substituted for the former reference to the “named” premises for clarity.

In subsection (d) of this section, the former reference to “a period” of not more than 5 days is deleted as surplusage.

In subsection (e)(2) of this section, the former references to an “alcoholic beverages” licensed premises are deleted as surplusage.

Defined terms: “Beer” § 1–101

“Comptroller” § 1–101

“Family beer” § 1–101

“Family wine” § 1–101

“Person” § 1–101

“State” § 1–101

“Wholesaler” § 1–101

“Wholesaler’s license” § 1–101

“Wine” § 1–101

2–140. RESERVED.

2–141. RESERVED.

PART V. DIRECT WINE SHIPPER’S AND COMMON CARRIER PERMITS.

2–142. DEFINITIONS.

(A) IN GENERAL.

IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) COMMON CARRIER.

(1) “COMMON CARRIER” MEANS A BUSINESS ENTITY THAT:

(I) HOLDS ITSELF OUT AS BEING AVAILABLE TO THE PUBLIC TO TRANSPORT IN INTERSTATE OR FOREIGN COMMERCE FOR COMPENSATION ANY CLASS OF PASSENGER OR PROPERTY; AND

(II) HOLDS A COMMON CARRIER PERMIT ISSUED UNDER § 2-151 OF THIS SUBTITLE.

(2) “COMMON CARRIER” DOES NOT INCLUDE A BUSINESS ENTITY THAT TRANSPORTS ONLY PROPERTY THE BUSINESS ENTITY OWNS OR THAT IS CONSIGNED TO THE BUSINESS ENTITY.

(c) DIRECT WINE SHIPPER.

“DIRECT WINE SHIPPER” MEANS THE HOLDER OF A DIRECT WINE SHIPPER’S PERMIT ISSUED UNDER THIS PART.

REVISOR’S NOTE: This section formerly was Art. 2B, § 7.5–101(a) through (c).

The only changes are in style.

Former Art. 2B, § 7.5–101(d), which defined pomace brandy to mean “brandy that is distilled from the pulpy residue of the wine press, including the skins, pips, and stalks of grapes”, is deleted as redundant of the definition of pomace brandy in § 1–101 of this article.

Former Art. 2B, § 7.5–101(e), which defined wine to include pomace brandy and not to include beer, distilled spirits, or any alcoholic beverage other than wine, is deleted in light of the definition of wine in § 1–101 of this article.

2-143. PERMIT REQUIRED.

A PERSON SHALL BE ISSUED A DIRECT WINE SHIPPER’S PERMIT BY THE COMPTROLLER BEFORE THE PERSON MAY ENGAGE IN SHIPPING WINE DIRECTLY TO A CONSUMER IN THE STATE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 7.5–102.

The former phrase “as a direct wine shipper” is deleted as surplusage.

Defined terms: “Comptroller” § 1–101

“Consumer” § 1–101

“Direct wine shipper” § 2–142

“Person” § 1–101

“State” § 1–101

“Wine” § 1–101

2-144. QUALIFICATION FOR PERMIT.

TO QUALIFY FOR A DIRECT WINE SHIPPER'S PERMIT, AN APPLICANT SHALL BE:

(1) A PERSON LICENSED OUTSIDE THE STATE TO ENGAGE IN THE MANUFACTURE OF WINE; OR

(2) A HOLDER OF A CLASS 3 MANUFACTURER'S LICENSE OR A CLASS 4 MANUFACTURER'S LICENSE.

REVISOR'S NOTE: This section formerly was Art. 2B, § 7.5–103.

In item (2) of this section, the former reference to a Class 3 manufacturer's license or a Class 4 manufacturer's license "issued under this article" is deleted as included in the defined term "manufacturer's license".

No other changes are made.

Defined terms: "Direct wine shipper" § 2–142

"Manufacturer's license" § 1–101

"Person" § 1–101

"State" § 1–101

"Wine" § 1–101

2–145. APPLICATION FOR PERMIT.

(A) APPLICATION REQUIREMENTS.

AN APPLICANT FOR A DIRECT WINE SHIPPER'S PERMIT SHALL:

(1) SUBMIT TO THE COMPTROLLER A COMPLETED APPLICATION ON A FORM THAT THE COMPTROLLER PROVIDES;

(2) PROVIDE TO THE COMPTROLLER A COPY OF THE APPLICANT'S CURRENT LICENSE; AND

(3) PAY A FEE OF \$200 FOR INITIAL ISSUANCE OF THE DIRECT WINE SHIPPER'S PERMIT.

(B) ISSUANCE OF PERMIT.

THE COMPTROLLER SHALL ISSUE A DIRECT WINE SHIPPER'S PERMIT TO EACH APPLICANT WHO MEETS THE REQUIREMENTS OF THIS PART FOR THE PERMIT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 7.5–104 and, as it related to the issuance fee, 2–101(b)(1)(i)5.

In subsection (a)(2) of this section, the former reference to an “alcoholic beverages” license is deleted as included in the defined term “license”.

Defined terms: “Comptroller” § 1–101
“Direct wine shipper” § 2–142
“License” § 1–101

2–146. SCOPE OF AUTHORIZATION.

A DIRECT WINE SHIPPER'S PERMIT ENTITLES THE HOLDER TO SELL WINE MANUFACTURED BY THE HOLDER THROUGH A HOLDER OF A COMMON CARRIER PERMIT TO A CONSUMER BY RECEIVING AND FILLING ORDERS THAT THE CONSUMER TRANSMITS BY ELECTRONIC OR OTHER MEANS.

REVISOR'S NOTE: This section formerly was Art. 2B, § 7.5–105.

No changes are made.

Defined terms: “Common carrier” § 2–142
“Consumer” § 1–101
“Direct wine shipper” § 2–142
“Wine” § 1–101

2–147. TERM OF PERMIT.

THE TERM OF A DIRECT WINE SHIPPER'S PERMIT IS 1 YEAR AND BEGINS ON JULY 1.

REVISOR'S NOTE: This section formerly was Art. 2B, § 7.5–106.

No changes are made.

Defined term: “Direct wine shipper” § 2–142

2–148. DUTIES OF SHIPPER; RESTRICTIONS ON SHIPPING.

(A) DUTIES OF DIRECT WINE SHIPPER.

A DIRECT WINE SHIPPER SHALL:

(1) ENSURE THAT ALL CONTAINERS OF WINE SHIPPED DIRECTLY TO A CONSUMER IN THE STATE ARE CONSPICUOUSLY LABELED WITH:

(I) THE NAME OF THE DIRECT WINE SHIPPER;

(II) THE NAME AND ADDRESS OF THE CONSUMER WHO IS THE INTENDED RECIPIENT; AND

(III) THE WORDS “CONTAINS ALCOHOL: SIGNATURE OF PERSON AT LEAST 21 YEARS OF AGE REQUIRED FOR DELIVERY”;

(2) REPORT TO THE COMPTROLLER INFORMATION ABOUT THE DIRECT WINE SHIPPER’S WINE SHIPMENTS, IN A MANNER THAT THE COMPTROLLER DETERMINES;

(3) FILE A QUARTERLY TAX RETURN IN ACCORDANCE WITH § 5–201(D) OF THE TAX – GENERAL ARTICLE;

(4) PAY QUARTERLY TO THE COMPTROLLER ALL SALES TAXES AND EXCISE TAXES DUE ON SALES TO CONSUMERS IN THE STATE AND CALCULATE THE TAXES AS IF THE SALE WERE MADE IN THE STATE;

(5) MAINTAIN FOR 3 YEARS COMPLETE AND ACCURATE RECORDS OF ALL INFORMATION NEEDED TO VERIFY COMPLIANCE WITH THIS PART;

(6) ALLOW THE COMPTROLLER TO PERFORM AN AUDIT OF THE DIRECT WINE SHIPPER’S RECORDS ON REQUEST; AND

(7) CONSENT TO THE JURISDICTION OF THE COMPTROLLER OR OTHER STATE UNIT AND THE STATE COURTS CONCERNING ENFORCEMENT OF THIS SECTION AND ANY RELATED LAW.

(B) RESTRICTIONS ON SHIPPING.

A DIRECT WINE SHIPPER MAY NOT:

(1) SHIP MORE THAN 18 9–LITER CASES OF WINE EACH YEAR TO A SINGLE DELIVERY ADDRESS; OR

(2) CAUSE WINE TO BE DELIVERED ON SUNDAY TO AN ADDRESS IN THE STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 7.5–107.

Defined terms: “Comptroller” § 1–101

“Consumer” § 1–101

“Direct wine shipper” § 2–142

“Jurisdiction” § 1–101

“State” § 1–101

“Wine” § 1–101

2–149. RENEWAL OF PERMIT.

(A) REQUIREMENTS FOR RENEWAL.

A DIRECT WINE SHIPPER MAY RENEW ITS DIRECT WINE SHIPPER'S PERMIT EACH YEAR IF THE DIRECT WINE SHIPPER:

(1) IS OTHERWISE ENTITLED TO HAVE A DIRECT WINE SHIPPER'S PERMIT;

(2) PROVIDES TO THE COMPTROLLER A COPY OF ITS CURRENT PERMIT; AND

(3) PAYS TO THE COMPTROLLER A RENEWAL FEE OF \$200.

(B) GROUNDS FOR DENYING RENEWAL.

THE COMPTROLLER MAY DENY A RENEWAL APPLICATION OF A DIRECT WINE SHIPPER WHO FAILS TO:

(1) FILE A TAX RETURN REQUIRED UNDER THIS PART;

(2) PAY A FEE OR TAX WHEN DUE; OR

(3) AFTER RECEIVING NOTICE, COMPLY WITH THIS ARTICLE OR A REGULATION THAT THE COMPTROLLER ADOPTS UNDER THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 7.5–108 and, as it related to the renewal fee, 2–101(b)(1)(i)5.

Defined terms: “Comptroller” § 1–101

“Direct wine shipper” § 2–142

2-150. REQUIREMENTS FOR RECIPIENTS.**(A) IN GENERAL.**

TO RECEIVE A DIRECT SHIPMENT OF WINE, A CONSUMER IN THE STATE SHALL BE AT LEAST 21 YEARS OLD.

(B) RESALE PROHIBITED.

A PERSON WHO RECEIVES A SHIPMENT OF WINE SHALL USE THE SHIPMENT FOR PERSONAL CONSUMPTION ONLY AND MAY NOT RESELL THE SHIPMENT.

REVISOR'S NOTE: This section formerly was Art. 2B, § 7.5-109.

No changes are made.

Defined terms: "Consumer" § 1-101

"Person" § 1-101

"State" § 1-101

"Wine" § 1-101

2-151. COMMON CARRIER PERMIT.**(A) ESTABLISHED.**

THERE IS A COMMON CARRIER PERMIT.

(B) SCOPE OF AUTHORIZATION.

A HOLDER OF A COMMON CARRIER PERMIT MAY DELIVER WINE FROM A LOCATION INSIDE OR OUTSIDE THE STATE TO A CONSUMER IN THE STATE FOR THE CONSUMER'S PERSONAL USE UNDER THIS PART.

(C) PERMIT REQUIRED.

A PERSON SHALL BE ISSUED A COMMON CARRIER PERMIT BEFORE THE PERSON MAY ENGAGE IN TRANSPORTING WINE FROM A DIRECT WINE SHIPPER TO A CONSUMER.

(D) TERM OF PERMIT.

THE TERM OF A COMMON CARRIER PERMIT IS 1 YEAR AND BEGINS ON JULY 1.

(E) REQUIREMENTS FOR DELIVERY.

TO COMPLETE DELIVERY OF A SHIPMENT, THE COMMON CARRIER SHALL REQUIRE FROM A CONSUMER AT THE ADDRESS LISTED ON THE SHIPPING LABEL:

(1) THE SIGNATURE OF THE CONSUMER OR ANOTHER INDIVIDUAL AT THE ADDRESS WHO IS AT LEAST 21 YEARS OLD; AND

(2) GOVERNMENT-ISSUED PHOTOGRAPHIC IDENTIFICATION SHOWING THAT THE SIGNING INDIVIDUAL IS AT LEAST 21 YEARS OLD.

(F) REFUSAL OF DELIVERY BY COMMON CARRIER.

A COMMON CARRIER SHALL REFUSE DELIVERY WHEN THE INTENDED RECEIVING INDIVIDUAL APPEARS TO BE UNDER THE AGE OF 21 YEARS OR REFUSES TO PRESENT VALID IDENTIFICATION.

(G) INFORMATION REQUIRED OF COMMON CARRIER.

AT THE TIME OF INITIAL APPLICATION FOR A COMMON CARRIER PERMIT AND ON REQUEST OF THE COMPTROLLER, A COMMON CARRIER SHALL SUBMIT TO THE COMPTROLLER INFORMATION CONCERNING THE TRAINING OF ITS DRIVERS IN VERIFYING THE AGE OF RECIPIENTS OF DIRECT WINE SHIPMENTS UNDER THIS PART.

(H) VERIFICATION OF WINE SHIPPER PERMIT REQUIRED ANNUALLY.

AT LEAST ONCE EACH YEAR, IN A MANNER ACCEPTABLE TO THE COMPTROLLER, A HOLDER OF A COMMON CARRIER PERMIT SHALL VERIFY THAT THE SHIPPER OF WINE INTO THE STATE UNDER THIS PART HOLDS A VALID DIRECT WINE SHIPPER'S PERMIT.

(I) TRANSPORTATION PERMIT NOT REQUIRED.

A HOLDER OF A COMMON CARRIER PERMIT THAT DELIVERS WINE SOLELY UNDER THIS PART MAY NOT BE REQUIRED TO OBTAIN A TRANSPORTATION PERMIT ISSUED UNDER § 2-118 OR § 2-119 OF THIS SUBTITLE IN ADDITION TO THE COMMON CARRIER PERMIT.

(J) FEE.

THE PERMIT FEE IS \$100.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 7.5–110 and 2–101(w) and (b)(1)(i)6.

Subsection (a) of this section is revised in the standard language used to introduce a permit section.

Defined terms: “Common carrier” § 2–142

“Comptroller” § 1–101

“Consumer” § 1–101

“Direct wine shipper” § 2–142

“Person” § 1–101

“State” § 1–101

“Wine” § 1–101

2–152. REPORTS AND RECORDS.

(A) REQUIRED REPORTS.

A COMMON CARRIER SHALL REPORT QUARTERLY TO THE COMPTROLLER:

(1) THE DATE OF EACH DELIVERY OF WINE IN THE STATE; AND

(2) THE NAME AND ADDRESS OF THE DIRECT WINE SHIPPER AND THE RECEIVING CONSUMER OF EACH DELIVERY.

(B) RECORDS TO BE MAINTAINED FOR 3 YEARS.

A COMMON CARRIER SHALL MAINTAIN FOR 3 YEARS COMPLETE AND ACCURATE RECORDS OF ALL INFORMATION NEEDED TO VERIFY COMPLIANCE WITH THIS PART.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 7.5–111.

Defined terms: “Common carrier” § 2–142

“Comptroller” § 1–101

“Consumer” § 1–101

“Direct wine shipper” § 2–142

“State” § 1–101

“Wine” § 1–101

2–153. DIRECT SHIPPING WITHOUT PERMIT PROHIBITED.

A PERSON WITHOUT A DIRECT WINE SHIPPER'S PERMIT MAY NOT SHIP WINE DIRECTLY TO A CONSUMER IN THE STATE.

REVISOR'S NOTE: This section formerly was Art. 2B, § 7.5–113.

The only changes are in style.

Defined terms: “Consumer” § 1–101
“Direct wine shipper” § 2–142
“Person” § 1–101
“State” § 1–101
“Wine” § 1–101

2–154. VIOLATIONS OF PART.

EACH VIOLATION OF THIS PART IS A SEPARATE VIOLATION.

REVISOR'S NOTE: This section formerly was Art. 2B, § 7.5–114.

The only changes are in style.

REVISOR'S NOTE TO PART

Former Art. 2B, § 7.5–112, which authorized the Comptroller to adopt regulations to carry out this [part], is deleted as unnecessary because the Comptroller may adopt regulations under § 1–302 of this article.

2–155. RESERVED.

2–156. RESERVED.

PART VI. ALCOHOL AWARENESS PERMITS.

2–157. SCOPE OF PART.

THIS PART APPLIES STATEWIDE.

REVISOR'S NOTE: This section is new language added for clarity.

2–158. ALCOHOL AWARENESS PROGRAM PERMIT.

(A) ESTABLISHED.

THERE IS AN ALCOHOL AWARENESS PROGRAM PERMIT.

(B) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO CONDUCT AN ALCOHOL AWARENESS PROGRAM AS CERTIFIED BY THE COMPTROLLER UNDER § 4-505 OF THIS ARTICLE.

(C) FEE.

THE PERMIT FEE IS \$15.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that an alcohol awareness program permit exists.

Subsections (b) and (c) of this section are new language derived without substantive change from former Art. 2B, § 2-101(q) and (b)(9)(ii).

Defined term: "Comptroller" § 1-101

2-159. ALCOHOL AWARENESS INSTRUCTOR'S PERMIT.

(A) ESTABLISHED.

THERE IS AN ALCOHOL AWARENESS INSTRUCTOR'S PERMIT.

(B) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO CONDUCT ALCOHOL AWARENESS TRAINING AS AN EMPLOYEE OR AGENT OF AN ALCOHOL AWARENESS PROGRAM PERMIT HOLDER.

(C) FEE.

THE PERMIT FEE IS \$5.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that an alcohol awareness instructor's permit exists.

Subsections (b) and (c) of this section are new language derived without substantive change from former Art. 2B, § 2-101(r) and (b)(9)(i).

2-160. RESERVED.

2-161. RESERVED.

PART VII. MISCELLANEOUS PERMITS.**2–162. SCOPE OF PART.**

THIS PART APPLIES STATEWIDE.

REVISOR'S NOTE: This section is new language added for clarity.

2–163. FUEL–ALCOHOL PERMIT.

(A) ESTABLISHED.

THERE IS A FUEL–ALCOHOL PERMIT.

(B) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO ESTABLISH A DISTILLED SPIRITS PLANT FOR THE SOLE PURPOSE TO MANUFACTURE, PROCESS, STORE, USE, OR DISTRIBUTE DISTILLED SPIRITS EXCLUSIVELY FOR FUEL.

(C) PROHIBITION.

A PERMIT HOLDER MAY NOT ESTABLISH A DISTILLED SPIRITS PLANT FOR BEVERAGE PURPOSES.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that a fuel–alcohol permit exists.

Subsections (b) and (c) of this section are new language derived without substantive change from former Art. 2B, § 2–101(l).

2–164. NONBEVERAGE PERMIT.

(A) ESTABLISHED.

THERE IS A NONBEVERAGE PERMIT.

(B) SCOPE OF AUTHORIZATION.

THE PERMIT AUTHORIZES THE HOLDER TO PURCHASE ALCOHOL AND ALCOHOLIC BEVERAGES FOR:

(1) USE IN COMPOUNDING OR MANUFACTURING FLAVORING EXTRACTS;

(2) MEDICINAL, ANTISEPTIC, OR TOILET PREPARATIONS OR FOR OTHER SIMILAR PURPOSES;

(3) SCIENTIFIC OR LABORATORY PURPOSES;

(4) FLAVORING FOOD PRODUCTS; OR

(5) SALE BY PHARMACISTS ON THE WRITTEN PRESCRIPTION OF A QUALIFIED PHYSICIAN.

(C) USE FOR ALCOHOLIC BEVERAGE OR OTHER BEVERAGE PURPOSES PROHIBITED.

THE PERMIT HOLDER MAY NOT USE, SELL, OR DELIVER:

(1) ALCOHOLIC BEVERAGES FOR BEVERAGE PURPOSES; OR

(2) ANY OTHER PRODUCT THAT IS:

(I) PRODUCED WITH ALCOHOLIC BEVERAGES; AND

(II) FIT FOR BEVERAGE PURPOSES.

(D) EXPIRATION OF PERMIT.

THE PERMIT DOES NOT EXPIRE UNTIL IT IS REVOKED.

(E) FEE.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE FEE FOR THE ISSUANCE OR RENEWAL OF THE PERMIT IS \$50.

(2) THE COMPTROLLER SHALL ISSUE THE PERMIT WITHOUT THE PAYMENT OF A FEE TO:

(I) A CHARITABLE ORGANIZATION; OR

(II) A HOLDER OF A FUEL-ALCOHOL PERMIT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2–101(c) and (b)(1)(ii) and (2)(ii) and, as it related to the fee for a nonalcoholic beverage permit, (b)(1)(i)1.

In subsection (b)(5) of this section, the reference to “pharmacists” is substituted for the former reference to “druggists or apothecaries” to use more modern terminology.

In subsection (d) of this section, the former term “canceled” is deleted as included in the meaning of the term “revoked”.

In subsection (e)(2)(i) of this section, the reference to a “charitable organization” is substituted for the former reference to an “eleemosynary” for clarity.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

SUBTITLE 2. MANUFACTURER'S LICENSES.

2–201. ISSUANCE BY COMPTROLLER.

EACH LICENSE SPECIFIED IN THIS SUBTITLE IS A MANUFACTURER'S LICENSE THAT THE COMPTROLLER ISSUES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2–207(a)(1) and 2–208(b)(1). It is revised to state expressly what was only implied in the former law, that all manufacturer's licenses are issued by the Comptroller.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“Manufacturer's license” § 1–101

2–202. CLASS 1 DISTILLERY LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 1 DISTILLERY LICENSE.

(B) REQUIRED LICENSURE.

THE LICENSE SHALL BE OBTAINED FOR EACH TRADE NAME AND EACH DISTILLERY IN THE STATE.

(C) SCOPE OF AUTHORIZATION.

A LICENSE HOLDER MAY:

(1) ESTABLISH AND OPERATE A PLANT FOR DISTILLING BRANDY, RUM, WHISKEY, ALCOHOL, AND NEUTRAL SPIRITS AT THE LOCATION DESCRIBED IN THE LICENSE;

(2) SELL AND DELIVER THE ALCOHOLIC BEVERAGES:

(I) IN BULK TO A PERSON IN THE STATE THAT IS AUTHORIZED TO ACQUIRE THEM; AND

(II) TO A PERSON OUTSIDE THE STATE THAT IS AUTHORIZED TO ACQUIRE THEM;

(3) MANUFACTURE AN ALCOHOLIC BEVERAGE LISTED IN ITEM (1) OF THIS SUBSECTION IN THE NAME OF ANOTHER PERSON OR UNDER A TRADE NAME IF THE OTHER PERSON OR TRADE NAME ALSO HOLDS A CLASS 1 DISTILLERY LICENSE;

(4) ACQUIRE ALCOHOLIC BEVERAGES IN BULK FROM THE HOLDER OF A CLASS 1 DISTILLERY LICENSE, CLASS 2 RECTIFYING LICENSE, CLASS 3 WINERY LICENSE, OR NONRESIDENT DEALER'S PERMIT; AND

(5) (I) CONDUCT GUIDED TOURS OF THE LICENSED PREMISES;

(II) SERVE NOT MORE THAN THREE SAMPLES OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES, WITH EACH SAMPLE CONSISTING OF NOT MORE THAN ONE-HALF OUNCE FROM A SINGLE PRODUCT, TO AN INDIVIDUAL WHO HAS ATTAINED THE LEGAL DRINKING AGE AND PARTICIPATED IN A GUIDED TOUR OF THE LICENSED PREMISES; AND

(III) SUBJECT TO SUBSECTION (D) OF THIS SECTION, SELL NOT MORE THAN THREE 750-MILLILITER BOTTLES OF PRODUCTS MANUFACTURED ON THE LICENSED PREMISES, FOR OFF-PREMISES CONSUMPTION, AND RELATED MERCHANDISE TO AN INDIVIDUAL WHO HAS ATTAINED THE LEGAL DRINKING AGE AND PARTICIPATED IN A GUIDED TOUR OF THE LICENSED PREMISES.

(D) LIMIT ON CERTAIN SALES.

A LICENSE HOLDER MAY SELL BOTTLES OF PRODUCTS UNDER SUBSECTION (C)(5)(III) OF THIS SECTION ONLY IF THE LICENSE HOLDER MANUFACTURES NOT MORE THAN 27,500 GALLONS OF PRODUCTS ANNUALLY.

(E) ACTING AS CATERER OF FOOD — PROHIBITED.

A LICENSE HOLDER OR ENTITY IN WHICH A LICENSE HOLDER HAS A PECUNIARY INTEREST MAY NOT ACT AS A CATERER OF FOOD.

(F) TIME LIMITS.

SUBJECT TO SUBSECTION (G) OF THIS SECTION, A LICENSE HOLDER MAY CONDUCT THE ACTIVITIES SPECIFIED IN SUBSECTION (C)(5) OF THIS SECTION:

(1) FOR OFF-PREMISES CONSUMPTION OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES AND FOR SAMPLING, FROM 10 A.M. TO 10 P.M. EACH DAY; AND

(2) FOR ON-PREMISES CONSUMPTION OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES:

(I) FROM 10 A.M. TO 6 P.M. EACH DAY; OR

(II) IF GUESTS ARE ATTENDING A PLANNED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY ON THE LICENSED PREMISES, FROM 10 A.M. TO 10 P.M. EACH DAY.

(G) DAYS OF OPERATION.

A CLASS 1 DISTILLERY LICENSE ALLOWS THE LICENSE HOLDER TO OPERATE 7 DAYS A WEEK.

(H) FILING OF NOTICE REQUIRED.

AT LEAST 14 DAYS BEFORE HOLDING A PLANNED PROMOTIONAL EVENT AFTER 6 P.M., A LICENSE HOLDER SHALL FILE A NOTICE OF THE PROMOTIONAL EVENT WITH THE COMPTROLLER ON THE FORM THAT THE COMPTROLLER PROVIDES.

(I) UNAUTHORIZED PRODUCTS.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A LICENSE HOLDER MAY NOT SELL OR ALLOW TO BE CONSUMED AT THE LICENSED PREMISES ANY PRODUCT OTHER THAN PRODUCTS PRODUCED BY THE LICENSE HOLDER UNDER THE AUTHORITY OF THIS SECTION.

(2) A HOLDER OF A CATERER'S LICENSE OR PRIVILEGE UNDER SUBTITLE 5 OF THIS TITLE OR SUBTITLE 12 OF VARIOUS TITLES OF DIVISION II OF THIS ARTICLE MAY EXERCISE THE PRIVILEGES OF THE LICENSE OR PRIVILEGE ON THE LICENSED PREMISES OF THE LICENSE HOLDER.

(J) EFFECT OF SECTION.

NOTHING IN THIS SECTION LIMITS THE APPLICATION OF RELEVANT PROVISIONS OF TITLE 21 OF THE HEALTH – GENERAL ARTICLE, AND REGULATIONS ADOPTED UNDER THAT TITLE, TO A LICENSE HOLDER.

(K) FEE.

THE ANNUAL LICENSE FEE IS \$2,000.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2–202(a) through (d), (f) through (h), and as it related to days of operation, (e)(1) and, as it related to the Class 1 distillery license, 2–201(a).

In subsection (c)(1) of this section, the reference to a plant “at the location described in the license” is substituted for the former reference to a plant “in this State” for clarity and consistency within this subtitle.

In subsection (c)(3) of this section, the former phrase “as the case may be” is deleted as surplusage.

In subsection (c)(4) of this section, the former reference to certain manufacturer's licenses “in this State” is deleted as implicit in the nature of those licenses as authorizing manufacturing in this State and not in other states.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“Person” § 1–101

“State” § 1–101

2–203. CLASS 9 LIMITED DISTILLERY LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 9 LIMITED DISTILLERY LICENSE.

(B) AUTHORIZED HOLDER.

THE LIMITED DISTILLERY LICENSE MAY BE ISSUED ONLY TO A HOLDER OF A CLASS D BEER, WINE, AND LIQUOR LICENSE FOR USE ON THE PREMISES FOR WHICH THE CLASS D LICENSE WAS ISSUED.

(C) SCOPE OF AUTHORIZATION.

A HOLDER OF THE LIMITED DISTILLERY LICENSE:

(1) MAY ESTABLISH AND OPERATE A PLANT IN THE STATE FOR DISTILLING, RECTIFYING, AND BOTTLING BRANDY, RUM, WHISKEY, ALCOHOL, AND NEUTRAL SPIRITS IF THE HOLDER:

(I) MAINTAINS ONLY ONE BRAND AT ANY ONE TIME FOR EACH PRODUCT OF BRANDY, RUM, WHISKEY, ALCOHOL, AND NEUTRAL SPIRITS THAT IS DISTILLED, RECTIFIED, AND SOLD; AND

(II) DOES NOT MANUFACTURE OR RECTIFY PRODUCT OF ANY OTHER BRAND FOR ANOTHER ENTITY;

(2) MAY ACQUIRE BULK ALCOHOLIC BEVERAGES FROM THE HOLDER OF A DISTILLERY OR RECTIFYING LICENSE IN THE STATE OR FROM THE HOLDER OF A NONRESIDENT DEALER'S PERMIT;

(3) AFTER ACQUIRING AN INDIVIDUAL STORAGE PERMIT, MAY STORE ON THE LICENSED PREMISES THOSE PRODUCTS MANUFACTURED UNDER THE LICENSE;

(4) MAY SELL AND DELIVER THOSE PRODUCTS MANUFACTURED UNDER THE LICENSE ONLY TO A LICENSED WHOLESALER IN THE STATE OR PERSON AUTHORIZED TO ACQUIRE DISTILLED SPIRITS IN ANOTHER STATE AND NOT TO A COUNTY DISPENSARY;

(5) MAY SELL THE PRODUCTS MANUFACTURED UNDER THE LICENSE AT RETAIL IN A MANNER CONSISTENT WITH THE UNDERLYING CLASS D LICENSE;

(6) MAY CONDUCT GUIDED TOURS OF THAT PORTION OF THE LICENSED PREMISES USED FOR THE LIMITED DISTILLERY OPERATION; AND

(7) MAY SERVE NOT MORE THAN THREE SAMPLES OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES, WITH EACH SAMPLE CONSISTING OF NOT MORE THAN ONE-HALF OUNCE FROM A SINGLE PRODUCT, TO PERSONS WHO:

(I) HAVE ATTAINED THE LEGAL DRINKING AGE;

(II) PARTICIPATED IN A GUIDED TOUR; AND

(III) ARE PRESENT ON THAT PORTION OF THE PREMISES USED FOR THE LIMITED DISTILLERY OPERATION.

(D) PROHIBITED ACTIONS.

A HOLDER OF THE LIMITED DISTILLERY LICENSE MAY NOT:

(1) APPLY FOR OR POSSESS A WHOLESALER'S LICENSE;

(2) SELL BOTTLES OF THE PRODUCTS MANUFACTURED AT THE CLASS 9 LIMITED DISTILLERY ON THAT PART OF THE PREMISES USED FOR THE DISTILLERY OPERATION;

(3) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, DISTILL, RECTIFY, BOTTLE, OR SELL MORE THAN 100,000 GALLONS OF BRANDY, RUM, WHISKEY, ALCOHOL, AND NEUTRAL SPIRITS EACH CALENDAR YEAR;

(4) SELL AT RETAIL ON THE PREMISES OF THE CLASS D LICENSE, FOR ON-SALE OR OFF-SALE CONSUMPTION, MORE THAN 15,500 GALLONS OF THE PRODUCTS MANUFACTURED UNDER THE LICENSE EACH CALENDAR YEAR; AND

(5) OWN, OPERATE, OR BE AFFILIATED IN ANY MANNER WITH ANOTHER MANUFACTURER.

(E) REQUIREMENTS TO DISTILL ADDITIONAL GALLONAGE.

TO DISTILL MORE THAN THE GALLONAGE SPECIFIED IN SUBSECTION (D)(3) OF THIS SECTION, A HOLDER OF THE LIMITED DISTILLERY LICENSE SHALL DIVEST ITSELF OF ANY CLASS D RETAIL LICENSE AND OBTAIN A CLASS 1 DISTILLERY LICENSE.

(F) TRADE PRACTICE RESTRICTIONS IN EFFECT.

A HOLDER OF THE LIMITED DISTILLERY LICENSE SHALL ABIDE BY ALL TRADE PRACTICE RESTRICTIONS APPLICABLE TO DISTILLERIES.

(G) FEE.

THE ANNUAL LICENSE FEE IS \$500.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2–202.1(a), (c), (d), and (b)(2) and, as it related to the annual license fee for Class 9 limited distillery licenses, 2–201(a).

In subsection (b) of this section, the former reference to “Worcester County” is deleted as unnecessary in light of the organization of this revised article. The specific reference to Worcester County is instead revised in § 33–401 of this article.

Former Art. 2B, § 2–202.1(b)(1), which stated that the limited distillery shall be issued by the State Comptroller, is deleted as redundant of § 2–201 of this subtitle.

Defined terms: “Alcoholic beverage” § 1–101

“Beer” § 1–101

“County” § 1–101

“Off-sale” § 1–101

“On-sale” § 1–101

“Person” § 1–101

“State” § 1–101

“Wholesaler” § 1–101

“Wholesaler’s license” § 1–101

“Wine” 1–101

2–204. CLASS 2 RECTIFYING LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 2 RECTIFYING LICENSE.

(B) SCOPE OF AUTHORIZATION.

A LICENSE HOLDER MAY:

(1) ESTABLISH AND OPERATE A PLANT FOR RECTIFYING, BLENDING, AND BOTTLING ALCOHOLIC BEVERAGES AT THE LOCATION DESCRIBED IN THE LICENSE;

(2) SELL AND DELIVER ALCOHOLIC BEVERAGES TO:

(I) A HOLDER OF A CLASS 1 DISTILLERY LICENSE, CLASS 2 RECTIFYING LICENSE, OR WHOLESALER’S LICENSE;

(II) A HOLDER OF A PERMIT THAT IS AUTHORIZED TO ACQUIRE THE ALCOHOLIC BEVERAGE; AND

(III) A PERSON OUTSIDE THE STATE THAT IS AUTHORIZED TO ACQUIRE THE ALCOHOLIC BEVERAGE;

(3) ACQUIRE ALCOHOLIC BEVERAGES FROM THE HOLDER OF A CLASS 1 DISTILLERY LICENSE, CLASS 2 RECTIFYING LICENSE, CLASS 3 WINERY LICENSE, WHOLESALER'S LICENSE, OR NONRESIDENT DEALER'S PERMIT;

(4) RECTIFY, BLEND, BOTTLE, AND STORE ALCOHOLIC BEVERAGES IN THE NAME OF ANOTHER PERSON OR UNDER A TRADE NAME IF THE OTHER PERSON OR TRADE NAME ALSO HOLDS A CLASS 2 RECTIFYING LICENSE; AND

(5) (I) CONDUCT GUIDED TOURS OF THE LICENSED PREMISES; AND

(II) SERVE NOT MORE THAN THREE SAMPLES OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES, WITH EACH SAMPLE CONSISTING OF NOT MORE THAN ONE-HALF OUNCE FROM A SINGLE PRODUCT, TO AN INDIVIDUAL WHO HAS ATTAINED THE LEGAL DRINKING AGE AND PARTICIPATED IN A GUIDED TOUR OF THE LICENSED PREMISES.

(C) ACTING AS CATERER OF FOOD — PROHIBITED.

A LICENSE HOLDER OR ENTITY IN WHICH A LICENSE HOLDER HAS A PECUNIARY INTEREST MAY NOT ACT AS A CATERER OF FOOD.

(D) TIME LIMITS.

SUBJECT TO SUBSECTION (E) OF THIS SECTION, A LICENSE HOLDER MAY CONDUCT THE ACTIVITIES SPECIFIED IN SUBSECTION (B)(5) OF THIS SECTION:

(1) FOR OFF-PREMISES CONSUMPTION OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES AND FOR SAMPLING, FROM 10 A.M. TO 10 P.M. EACH DAY; AND

(2) FOR ON-PREMISES CONSUMPTION OF PRODUCTS MANUFACTURED AT THE LICENSED PREMISES:

(I) FROM 10 A.M. TO 6 P.M. EACH DAY; OR

(II) IF GUESTS ARE ATTENDING A PLANNED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY ON THE LICENSED PREMISES, FROM 10 A.M. TO 10 P.M. EACH DAY.

(E) DAYS OF OPERATION.

A CLASS 2 RECTIFYING LICENSE ALLOWS THE LICENSE HOLDER TO OPERATE 7 DAYS A WEEK.

(F) FILING OF NOTICE REQUIRED.

AT LEAST 14 DAYS BEFORE HOLDING A PLANNED PROMOTIONAL EVENT AFTER 6 P.M., A LICENSE HOLDER SHALL FILE A NOTICE OF THE PROMOTIONAL EVENT WITH THE COMPTROLLER ON THE FORM THAT THE COMPTROLLER PROVIDES.

(G) UNAUTHORIZED PRODUCTS.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A LICENSE HOLDER MAY NOT SELL OR ALLOW TO BE CONSUMED AT THE LICENSED PREMISES ANY PRODUCT OTHER THAN PRODUCTS PRODUCED BY THE LICENSE HOLDER UNDER THE AUTHORITY OF THIS SECTION.

(2) A HOLDER OF A CATERER'S LICENSE OR PRIVILEGE UNDER SUBTITLE 5 OF THIS TITLE OR SUBTITLE 12 OF VARIOUS TITLES OF DIVISION II OF THIS ARTICLE MAY EXERCISE THE PRIVILEGES OF THE LICENSE OR PRIVILEGE ON THE LICENSED PREMISES OF THE LICENSE HOLDER.

(H) EFFECT OF SECTION.

NOTHING IN THIS SECTION LIMITS THE APPLICATION OF RELEVANT PROVISIONS OF TITLE 21 OF THE HEALTH – GENERAL ARTICLE, AND REGULATIONS ADOPTED UNDER THAT TITLE, TO A LICENSE HOLDER.

(I) FEE.

THE ANNUAL LICENSE FEE IS \$600.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2–203(a) through (c), (e) through (g), and, as it related to days of operation, (d)(1) and, as it related to the Class 2 rectifying license, 2–201(a).

In subsection (b)(1) of this section, the reference to a plant “at the location described in the license” is substituted for the former reference to a plant “in this State” for clarity and consistency within this subtitle.

In subsection (b)(3) of this section, the former reference to certain manufacturer’s licenses and wholesaler’s licenses “in this State” is deleted as implicit in the nature of those licenses as authorizing manufacturing and wholesaling in this State and not in other states.

In subsection (b)(4) of this section, the former phrase “as the case may be” is deleted as surplusage.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“Person” § 1–101

“State” § 1–101

“Wholesaler’s license” § 1–101

2–205. CLASS 3 WINERY LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 3 WINERY LICENSE.

(B) SCOPE OF AUTHORIZATION.

A LICENSE HOLDER MAY:

(1) ESTABLISH AND OPERATE A PLANT FOR FERMENTING AND BOTTLING WINE AT THE LOCATION DESCRIBED IN THE LICENSE;

(2) IMPORT BULK WINE FROM THE HOLDER OF A NONRESIDENT DEALER’S PERMIT;

(3) SELL AND DELIVER WINE TO:

(I) A HOLDER OF A WHOLESALER’S LICENSE;

(II) A HOLDER OF A PERMIT THAT IS AUTHORIZED TO ACQUIRE WINE; AND

(III) A PERSON OUTSIDE THE STATE THAT IS AUTHORIZED TO ACQUIRE WINE;

(4) SUBJECT TO SUBSECTION (C) OF THIS SECTION, SELL AT RETAIL WINE MADE AT THE PLANT FROM PRODUCTS GROWN IN THE STATE TO AN INDIVIDUAL PARTICIPATING IN A GUIDED TOUR OF THE PLANT; AND

(5) SERVE, AT NO CHARGE, NOT MORE THAN 6 OUNCES OF WINE MADE AT THE PLANT TO AN INDIVIDUAL WHO HAS ATTAINED THE LEGAL DRINKING AGE AND IS PARTICIPATING IN A GUIDED TOUR OF THE PLANT.

(C) PURCHASES BY INDIVIDUAL.

AN INDIVIDUAL MAY PURCHASE WINE UNDER SUBSECTION (B)(4) OF THIS SECTION IF THE INDIVIDUAL:

(1) PURCHASES NOT MORE THAN 1 QUART IN A SINGLE YEAR; AND

(2) HAS ATTAINED THE LEGAL DRINKING AGE.

(D) FEE.

THE ANNUAL LICENSE FEE IS \$750.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2-204(a) and, as it related to the Class 3 winery license, 2-201(a).

In subsection (b)(1) of this section, the reference to a plant "at the location described in the license" is substituted for the former reference to a plant "in this State" for clarity and consistency within this subtitle.

In subsection (b)(3)(ii) of this section, the reference to a holder "that is authorized to acquire wine" is added for clarity and consistency within this subtitle.

In subsection (b)(4) of this section, the reference to wine being sold "at retail" is substituted for the former reference to wine being sold "at a retail price" for brevity and consistency within this article.

In subsection (b)(4) and (5) of this section, the references to the "plant" are substituted for the former references to the "facility" for consistency within this section.

In subsections (b)(5) and (c)(2) of this section, the former references to the "Maryland" legal drinking age are deleted as surplusage.

In subsection (b)(5) and the introductory language of subsection (c) of this section, the references to an “individual” are substituted for the former defined term “person[s]” because only an individual and not any of the other entities contained in the definition of “person” is capable of taking a tour of a winery or of consuming wine. No substantive change is intended.

Defined terms: “Person” § 1–101
 “State” § 1–101
 “Wholesaler’s license” § 1–101
 “Wine” § 1–101

2–206. CLASS 4 LIMITED WINERY LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 4 LIMITED WINERY LICENSE.

(B) SCOPE OF AUTHORIZATION.

(1) A LICENSE HOLDER MAY:

(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FROM AVAILABLE MARYLAND AGRICULTURAL PRODUCTS:

- 1. FERMENT AND BOTTLE WINE; AND**
- 2. DISTILL AND BOTTLE POMACE BRANDY; AND**

(II) SELL AND DELIVER THE WINE AND POMACE BRANDY TO:

- 1. A HOLDER OF A WHOLESALER’S LICENSE;**
- 2. A HOLDER OF A PERMIT THAT IS AUTHORIZED TO ACQUIRE WINE OR POMACE BRANDY; OR**
- 3. A PERSON OUTSIDE THE STATE THAT IS AUTHORIZED TO ACQUIRE WINE OR POMACE BRANDY.**

(2) (I) ON OR BEFORE JANUARY 31 OF EACH YEAR, THE MARYLAND DEPARTMENT OF AGRICULTURE SHALL DETERMINE IF AN INSUFFICIENT SUPPLY OF MARYLAND AGRICULTURAL PRODUCTS EXISTS.

(II) IF AN INSUFFICIENT SUPPLY IS DETERMINED TO EXIST, A LICENSE HOLDER MAY USE AGRICULTURAL PRODUCTS FROM OUTSIDE THE STATE

TO MANUFACTURE WINE AND POMACE BRANDY DURING THE PERIOD COVERED BY THE DETERMINATION OF THE DEPARTMENT.

(3) EXCEPT AS PROVIDED IN SUBTITLE 3 OF THIS TITLE, A LICENSE HOLDER NEED NOT OBTAIN ANY OTHER LICENSE TO POSSESS, MANUFACTURE, SELL, OR TRANSPORT WINE OR POMACE BRANDY.

(4) A LICENSE HOLDER MAY:

(I) SELL WINE AND POMACE BRANDY PRODUCED BY THE LICENSE HOLDER FOR CONSUMPTION;

(II) IN AN AMOUNT NOT EXCEEDING 2 FLUID OUNCES PER BRAND, PROVIDE SAMPLES OF WINE AND POMACE BRANDY THAT THE LICENSE HOLDER PRODUCES TO A CONSUMER:

1. AT NO CHARGE; OR

2. FOR A FEE; AND

(III) SUBJECT TO PARAGRAPH (5) OF THIS SUBSECTION, SELL OR SERVE ONLY:

1. BREAD AND OTHER BAKED GOODS;

2. CHILI;

3. CHOCOLATE;

4. CRACKERS;

5. CURED MEAT;

6. FRUITS (WHOLE AND CUT);

7. HARD AND SOFT CHEESE (WHOLE AND CUT);

8. SALADS AND VEGETABLES (WHOLE AND CUT);

9. THE FOLLOWING ITEMS MADE WITH MARYLAND WINE:

A. ICE CREAM;

B. JAM;

C. JELLY; AND

D. VINEGAR;

10. PIZZA;

11. PREPACKAGED SANDWICHES AND OTHER
PREPACKAGED FOODS READY TO BE EATEN;

12. SOUP; AND

13. CONDIMENTS.

(5) (I) A CATERER IS NOT LIMITED TO SELLING OR SERVING ONLY THE FOODS SPECIFIED IN PARAGRAPH (4)(III) OF THIS SUBSECTION.

(II) A LICENSE HOLDER OR ENTITY IN WHICH THE LICENSE HOLDER HAS A PECUNIARY INTEREST MAY NOT ACT AS A CATERER OF FOOD.

(6) SUBJECT TO PARAGRAPH (7) OF THIS SUBSECTION, A LICENSE HOLDER MAY CONDUCT THE ACTIVITIES SPECIFIED IN PARAGRAPH (4) OF THIS SUBSECTION:

(I) FOR OFF-PREMISES CONSUMPTION OF WINE AND POMACE BRANDY AND FOR SAMPLING, FROM 10 A.M. TO 10 P.M. EACH DAY; AND

(II) FOR ON-PREMISES CONSUMPTION OF WINE AND POMACE BRANDY AND SALES AND SERVICE OF FOOD ON THE LICENSED PREMISES:

1. FROM 10 A.M. TO 6 P.M. EACH DAY; OR

2. IF GUESTS ARE ATTENDING A PLANNED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY ON THE LICENSED PREMISES, FROM 10 A.M. TO 10 P.M. EACH DAY.

(7) EXCEPT AS PROVIDED IN DIVISION II OF THIS ARTICLE, THE LICENSE ALLOWS THE LICENSE HOLDER TO OPERATE 7 DAYS A WEEK.

(8) AT LEAST 14 DAYS BEFORE HOLDING A PLANNED PROMOTIONAL EVENT AFTER 6 P.M., A LICENSE HOLDER SHALL FILE A NOTICE OF THE

PROMOTIONAL EVENT WITH THE COMPTROLLER ON THE FORM THAT THE COMPTROLLER PROVIDES.

(9) A LICENSE HOLDER MAY NOT SELL OR ALLOW TO BE CONSUMED AT THE LOCATION OF THE LIMITED WINERY ANY ALCOHOLIC BEVERAGE OTHER THAN THE WINE OR POMACE BRANDY PRODUCED BY THE LICENSE HOLDER UNDER THE AUTHORITY OF THIS SECTION.

(10) NOTHING IN THIS SUBSECTION LIMITS THE APPLICATION OF RELEVANT PROVISIONS OF TITLE 21 OF THE HEALTH – GENERAL ARTICLE, AND REGULATIONS ADOPTED UNDER THAT TITLE, TO A LICENSE HOLDER.

(C) PLACE LISTED ON LICENSE TO BE IN COMPLIANCE.

THE PLACE LISTED ON THE LICENSE SHALL BE IN COMPLIANCE WITH § 1-405(B) OF THIS ARTICLE.

(D) SCOPE OF LICENSE.

A LICENSE HOLDER MAY:

(1) STORE ON ITS LICENSED PREMISES, IN A SEGREGATED AREA APPROVED BY THE COMPTROLLER, THE PRODUCT OF OTHER CLASS 4 LIMITED WINERIES TO BE USED AT MARYLAND WINERIES ASSOCIATION PROMOTIONAL ACTIVITIES, PROVIDED RECORDS ARE MAINTAINED AND REPORTS FILED REGARDING THE STORAGE UNDER THIS ITEM AS MAY BE REQUIRED BY THE COMPTROLLER;

(2) DISTILL AND BOTTLE NOT MORE THAN 1,900 GALLONS OF POMACE BRANDY MADE FROM AVAILABLE MARYLAND AGRICULTURAL PRODUCTS;

(3) PURCHASE BULK WINE FERMENTED BY A MANUFACTURER LICENSED UNDER THIS ARTICLE AND BLEND THE WINE WITH THE LICENSE HOLDER'S WINE AND POMACE BRANDY IF THE AGGREGATE PURCHASE DOES NOT EXCEED 25% OF THE LICENSE HOLDER'S ANNUAL WINE AND POMACE BRANDY PRODUCTION;

(4) PURCHASE POMACE BRANDY ONLY FOR BLENDING WITH WINE;

(5) IMPORT, EXPORT, AND TRANSPORT ITS WINE AND POMACE BRANDY IN ACCORDANCE WITH THIS SECTION; AND

(6) PRODUCE WINE AND POMACE BRANDY AT A WAREHOUSE FOR WHICH THE LICENSE HOLDER HAS BEEN ISSUED AN INDIVIDUAL STORAGE PERMIT, IF:

(I) THE LICENSE HOLDER DOES NOT SERVE OR SELL WINE OR POMACE BRANDY AT A WAREHOUSE TO THE PUBLIC; AND

(II) THE COMPTROLLER HAS FULL ACCESS AT ALL TIMES TO THE WAREHOUSE TO ENFORCE THIS ARTICLE.

(E) LOCATION.

A CLASS 4 LIMITED WINERY MAY BE LOCATED ONLY AT THE PLACE STATED ON THE LICENSE.

(F) ACTS ALLOWED WITH PROPER RECORDS AND REPORTS.

IF A LICENSE HOLDER MAINTAINS THE RECORDS AND FILES THE REPORTS THAT THE COMPTROLLER REQUIRES, THE LICENSE HOLDER MAY:

(1) IN THE STATE, CONDUCT WINEMAKING AND PACKAGING ACTIVITIES AT ANOTHER FEDERALLY BONDED WINERY OR LIMITED WINERY; OR

(2) OUTSIDE THE STATE, CONDUCT WINEMAKING AND PACKAGING ACTIVITIES, OTHER THAN FERMENTATION, AT ANOTHER FEDERALLY BONDED WINERY.

(G) ADDITIONAL DUTIES OF LICENSE HOLDER.

THROUGHOUT THE WINEMAKING PROCESS, THE LICENSE HOLDER SHALL:

(1) MAINTAIN OWNERSHIP OF THE WINE OR POMACE BRANDY; AND

(2) ENSURE THAT THE WINE OR POMACE BRANDY RETURNS TO THE LOCATION OF THE LIMITED WINERY.

(H) FEE.

THE ANNUAL LICENSE FEE IS \$200.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 1-102(a)(27)(i)2, 2-205(c) through (g) and (b)(1) through (7), (9) through (11), and (8)(i), and, as it related to the Class 4 limited winery license, 2-201(a).

In subsection (b)(2)(ii) of this section, the phrase “during the period covered by the determination of the Department” is added for clarity.

In subsection (d)(1) of this section, the reference to records and reports “regarding the storage under this paragraph” is added for clarity.

Also in subsection (d)(1) of this section, the former reference to “bona fide” Maryland Wineries Association activities is deleted as surplusage.

Defined terms: “Comptroller” § 1-101

“Consumer” § 1-101

“Person” § 1-101

“Pomace brandy” § 1-101

“State” § 1-101

“Wholesaler’s license” § 1-101

“Wine” § 1-101

2-207. CLASS 5 BREWERY LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 5 BREWERY LICENSE.

(B) SCOPE OF AUTHORIZATION.

A LICENSE HOLDER MAY:

(1) ESTABLISH AND OPERATE A PLANT FOR BREWING AND BOTTLING MALT BEVERAGES AT THE LOCATION DESCRIBED IN THE LICENSE;

(2) IMPORT BEER FROM A HOLDER OF A NONRESIDENT DEALER’S PERMIT;

(3) SELL AND DELIVER BEER TO:

(I) A HOLDER OF A WHOLESALER’S LICENSE THAT IS AUTHORIZED TO ACQUIRE BEER; OR

(II) A PERSON OUTSIDE OF THE STATE THAT IS AUTHORIZED TO ACQUIRE BEER;

(4) SERVE, AT NO CHARGE, NOT MORE THAN SIX SAMPLES OF BEER BREWED AT THE BREWERY, WITH EACH SAMPLE CONSISTING OF NOT MORE THAN 3 OUNCES FROM A SINGLE STYLE OF BEER, TO AN INDIVIDUAL WHO:

(I) HAS ATTAINED THE LEGAL DRINKING AGE; AND

(II) IS PARTICIPATING IN A GUIDED TOUR OF THE BREWERY OR ATTENDS A SCHEDULED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE BREWERY;

(5) SUBJECT TO SUBSECTION (C) OF THIS SECTION, SELL BEER BREWED AT THE BREWERY FOR OFF-PREMISES CONSUMPTION AT RETAIL TO AN INDIVIDUAL PARTICIPATING IN A GUIDED TOUR OF THE BREWERY OR ATTENDING A SCHEDULED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE BREWERY; AND

(6) SUBJECT TO SUBSECTION (E) OF THIS SECTION, SELL BEER BREWED AT THE LOCATION DESCRIBED IN THE LICENSE FOR ON-PREMISES CONSUMPTION.

(C) PURCHASES BY INDIVIDUAL.

AN INDIVIDUAL MAY PURCHASE BEER UNDER SUBSECTION (B)(5) OF THIS SECTION IF THE INDIVIDUAL:

(1) PURCHASES NOT MORE THAN 288 OUNCES OF BEER; AND

(2) HAS ATTAINED THE LEGAL DRINKING AGE.

(D) FEE.

THE ANNUAL LICENSE FEE IS \$1,500.

(E) ON-SITE CONSUMPTION PERMIT.

(1) A LOCAL LICENSING BOARD SHALL GRANT AN ON-SITE CONSUMPTION PERMIT TO AN APPLICANT THAT HOLDS A CLASS 5 BREWERY LICENSE AND, SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A CLASS D BEER LICENSE.

(2) (I) AN ON-SITE CONSUMPTION PERMIT ENTITLES THE HOLDER TO SELL BEER BREWED AT THE BREWERY FOR ON-PREMISES CONSUMPTION TO AN INDIVIDUAL WHO HAS ATTAINED THE LEGAL DRINKING AGE.

(II) THE TOTAL AMOUNT OF BEER SOLD EACH YEAR FOR ON-PREMISES CONSUMPTION UNDER THIS PARAGRAPH MAY NOT EXCEED 500 BARRELS.

(3) BEFORE A LOCAL LICENSING BOARD THAT DOES NOT ISSUE A CLASS D BEER LICENSE MAY GRANT AN ON-SITE CONSUMPTION PERMIT, THE LOCAL LICENSING BOARD SHALL:

(I) ESTABLISH AN EQUIVALENT LICENSE; AND

(II) REQUIRE THE APPLICANT TO OBTAIN THAT EQUIVALENT LICENSE.

(4) A LOCAL LICENSING BOARD MAY:

(I) CHARGE A FEE FOR GRANTING AN ON-SITE CONSUMPTION PERMIT; AND

(II) REQUIRE THAT THE HOLDER OF THE PERMIT OR AN EMPLOYEE DESIGNATED BY THE HOLDER COMPLY WITH THE ALCOHOL AWARENESS TRAINING REQUIREMENTS UNDER § 4-505 OF THIS ARTICLE.

(F) BREWERY PROMOTIONAL EVENT PERMIT.

(1) THE COMPTROLLER MAY ISSUE A BREWERY PROMOTIONAL EVENT PERMIT TO A HOLDER OF A CLASS 5 BREWERY LICENSE.

(2) THE PERMIT AUTHORIZES THE HOLDER TO CONDUCT ON THE PREMISES OF THE BREWERY A PROMOTIONAL EVENT AT WHICH THE HOLDER MAY:

(I) PROVIDE SAMPLES OF NOT MORE THAN 3 FLUID OUNCES PER BRAND TO CONSUMERS; AND

(II) SELL BEER PRODUCED BY THE HOLDER TO INDIVIDUALS WHO PARTICIPATE IN THE EVENT.

(3) THE BEER AT THE EVENT SHALL BE SOLD BY THE GLASS FOR ON-PREMISES CONSUMPTION ONLY.

(4) TO OBTAIN A PERMIT, AN APPLICANT, AT LEAST 15 DAYS BEFORE THE EVENT, SHALL FILE WITH THE COMPTROLLER AN APPLICATION THAT THE COMPTROLLER PROVIDES.

(5) A HOLDER OF A CLASS 5 BREWERY LICENSE MAY NOT BE ISSUED MORE THAN 12 PERMITS IN A CALENDAR YEAR.

(6) A SINGLE PROMOTIONAL EVENT MAY NOT EXCEED 3 CONSECUTIVE DAYS.

(7) THE PERMIT FEE IS \$25 PER EVENT.

(G) REFILLABLE CONTAINER PERMIT.

(1) (I) THE COMPTROLLER MAY ISSUE A REFILLABLE CONTAINER PERMIT FOR DRAFT BEER UNDER § 4-1104 OR SUBTITLE 11 OF THE VARIOUS TITLES IN DIVISION II OF THIS ARTICLE TO A HOLDER OF A CLASS 5 BREWERY LICENSE:

1. ON COMPLETION OF AN APPLICATION FORM THAT THE COMPTROLLER PROVIDES; AND

2. AT NO COST TO THE HOLDER OF THE CLASS 5 BREWERY LICENSE.

(II) A REFILLABLE CONTAINER PERMIT MAY BE RENEWED EACH YEAR CONCURRENTLY WITH THE RENEWAL OF THE CLASS 5 BREWERY LICENSE.

(2) THE HOURS OF SALE FOR A REFILLABLE CONTAINER PERMIT ISSUED UNDER THIS SUBSECTION ARE THE SAME AS THE HOURS WHEN A GUIDED TOUR, A PROMOTIONAL EVENT, OR OTHER ORGANIZED ACTIVITY AT THE LICENSED PREMISES AUTHORIZED UNDER SUBSECTION (B) OF THIS SECTION MAY BE CONDUCTED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2-206(a), (b), (c), and (d)(1) and (4) and, as it related to the Class 5 brewery license, 2-201(a).

In subsection (b)(1) of this section, the former reference to a plant "in this State" is deleted as surplusage.

In subsections (c) and (f)(2)(ii) of this section, the references to "individual[s]" are substituted for the former defined term "person[s]" because only an individual and not any of the other entities contained in the definition of "person" is capable of taking a tour of a brewery, consuming beer, or purchasing beer for consumption. No substantive change is intended.

In subsection (f) of this section, the former references to the "Office of the" Comptroller are deleted as unnecessary.

Former Art. 2B, § 2–206(d)(2), (3), and (5), which described the standards required of a refillable container permit, are deleted as redundant of § 4–1104 of this article.

Former Art. 2B, § 2–206(d)(6), which stated that the Comptroller may adopt regulations to implement former Art. 2B, § 2–206(d), is deleted as unnecessary. Under § 1–302(a) of this article, the Comptroller is required to adopt regulations to discharge the duties of this article.

Defined terms: “Beer” § 1–101

“Comptroller” § 1–101

“Consumer” § 1–101

“Local licensing board” § 1–101

“Person” § 1–101

“State” § 1–101

“Wholesaler’s license” § 1–101

2–208. CLASS 6 PUB–BREWERY LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 6 PUB–BREWERY LICENSE.

(B) AUTHORIZED HOLDER AND PREMISES.

(1) THE LICENSE MAY BE ISSUED ONLY TO THE HOLDER OF A CLASS B BEER, WINE, AND LIQUOR (ON–SALE) LICENSE THAT IS ISSUED FOR USE ON THE PREMISES OF A RESTAURANT.

(2) THE PUB–BREWERY SHALL BE LOCATED IMMEDIATELY ADJACENT TO THE RESTAURANT WHERE THE MALT BEVERAGE IS TO BE SOLD TO THE PUBLIC.

(C) SCOPE OF AUTHORIZATION.

A LICENSE HOLDER:

(1) MAY BREW MALT BEVERAGES AT A SINGLE LOCATION FOR CONSUMPTION ON THE RESTAURANT PREMISES; BUT

(2) MAY NOT BREW MORE THAN 2,000 BARRELS OF MALT BEVERAGE EACH CALENDAR YEAR.

(D) REFILLABLE CONTAINERS — OFF–PREMISES CONSUMPTION.

(1) A LICENSE HOLDER MAY SELL AT RETAIL MALT BEVERAGES FOR OFF-PREMISES CONSUMPTION IN A SEALED REFILLABLE CONTAINER.

(2) THE CONTAINER:

(I) MAY BE RETURNED FOR REFILLING; AND

(II) SHALL BE SEALED BY THE LICENSE HOLDER WHEN REFILLED.

(3) A LICENSE HOLDER MAY NOT SELL MALT BEVERAGES TO A RETAIL DEALER IN THE STATE FOR SUBSEQUENT SALE OR DISTRIBUTION OF THE MALT BEVERAGE UNDER THE RETAIL LICENSE.

(E) TRANSFER.

EXCEPT FOR A LICENSE TRANSFERRED TO A NEW LOCATION, THE LICENSE MAY BE TRANSFERRED UNDER TITLE 4, SUBTITLE 3 OF THIS ARTICLE IF AN APPLICATION FOR TRANSFER IS FILED AT THE SAME TIME WITH THE LOCAL LICENSING BOARD AND THE COMPTROLLER.

(F) SUSPENSION.

IF THE CLASS B BEER, WINE, AND LIQUOR (ON-SALE) LICENSE OF THE HOLDER IS SUSPENDED, THE CLASS 6 PUB-BREWERY LICENSE SHALL BE SUSPENDED FOR THE SAME PERIOD.

(G) TERMINATION.

THE LICENSE IS VOID IF:

(1) THE RESTAURANT DESCRIBED IN SUBSECTION (B)(1) OF THIS SECTION CEASES TO BE OPERATED AS A RESTAURANT; OR

(2) THE CLASS B BEER, WINE, AND LIQUOR (ON-SALE) LICENSE OF THE LICENSE HOLDER IS REVOKED OR TRANSFERRED TO A DIFFERENT LOCATION.

(H) FEE.

THE ANNUAL LICENSE FEE IS \$500.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2-207(a)(1) and (2), (b) through (f), and (g)(2)

through (4) and, as it related to the Class 6 pub–brewery license, 2–201(a).

In subsection (b)(1) of this section, the former reference to a restaurant “located in the jurisdictions permitted by this subsection” is deleted as unnecessary in light of the organization of this revised article.

In subsection (b)(2) of this section, the reference to “malt beverage” is substituted for the former reference to “brewed beverage” for consistency throughout this section.

In subsection (e) of this section, the former reference to the “Office of the” Comptroller is deleted as unnecessary.

In subsection (f) of this section, the former reference to a period “of time” is deleted as surplusage.

Former Art. 2B, § 2–207(a)(3) and (g)(1), which listed the jurisdictions where this section is applicable, are deleted as unnecessary in light of the organization of this revised article.

Defined terms: “Beer” § 1–101

“Comptroller” § 1–101

“Local licensing board” § 1–101

“On–sale” § 1–101

“Restaurant” § 1–101

“Retail dealer” § 1–101

“State” § 1–101

“Wine” § 1–101

2–209. CLASS 7 MICRO–BREWERY LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 7 MICRO–BREWERY LICENSE.

(B) AUTHORIZED HOLDER.

EXCEPT AS PROVIDED IN DIVISION II OF THIS ARTICLE, THE LICENSE MAY BE ISSUED ONLY TO THE HOLDER OF A CLASS B BEER, WINE, AND LIQUOR (ON–SALE) LICENSE THAT IS ISSUED FOR USE ON THE PREMISES OF A RESTAURANT.

(C) SCOPE OF AUTHORIZATION.

A LICENSE HOLDER MAY:

(1) BREW AND BOTTLE MALT BEVERAGES AT THE LOCATION DESCRIBED IN THE LICENSE;

(2) OBTAIN A CLASS 2 RECTIFYING LICENSE FOR A PREMISES LOCATED WITHIN 1 MILE OF THE EXISTING CLASS 7 MICRO-BREWERY LOCATION TO BOTTLE MALT BEVERAGES BREWED AT THE MICRO-BREWERY LOCATION ONLY;

(3) CONTRACT TO BREW AND BOTTLE MALT BEVERAGES WITH AND ON BEHALF OF THE HOLDER OF A CLASS 2 RECTIFYING LICENSE, CLASS 5 BREWERY LICENSE, CLASS 7 MICRO-BREWERY LICENSE, CLASS 8 FARM BREWERY LICENSE, OR A NONRESIDENT DEALER'S PERMIT;

(4) STORE THE FINISHED PRODUCT UNDER AN INDIVIDUAL STORAGE PERMIT OR AT A LICENSED PUBLIC STORAGE FACILITY FOR SUBSEQUENT SALE AND DELIVERY:

(I) TO A HOLDER OF A WHOLESALER'S LICENSE;

(II) TO AN AUTHORIZED PERSON OUTSIDE THE STATE; OR

(III) FOR SHIPMENT BACK TO THE MICRO-BREWERY LOCATION FOR SALE ON THE RETAIL PREMISES; AND

(5) ENTER INTO A TEMPORARY DELIVERY AGREEMENT WITH A DISTRIBUTOR ONLY FOR DELIVERY OF BEER TO A BEER FESTIVAL OR A WINE AND BEER FESTIVAL, AND THE RETURN OF ANY UNUSED BEER, IF:

(I) THE FESTIVAL IS IN A SALES TERRITORY FOR WHICH THE LICENSE HOLDER DOES NOT HAVE A FRANCHISE WITH A DISTRIBUTOR UNDER THE BEER FRANCHISE FAIR DEALING ACT IN TITLE 5, SUBTITLE 1 OF THIS ARTICLE; AND

(II) THE TEMPORARY DELIVERY AGREEMENT IS IN WRITING.

(D) LIMITATIONS — PRODUCTION.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A LICENSE HOLDER MAY NOT COLLECTIVELY BREW, BOTTLE, OR CONTRACT FOR MORE THAN 22,500 BARRELS OF MALT BEVERAGES EACH CALENDAR YEAR.

(2) (I) IN DETERMINING THE BARRELAGE LIMITATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, ANY SALABLE BEER PRODUCED UNDER A

CONTRACTUAL ARRANGEMENT ACCRUES ONLY TO THE LICENSE HOLDER THAT OWNS THE BRAND.

(II) A LICENSE HOLDER THAT WISHES TO PRODUCE MORE THAN THE BARRELAGE AUTHORIZED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

- 1. DIVEST ITSELF OF ANY RETAIL LICENSE; AND**
- 2. OBTAIN A CLASS 5 BREWERY LICENSE.**

(3) A LICENSE HOLDER THAT HAS LICENSES FOR TWO LOCATIONS MAY NOT COLLECTIVELY BREW, BOTTLE, OR CONTRACT FOR MORE THAN 22,500 BARRELS OF MALT BEVERAGES IN AGGREGATE FROM BOTH OF ITS LOCATIONS EACH CALENDAR YEAR.

(E) LIMITATIONS — AFFILIATION AND LICENSURE.

A LICENSE HOLDER:

(1) MAY NOT OWN, OPERATE, OR BE AFFILIATED WITH ANOTHER MANUFACTURER OF BEER EXCEPT FOR A CLASS 2 RECTIFYING LICENSE AUTHORIZED UNDER SUBSECTION (C)(2) OF THIS SECTION; AND

(2) MAY NOT BE GRANTED A WHOLESALER'S LICENSE.

(F) ON-SALE AND OFF-SALE PRIVILEGES.

(1) THE ON-SALE PRIVILEGE AUTHORIZES THE LICENSE HOLDER, EACH CALENDAR YEAR, TO SELL AT RETAIL FOR ON-PREMISES CONSUMPTION:

(I) UP TO 4,000 BARRELS OF BEER BREWED UNDER THE LICENSE; OR

(II) IF THE LICENSE HOLDER HAS LICENSES FOR TWO LOCATIONS, BEER THAT:

1. TOTALS ANNUALLY UP TO 4,000 BARRELS IN AGGREGATE FROM BOTH ITS LOCATIONS; AND

2. HAS BEEN BREWED AT THE LOCATION WHERE IT IS SOLD.

(2) A LICENSE HOLDER MAY SELL AND DELIVER BEER BREWED UNDER THE LICENSE TO:

- (I) A HOLDER OF A WHOLESALER’S LICENSE; OR**
- (II) A PERSON OUTSIDE THE STATE THAT IS AUTHORIZED TO ACQUIRE BEER.**

(G) HOURS AND DAYS OF SALE.

THE HOURS AND DAYS FOR RETAIL SALES UNDER THE LICENSE ARE THOSE ESTABLISHED FOR A CLASS B LICENSE OR FOR A HOLDER OF A CLASS B BEER, WINE, AND LIQUOR LICENSE.

(H) REFILLABLE CONTAINERS AND PREPACKAGED BEER — OFF-PREMISES CONSUMPTION.

A LICENSE HOLDER MAY SELL AT RETAIL BEER BREWED UNDER THE LICENSE FOR OFF-PREMISES CONSUMPTION:

- (1) IN A SEALED REFILLABLE CONTAINER THAT:**
 - (I) MAY BE RETURNED FOR REFILLING; AND**
 - (II) SHALL BE SEALED BY THE LICENSE HOLDER WHEN REFILLED; AND**
- (2) AS PREPACKAGED BEER IN A NONREFILLABLE CONTAINER.**

(I) FEE.

THE ANNUAL LICENSE FEE IS \$500.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2–208(a), (b)(1) and (3)(i), (c)(1)(i)1 through 4, 5A, and 6, (2), and (3), (d)(1), (2), and (3)(ii), (e)(2), and (f)(1)(i) and, as it related to the Class 7 micro–brewery license, 2–201(a).

In subsection (a) of this section, the former inaccurate phrase “(on– and off–sale)” is deleted because not all jurisdictions in which the Class 7 micro–brewery license is authorized allow retail sale of beer for off–premises consumption.

In subsection (b) of this section, the former reference to a restaurant “located in a jurisdiction listed in paragraph (2) of this subsection” is deleted as unnecessary in light of the organization of this revised article.

In subsection (c)(1) of this section, the reference to the “location described in the license” is substituted for the former reference to the “license location” for accuracy and consistency within this subtitle.

In subsection (e)(2) of this section, the former phrase “[n]otwithstanding § 2–201(b) of this subtitle” is deleted as obsolete, as it referred to a provision that was changed as a result of Chapter 207, Acts of 2013.

In subsection (f)(2)(ii) of this section, the reference to “beer” is substituted for the former reference to “brewed beverages” for consistency within this subsection.

Also in subsection (f)(2)(ii) of this section, the former reference to a person being authorized “under the laws of that state” to acquire beer is deleted as unnecessary.

In subsection (g) of this section, the former reference to a Class B license “in the respective jurisdictions listed in subsection (b)(2) of this section” is deleted as unnecessary in light of the organization of this revised article.

In subsection (h)(1)(i) of this section, the reference to the container being “returned for refilling” is added to state expressly that which was only implied in the former law.

In subsection (h)(1)(ii) of this section, the reference to the container being sealed “when” filled is substituted for the former reference to being sealed “at the time of each” refill for brevity.

Former Art. 2B, § 2–208(d)(3)(i), which listed the jurisdictions where this section is applicable, is deleted as unnecessary in light of the organization of this revised article.

Defined terms: “Beer” § 1–101

“On-sale” § 1–101

“Person” § 1–101

“Restaurant” § 1–101

“State” § 1–101

“Wholesaler’s license” § 1–101

“Wine” § 1–101

2–210. CLASS 8 FARM BREWERY LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 8 FARM BREWERY LICENSE.

(B) SCOPE OF AUTHORIZATION — IN GENERAL.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A LICENSE HOLDER MAY SELL AND DELIVER BEER MANUFACTURED IN A FACILITY ON THE LICENSED FARM OR IN A FACILITY OTHER THAN ONE ON THE LICENSED FARM TO:

(I) A WHOLESALER LICENSED TO SELL AND DELIVER BEER IN THE STATE; OR

(II) A PERSON IN ANOTHER STATE AUTHORIZED TO ACQUIRE BEER.

(2) THE BEER TO BE SOLD AND DELIVERED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL BE MANUFACTURED WITH AN INGREDIENT FROM A MARYLAND AGRICULTURAL PRODUCT, INCLUDING HOPS, GRAIN, AND FRUIT, PRODUCED ON THE LICENSED FARM.

(C) SCOPE OF AUTHORIZATION — SPECIFIC ACTS.

A LICENSE HOLDER MAY:

(1) (I) SELL BEER PRODUCED BY THE LICENSE HOLDER FOR ON-PREMISES CONSUMPTION;

(II) IN AN AMOUNT NOT EXCEEDING 6 FLUID OUNCES PER BRAND, PROVIDE SAMPLES OF BEER THAT THE LICENSE HOLDER PRODUCES TO A CONSUMER:

1. AT NO CHARGE; OR

2. FOR A FEE; AND

(III) SELL OR SERVE:

1. BREAD AND OTHER BAKED GOODS;

2. CHILI;

3. CHOCOLATE;

4. CRACKERS;
5. CURED MEAT;
6. FRUITS (WHOLE AND CUT);
7. HARD AND SOFT CHEESE (WHOLE AND CUT);
8. SALADS AND VEGETABLES (WHOLE AND CUT);
9. ICE CREAM;
10. JAM;
11. JELLY;
12. VINEGAR;
13. PIZZA;
14. PREPACKAGED SANDWICHES AND OTHER PREPACKAGED FOODS READY TO BE EATEN;
15. SOUP; AND
16. CONDIMENTS;

(2) STORE ON ITS LICENSED FARM, IN A SEGREGATED AREA APPROVED BY THE COMPTROLLER, BEER PRODUCED AT THE LICENSED FARM FOR SALE AND DELIVERY TO A WHOLESALE LICENSED IN THE STATE OR A PERSON OUTSIDE THE STATE AUTHORIZED TO ACQUIRE THE BEER;

(3) BREW, BOTTLE, OR CONTRACT FOR NOT MORE THAN 15,000 BARRELS OF BEER EACH CALENDAR YEAR;

(4) CONTRACT WITH THE HOLDER OF A CLASS 2 RECTIFYING LICENSE, A CLASS 5 BREWERY LICENSE, OR A CLASS 7 MICRO-BREWERY LICENSE TO BREW AND BOTTLE BEER FROM INGREDIENTS PRODUCED ON THE LICENSED FARM;

(5) IMPORT, EXPORT, AND TRANSPORT ITS BEER IN ACCORDANCE WITH THIS SECTION;

(6) STORE BEER AT A WAREHOUSE FOR WHICH THE LICENSE HOLDER HAS BEEN ISSUED AN INDIVIDUAL STORAGE PERMIT, FOR SALE AND DELIVERY TO A WHOLESALER LICENSED IN THE STATE OR A PERSON OUTSIDE THE STATE AUTHORIZED TO ACQUIRE THE BEER, OR SHIPMENT BACK TO THE LICENSED FARM, IF:

(I) THE LICENSE HOLDER DOES NOT SERVE OR SELL BEER AT THE WAREHOUSE; AND

(II) THE COMPTROLLER HAS FULL ACCESS AT ALL TIMES TO THE WAREHOUSE TO ENFORCE THIS ARTICLE; AND

(7) ENTER INTO A TEMPORARY DELIVERY AGREEMENT WITH A DISTRIBUTOR ONLY FOR DELIVERY OF BEER TO A BEER FESTIVAL OR A WINE AND BEER FESTIVAL, AND THE RETURN OF ANY UNUSED BEER, IF:

(I) THE FESTIVAL IS IN A SALES TERRITORY FOR WHICH THE LICENSE HOLDER DOES NOT HAVE A FRANCHISE WITH A DISTRIBUTOR UNDER THE BEER FRANCHISE FAIR DEALING ACT IN TITLE 5, SUBTITLE 1 OF THIS ARTICLE; AND

(II) THE TEMPORARY DELIVERY AGREEMENT IS IN WRITING.

(D) LIMITATION ON BREWERY LOCATION.

(1) A CLASS 8 FARM BREWERY MAY BE LOCATED ONLY AT THE PLACE STATED ON THE LICENSE.

(2) THE PLACE LISTED ON THE LICENSE SHALL BE IN COMPLIANCE WITH § 1-405(B) OF THIS ARTICLE.

(E) PREEMPTION OF LOCAL LAW.

NOTWITHSTANDING ANY LOCAL LAW, A LICENSE HOLDER MAY EXERCISE THE PRIVILEGES OF A CLASS 8 FARM BREWERY LICENSE.

(F) HOURS OF OPERATION.

SUBJECT TO SUBSECTIONS (J) AND (K) OF THIS SECTION, A LICENSE HOLDER MAY EXERCISE THE PRIVILEGES OF THE LICENSE EACH DAY:

(1) FROM 10 A.M. TO 6 P.M., FOR CONSUMPTION OF BEER AND SALES AND SERVICE OF FOOD AT THE LICENSED FARM; AND

(2) FROM 10 A.M. TO 10 P.M., FOR:

(I) SAMPLING OF BEER;

(II) CONSUMPTION OF BEER OFF THE LICENSED FARM IF THE BEER IS PACKAGED IN SEALED OR RESEALABLE CONTAINERS, SUCH AS GROWLERS; AND

(III) GUESTS WHO ATTEND A PLANNED PROMOTIONAL EVENT OR OTHER ORGANIZED ACTIVITY AT THE LICENSED FARM.

(G) DAYS OF OPERATION.

EXCEPT AS PROVIDED IN DIVISION II OF THIS ARTICLE, A CLASS 8 FARM BREWERY LICENSE ALLOWS THE LICENSE HOLDER TO OPERATE 7 DAYS A WEEK.

(H) UNAUTHORIZED PRODUCTS.

EXCEPT AS PROVIDED IN SUBSECTION (J) OF THIS SECTION, A LICENSE HOLDER MAY NOT SELL OR ALLOW TO BE CONSUMED AT THE LOCATION OF THE FARM BREWERY ANY ALCOHOLIC BEVERAGE OTHER THAN THE BEER PRODUCED BY THE LICENSE HOLDER UNDER THE AUTHORITY OF THIS SECTION.

(I) SECTION NOT TO LIMIT APPLICATION OF HEALTH – GENERAL ARTICLE.

NOTHING IN THIS SECTION LIMITS THE APPLICATION OF RELEVANT PROVISIONS OF TITLE 21 OF THE HEALTH – GENERAL ARTICLE, AND REGULATIONS ADOPTED UNDER THAT TITLE, TO A LICENSE HOLDER.

(J) MULTIBREWERY ACTIVITY.

(1) A LICENSE HOLDER MAY SPONSOR A MULTIBREWERY ACTIVITY AT THE LICENSED FARM THAT:

(I) INCLUDES THE PRODUCTS OF OTHER MARYLAND BREWERIES; AND

(II) PROVIDES FOR THE SALE OF BEER BY THE GLASS FOR ON-PREMISES CONSUMPTION ONLY.

(2) IN A SEGREGATED AREA APPROVED BY THE COMPTROLLER ON THE LICENSED FARM, A LICENSE HOLDER MAY STORE THE PRODUCTS OF OTHER MARYLAND BREWERIES FOR THE MULTIBREWERY ACTIVITY.

(3) THE MULTIBREWERY ACTIVITY:

(I) MAY BE HELD FROM 10 A.M. TO 10 P.M. EACH DAY; AND

(II) MAY NOT EXCEED 3 CONSECUTIVE DAYS.

(K) BREWERY PROMOTIONAL EVENT PERMIT.

(1) THE COMPTROLLER MAY ISSUE A BREWERY PROMOTIONAL EVENT PERMIT TO A LICENSE HOLDER.

(2) AT LEAST 15 DAYS BEFORE HOLDING A PLANNED PROMOTIONAL EVENT, THE LICENSE HOLDER SHALL OBTAIN A PERMIT FROM THE COMPTROLLER BY FILING A NOTICE OF THE PROMOTIONAL EVENT ON THE FORM THAT THE COMPTROLLER PROVIDES.

(3) THE PERMIT AUTHORIZES THE LICENSE HOLDER TO CONDUCT AT THE LICENSED FARM A PROMOTIONAL EVENT AT WHICH THE LICENSE HOLDER MAY:

(I) PROVIDE SAMPLES OF NOT MORE THAN 6 FLUID OUNCES PER BRAND TO CONSUMERS; AND

(II) SELL BEER PRODUCED BY THE LICENSE HOLDER TO PERSONS WHO PARTICIPATE IN THE EVENT.

(4) THE BEER AT THE EVENT SHALL BE SOLD BY THE GLASS AND FOR ON-PREMISES CONSUMPTION ONLY.

(5) THE LICENSE HOLDER MAY NOT BE ISSUED MORE THAN 12 PERMITS IN A CALENDAR YEAR.

(6) A SINGLE PROMOTIONAL EVENT:

(I) MAY BE HELD FROM 10 A.M. TO 10 P.M. EACH DAY; AND

(II) MAY NOT EXCEED 3 CONSECUTIVE DAYS.

(7) THE PERMIT FEE IS \$25 PER EVENT.

(L) FEE.**THE ANNUAL LICENSE FEE IS \$200.**

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2–209(b) through (e) and (a)(1) through (7), (8)(i), (9), and (10) and, as it related to the farm brewery license, 2–201(a).

In subsection (g) of this section, the reference to “Division II of this article” is substituted for the former reference to “subparagraph (ii) of this paragraph” to reflect the organization of this revised article.

Defined terms: “Beer” § 1–101
 “Comptroller” § 1–101
 “Consumer” § 1–101
 “Person” § 1–101
 “State” § 1–101
 “Wholesaler” § 1–101

2–211. RESIDENCY REQUIREMENT.

TO BE ISSUED A MANUFACTURER'S LICENSE, THE FOLLOWING INDIVIDUALS SHALL RESIDE IN THE STATE FOR 2 YEARS IMMEDIATELY PRECEDING THE FILING OF AN APPLICATION FOR THE LICENSE:

- (1) FOR A SOLE PROPRIETORSHIP, THE INDIVIDUAL APPLICANT;**
- (2) FOR A CORPORATION OR LIMITED LIABILITY COMPANY, THE INDIVIDUAL WHO QUALIFIES AS A RESIDENT APPLICANT; OR**
- (3) FOR A PARTNERSHIP, EACH PARTNER OF THE APPLICANT.**

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2–401(a), as it related to applicants for manufacturer's licenses.

In item (1) of this section, the reference to “a sole proprietorship” is added for clarity.

In item (2) of this section, the reference to a “limited liability company” is added for clarity and consistency with Subtitle 7 of this title.

In item (3) of this section, the reference to each “partner of the applicant” is substituted for the former reference to each “applicant” for accuracy.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the residency requirement in the introductory language of this section, which requires that certain license applicants reside in the State for 2 years immediately preceding the filing of a license application, may violate the equal protection guarantees of the Fourteenth Amendment to the United States Constitution and Article 24 of the Maryland Declaration of Rights. Maryland Courts look unfavorably on legislation that classify persons by geography, which may be accomplished by residency or registration requirements, if the primary purpose of the legislation is economic. *See Verzi v. Baltimore County*, 333 Md. 411 (1994).

Defined terms: "Manufacturer's license" § 1-101
 "State" § 1-101

2-212. ADDITIONAL LICENSES.

(A) MANUFACTURER'S LICENSE.

(1) THIS SUBSECTION DOES NOT APPLY TO A CLASS 6 PUB-BREWERY LICENSE.

(2) THE HOLDER OF A DISTILLERY, RECTIFYING, WINERY, LIMITED WINERY, OR BREWERY LICENSE MAY APPLY FOR AND OBTAIN, UNDER A DIFFERENT NAME, ONE OR MORE ADDITIONAL DISTILLERY, RECTIFYING, WINERY, LIMITED WINERY, OR BREWERY LICENSES FOR THE SAME OR DIFFERENT PREMISES.

(3) THE ADDITIONAL LICENSES MAY BE ISSUED TO DIFFERENT PERSONS OR UNDER TRADE NAMES USED BY PERSONS OCCUPYING ALL OR A PART OF THE SAME PREMISES.

(4) A HOLDER OF A LICENSE LISTED IN PARAGRAPH (2) OF THIS SUBSECTION MAY HOLD ADDITIONAL LICENSES LISTED IN PARAGRAPH (2) OF THIS SUBSECTION OF THE SAME OR OF A DIFFERENT CLASS.

(5) THE HOLDER OF A MICRO-BREWERY LICENSE MAY APPLY FOR AND OBTAIN NOT MORE THAN ONE ADDITIONAL MICRO-BREWERY LICENSE FOR ANOTHER PREMISES.

(B) CERTAIN HOLDERS OF MANUFACTURER'S LICENSES ELIGIBLE FOR WHOLESALER'S LICENSES.

(1) THE HOLDER OF A RECTIFYING OR WINERY LICENSE MAY APPLY FOR AND OBTAIN A WHOLESALER'S LICENSE OF ANY CLASS FOR THE SAME PREMISES OR ELSEWHERE AS PROVIDED UNDER THIS ARTICLE.

(2) THE HOLDER OF A CLASS 4 LIMITED WINERY LICENSE MAY APPLY FOR AND OBTAIN A CLASS 6 LIMITED WINE WHOLESALER’S LICENSE FOR THE SAME PREMISES OR ELSEWHERE AS PROVIDED UNDER THIS ARTICLE.

(3) (I) THE HOLDER OF A CLASS 5 BREWERY LICENSE OR CLASS 7 MICRO-BREWERY LICENSE MAY APPLY FOR AND OBTAIN A CLASS 7 LIMITED BEER WHOLESALER’S LICENSE IN ACCORDANCE WITH THIS PARAGRAPH.

(II) A HOLDER OF A CLASS 5 BREWERY LICENSE THAT WAS SELLING THE HOLDER’S OWN BEER AT WHOLESALE IN THE STATE AS OF JANUARY 1, 2013, MAY OBTAIN A CLASS 7 LIMITED BEER WHOLESALER’S LICENSE TO CONTINUE TO SELL THE HOLDER’S OWN BEER AT WHOLESALE IN THE SAME LOCATION IN AN AMOUNT THAT IS NOT MORE THAN 3,000 BARRELS ANNUALLY.

(III) A HOLDER OF A CLASS 5 BREWERY LICENSE THAT PRODUCES IN AGGREGATE FROM ALL ITS LOCATIONS NOT MORE THAN 22,500 BARRELS OF BEER ANNUALLY MAY OBTAIN A CLASS 7 LIMITED BEER WHOLESALER’S LICENSE AND DISTRIBUTE NOT MORE THAN 3,000 BARRELS OF ITS OWN BEER ANNUALLY.

(4) A HOLDER OF ONE OR TWO CLASS 7 MICRO-BREWERY LICENSES THAT PRODUCES IN AGGREGATE FROM ALL OF ITS LOCATIONS NOT MORE THAN 22,500 BARRELS OF BEER ANNUALLY MAY OBTAIN A CLASS 7 LIMITED BEER WHOLESALER’S LICENSE AND DISTRIBUTE BEER THAT:

(I) TOTALS ANNUALLY NOT MORE THAN 3,000 BARRELS IN AGGREGATE FROM ALL OF ITS LOCATIONS; AND

(II) HAS BEEN BREWED AT THE LOCATION FROM WHERE IT IS DISTRIBUTED.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-201(b).

Defined terms: “Beer” § 1-101

“Person” § 1-101

“State” § 1-101

“Wholesaler’s license” § 1-101

2-213. ADDITIONAL FEES.

(A) INITIAL ISSUANCE.

IN ADDITION TO ANY LICENSE FEE OTHERWISE REQUIRED UNDER THIS ARTICLE, AN APPLICANT FOR INITIAL ISSUANCE OF A MANUFACTURER'S LICENSE SHALL PAY TO THE COMPTROLLER A NONREFUNDABLE APPLICATION FEE OF \$200.

(B) RENEWAL.

IN ADDITION TO ANY LICENSE FEE OTHERWISE REQUIRED UNDER THIS ARTICLE, AN APPLICANT FOR RENEWAL OF A MANUFACTURER'S LICENSE SHALL PAY TO THE COMPTROLLER A RENEWAL FEE OF \$30.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-402(a), as it related to additional fees for manufacturer's licenses.

In this section, the defined term "manufacturer's license" is substituted for the former references to a "license issued by the Comptroller under Subtitle 2 ... of Title 2 of this article" for brevity and consistency within this article.

Defined terms: "Comptroller" § 1-101
 "License" § 1-101
 "Manufacturer's license" § 1-101

2-214. SALE OR DELIVERY RESTRICTED.

(A) IN GENERAL.

EXCEPT AS OTHERWISE PROVIDED WITH RESPECT TO A 1-DAY LICENSE IN DIVISION II OF THIS ARTICLE, AND SUBJECT TO SUBSECTION (B) OF THIS SECTION, A HOLDER OF A MANUFACTURER'S LICENSE MAY NOT SELL OR DELIVER ALCOHOLIC BEVERAGES TO A PERSON IN THE STATE THAT DOES NOT HOLD A LICENSE OR PERMIT UNDER THIS ARTICLE.

(B) SERVICE UNDER RETAIL LICENSE ALLOWED.

THIS SECTION DOES NOT PROHIBIT A HOLDER OF A CLASS 4 LIMITED WINERY LICENSE AND A CLASS 6 LIMITED WINE WHOLESALER'S LICENSE FROM ALSO HOLDING A CLASS A LIGHT WINE LICENSE ISSUED UNDER DIVISION II OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-401(c) and, as it related to manufacturer's licenses, (b).

In subsection (a) of this section, the reference to holding a license or permit "under this article" is added for clarity.

Also in subsection (a) of this section, the phrase “[e]xcept as otherwise provided with respect to a 1–day license in Division II of this article” is substituted for the former phrase “[e]xcept as provided in [Art. 2B, § 2–401(c)]” to reflect the reorganization of material relating to certain 1–day licenses in titles for each applicable jurisdiction in this revised article.

Also in subsection (a) of this section, the former phrase “except as provided in [Art. 2B,] § 7–101(c)” is deleted as surplusage. Former Art. 2B, § 7–101(c) governed the delivery of beer and wine to the holder of a special 1–day license, by definition a license holder, albeit a temporary one.

In subsection (b) of this section, the reference to a “Class A light wine license issued under Division II of this article” is substituted for the former reference to a “license issued under the authority of Title 4, Subtitle 2 of this article” to reflect the reorganization of material relating to Class A light wine licenses in titles for each applicable jurisdiction in this revised article.

Defined terms: “Alcoholic beverage” § 1–101

“License” § 1–101

“Manufacturer’s license” § 1–101

“Person” § 1–101

“State” § 1–101

“Wholesaler’s license” § 1–101

2–215. BEER SALE ON CREDIT TO RETAIL DEALER PROHIBITED.

(A) SALE PROHIBITED.

A HOLDER OF A MANUFACTURER’S LICENSE MAY NOT SELL BEER TO A RETAIL DEALER ON TERMS OTHER THAN FOR CASH ON DELIVERY.

(B) ENFORCEMENT PROHIBITED.

A CIVIL ACTION TO ENFORCE OR COLLECT A CLAIM FOR CREDIT EXTENDED OR ENFORCE A CHECK GIVEN IN VIOLATION OF THIS SECTION MAY NOT BE MAINTAINED IN THE STATE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 12–112(d) and the fourth sentence of 12–202(c) and, as they related to manufacturers, §§ 12–112(b) and the first sentence of 12–202(c).

In subsection (a) of this section, the former phrase “wherever he be located in Maryland” is deleted as surplusage.

In subsection (b) of this section, the reference to a “civil action” is substituted for the former references to a “suit or action ex contractu” for clarity.

Defined terms: “Beer” § 1–101
 “Manufacturer’s license” § 1–101
 “Retail dealer” § 1–101
 “State” § 1–101

2–216. INTERACTION BETWEEN MANUFACTURING ENTITIES AND RETAILERS.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ADVERTISEMENT” INCLUDES A GRAPHIC OR NONGRAPHIC SIGN, DISPLAY, POSTER, AND PLACARD.

(3) “MANUFACTURING ENTITY” MEANS:

(I) A HOLDER OF A MANUFACTURER’S LICENSE OR A PERSON CONNECTED WITH THE BUSINESS OF THE HOLDER; OR

(II) A DISTILLER, NONRESIDENT DEALER, RESIDENT DEALER, BREWER, RECTIFIER, BLENDER, OR BOTTLER OF ALCOHOLIC BEVERAGES.

(B) RESTRICTIONS ON OWNERSHIP INTEREST IN RETAIL ESTABLISHMENT.

EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION:

(1) A MANUFACTURING ENTITY MAY NOT HAVE A FINANCIAL INTEREST IN:

(I) THE PREMISES ON OR IN WHICH A LICENSE HOLDER SELLS ALCOHOLIC BEVERAGES AT RETAIL; OR

(II) A BUSINESS THAT A LICENSE HOLDER CONDUCTS;

(2) A MANUFACTURING ENTITY MAY NOT LEND MONEY OR ANY OTHER THING OF VALUE, MAKE A GIFT, OR OFFER A GRATUITY TO A RETAIL DEALER;

(3) A RETAIL DEALER MAY NOT ACCEPT, RECEIVE, OR MAKE USE OF MONEY, A GIFT, OR AN ADVERTISEMENT PROVIDED BY A MANUFACTURING ENTITY OR BECOME INDEBTED TO A MANUFACTURING ENTITY EXCEPT FOR THE PURCHASE OF ALCOHOLIC BEVERAGES AND ALLIED PRODUCTS PURCHASED FOR RESALE; AND

(4) A MANUFACTURING ENTITY MAY NOT PROVIDE AN ADVERTISEMENT TO A RETAIL DEALER.

(C) ADVERTISEMENTS ALLOWED — BREWED PRODUCTS.

(1) THIS SUBSECTION APPLIES ONLY TO BREWED PRODUCTS.

(2) (I) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, A BREWER, NONRESIDENT DEALER, OR RESIDENT DEALER MAY NOT PROVIDE TO A RETAIL LICENSE HOLDER AN ADVERTISEMENT THAT:

1. IS WORTH MORE THAN \$150; AND

2. ADVERTISES THE BEER OR MALT PRODUCTS OF A PARTICULAR BREWER, NONRESIDENT DEALER, RESIDENT DEALER, OR BEER WHOLESALER.

(II) AN ADVERTISEMENT PROVIDED IN ACCORDANCE WITH THIS SUBSECTION SHALL CONTAIN BRAND INFORMATION THAT IS PROMINENT, PERMANENT, AND EQUAL TO THE LIFE AND VALUE OF THE UTILITARIAN CHARACTER OF THE ADVERTISING ITEM.

(D) ADVERTISEMENTS ALLOWED — WINE AND LIQUOR.

(1) THIS SUBSECTION APPLIES ONLY TO WINE AND LIQUOR.

(2) AN ADVERTISEMENT FOR USE IN WINDOWS OR ELSEWHERE ON A RETAIL LIQUOR ESTABLISHMENT MAY BE GIVEN TO A RETAILER BY A BRAND OWNER WHO IS ENGAGED IN THE BUSINESS OF A MANUFACTURING ENTITY, IF:

(I) THE UTILITARIAN VALUE IS SECONDARY AND ONLY INCIDENTAL TO THE VALUE AS AN ADVERTISEMENT;

(II) THE TOTAL VALUE OF AN ITEM PROVIDED BY A BRAND OWNER FOR EACH OF ITS INDIVIDUAL BRANDS FOR USE IN ANY ONE RETAIL ESTABLISHMENT AT ANY ONE TIME IS NOT MORE THAN \$150 FOR EACH INDIVIDUAL BRAND; AND

(III) THE COST OF INSTALLING THESE MATERIALS DOES NOT EXCEED THE USUAL COST IN THE LOCALITY.

(3) (I) IN LIEU OF PREMANUFACTURED ADVERTISING MATERIAL, MATERIALS AND LABOR MAY BE PROVIDED BY A BRAND OWNER FOR THE CUSTOM MANUFACTURE OF AN ADVERTISING DISPLAY THAT:

- 1. IS WORTH NOT MORE THAN \$150;**
- 2. IS TEMPORARY; AND**
- 3. HAS NO OTHER UTILITARIAN VALUE.**

(II) A MANUFACTURER, NONRESIDENT DEALER, RESIDENT DEALER, OR BRAND OWNER MAY NOT UNDERTAKE A PLAN THAT DIRECTLY OR INDIRECTLY RESULTS IN THE PURCHASE OF ADVERTISING MATERIALS, SUPPLIES, OR SERVICES BY A WHOLESALER'S LICENSE HOLDER OR RETAIL LICENSE HOLDER.

(III) A RETAIL LICENSE HOLDER MAY NOT PARTICIPATE DIRECTLY OR INDIRECTLY IN A TRANSACTION IN WHICH THE LICENSE HOLDER PAYS FOR OR SHARES THE COST FOR ANY OF THE ADVERTISING MATERIALS, SUPPLIES, SERVICES, OR MAILING EXPENSES USED TO PROMOTE A BRAND OWNER'S PRODUCTS.

(E) EXCEPTIONS.

(1) SUBSECTIONS (B) AND (C) OF THIS SECTION DO NOT APPLY TO:

(I) A HOLDER OF A CLASS 6 PUB-BREWERY LICENSE WITH RESPECT TO THE MALT BEVERAGES BREWED ON THE PREMISES; OR

(II) A HOLDER OF A CLASS 7 MICRO-BREWERY LICENSE WITH RESPECT TO THE MALT BEVERAGES BREWED ON THE PREMISES THAT ARE SOLD:

- 1. ON THE LICENSED PREMISES OF THE BREWERY; OR**
- 2. IN A RESTAURANT OR BREWERY PUB OWNED, CONDUCTED, AND OPERATED BY THE HOLDER IN OR ADJACENT TO THE BREWERY FOR WHICH IT IS LICENSED.**

(2) A HOLDER OF A CLASS 6 PUB-BREWERY LICENSE OR A CLASS 7 MICRO-BREWERY LICENSE MAY HOLD OR HAVE A FINANCIAL INTEREST IN ONE RETAIL LICENSE THAT DOES NOT APPLY TO PREMISES TO WHICH A CLASS 6 PUB-BREWERY LICENSE OR CLASS 7 MICRO-BREWERY LICENSE APPLIES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12-104(a), (b), (c)(1), (2), and (4), (d)(1), (2), and

(3)(i) and (ii), and (e)(2) through (4), except as they related to a holder of a wholesaler's license.

In subsection (a)(2) of this section, the defined term “[a]dvertisement” is substituted for the former narrower term “[s]ign” for clarity.

In subsections (a)(3) and (b) of this section, the references to “[m]anufacturing” are substituted for the former overly broad references to a “[b]usiness entity” for clarity.

In subsection (b)(3) of this section, the former phrase “[e]xcept as provided for” is deleted as surplusage.

In subsection (b)(4) of this section, the phrase “to a retail dealer” is added for clarity.

Also in subsection (b)(4) of this section, the former phrase “except as provided in this article” is deleted as unnecessary in light of the organization of this revised article.

In subsection (c)(2)(i) of this section, the former reference to a retail license holder “under the provisions of this article” is deleted as surplusage.

In subsection (d)(1) of this section, the reference to “liquor” is substituted for the former reference to “distilled spirits” to conform to the terminology used throughout this article.

In the introductory language of subsection (d)(2) of this section, the former reference to an advertisement “bearing advertising matter or any other forms of advertising” is deleted as surplusage.

Also in the introductory language of subsection (d)(2) of this section, the former reference to “furnished” is deleted as included in the reference to “given”.

In subsection (d)(2)(ii) of this section, the former reference to “the sum of” \$150 is deleted as surplusage.

In subsection (d)(2)(iii) of this section, the former reference to “customary” is deleted as unnecessary in light of the reference to “usual”.

Also in subsection (d)(2)(iii) of this section, the former reference to the “particular” locality is deleted as surplusage.

In subsection (d)(3)(i)2 of this section, the former reference to temporary “in nature” is deleted as surplusage.

In subsection (d)(3)(ii) of this section, the former reference to “design” is deleted as included in the reference to “plan”.

In subsection (d)(3)(iii) of this section, the former reference to the cost for any “of the value” of the advertising materials is deleted as surplusage.

Former Art. 2B, § 12–104(g), which provided the penalty for a violation of this section, is deleted as duplicative of the general penalty for a violation of this article stated in § 6–402(a) of this article.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that in subsection (a)(3)(i) of this section, the reference to a person “connected” with the business of the license holder is ambiguous and may be overly broad.

Defined terms: “Alcoholic beverage” § 1–101

“Beer” § 1–101

“License” § 1–101

“License holder” § 1–101

“Manufacturer’s license” § 1–101

“Person” § 1–101

“Restaurant” § 1–101

“Retail dealer” § 1–101

“Wholesaler” § 1–101

“Wholesaler’s license” § 1–101

“Wine” § 1–101

2–217. DISTRIBUTION OF ALCOHOLIC BEVERAGES — PROHIBITED PRACTICES.

(A) LEGISLATIVE PURPOSE.

THE PURPOSE OF THIS SECTION IS TO ELIMINATE THE UNDUE STIMULATION OF THE SALE OF ALCOHOLIC BEVERAGES AND THE PRACTICE OF MANUFACTURERS GRANTING SECRET DISCOUNTS, REBATES, ALLOWANCES, FREE GOODS, OR OTHER INDUCEMENTS TO SELECTED LICENSE HOLDERS THAT CONTRIBUTE TO A DISORDERLY DISTRIBUTION OF ALCOHOLIC BEVERAGES.

(B) PROHIBITED ACTIONS.

(1) A LICENSED MANUFACTURER, RESIDENT DEALER, OR NONRESIDENT WINERY PERMIT HOLDER MAY NOT DISCRIMINATE DIRECTLY OR INDIRECTLY IN PRICE, DISCOUNTS, OR THE QUALITY OF MERCHANDISE SOLD BETWEEN:

(I) ONE DISPENSARY AND ANOTHER DISPENSARY; OR

(II) ONE RETAILER AND ANOTHER RETAILER THAT PURCHASES ALCOHOLIC BEVERAGES THAT BEAR THE SAME BRAND AND TRADE NAME, AND ARE SIMILAR IN AGE AND QUALITY.

(2) A NONRESIDENT DEALER, RESIDENT DEALER, NONRESIDENT WINERY PERMIT HOLDER, OR NONRESIDENT UNLICENSED MANUFACTURER MAY NOT USE OR PROMOTE THE USE OF A PRACTICE PROHIBITED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO SELL OR DISTRIBUTE ALCOHOLIC BEVERAGES TO OR THROUGH A LICENSED MANUFACTURER, LICENSED WHOLESALER, OR COUNTY DISPENSARY.

(C) DEPENDENT DISCOUNTING PROHIBITED.

A SUPPLIER, NONRESIDENT DEALER, RESIDENT DEALER, OR NONRESIDENT WINERY PERMIT HOLDER MAY NOT MAKE A DISCOUNT, REBATE, OR DEPLETION ALLOWANCE THAT IS OFFERED ON A PRODUCT DEPENDENT ON THE PRICING POLICY OR PRACTICE OF THE LICENSE HOLDER WHO IS INVOICED FOR THE PRODUCT.

(D) RATION PLAN ALLOWED.

(1) THIS SECTION DOES NOT RESTRICT A MANUFACTURER, NONRESIDENT DEALER, RESIDENT DEALER, OR NONRESIDENT WINERY PERMIT HOLDER FROM LIMITING THE QUANTITY OF ALCOHOLIC BEVERAGES TO BE SOLD TO A LICENSE HOLDER UNDER A VOLUNTARY OR COMPULSORY RATIONING PLAN.

(2) A MANUFACTURER, NONRESIDENT DEALER, RESIDENT DEALER, OR NONRESIDENT WINERY PERMIT HOLDER IS NOT REQUIRED TO SELL TO ALL LICENSE HOLDERS FROM WHOM ORDERS ARE RECEIVED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12–102(b) and the first through third sentences of (a), except as they related to wholesalers.

In subsection (a) of this section, the reference to “[t]he purpose of this section” is added for clarity.

In subsection (d)(2) of this section, the reference to “[a] manufacturer ... is not required” to sell to all license holders is substituted for the former reference to “the word ‘purchase’ shall not imply that a manufacturer ... shall be required” to sell to all license holders for clarity.

The fourth sentence of former Art. 2B, § 12–102(a), which stated that “[t]he Comptroller may promulgate such rules and regulations as are necessary to carry out the purpose of this section”, is deleted as unnecessary in light of the requirement under § 1–302 of this article for the Comptroller to adopt regulations to discharge the duties of this article.

Defined terms: “Alcoholic beverage” § 1–101

“County” § 1–101

“License holder” § 1–101

“Wholesaler” § 1–101

2–218. RESTRICTIVE AGREEMENTS BETWEEN PRODUCERS AND RETAILERS — PROHIBITED.

A HOLDER OF A MANUFACTURER’S LICENSE OR THE OWNER OF AN INTEREST IN A DISTILLERY, BREWERY, RECTIFYING, BLENDING, OR BOTTLING PLANT MAY NOT ENTER INTO AN AGREEMENT WITH A RETAIL DEALER THAT LIMITS THE PURCHASES OR SALES OF THE RETAIL DEALER TO THE PRODUCTS OF ANY PRODUCER.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12–101, except as it related to wholesalers.

The phrase “that limits” is substituted for the former phrase “the effect or purpose of which is to limit” for brevity.

The former reference to “no distiller, brewer, rectifier, blender or bottler of alcoholic beverages” is deleted as included in the reference to “[a] holder of a manufacturer’s license”.

The former statement that “it being the intent and purpose of this article that every retail dealer shall at all times, be and remain free to purchase the alcoholic beverages sold by him, from any holder of a manufacturer’s ... license issued under the provisions of this article” is deleted as unnecessary.

Defined term: “Manufacturer’s license” § 1–101

SUBTITLE 3. WHOLESALER’S LICENSES.

2–301. LICENSES ISSUED BY COMPTROLLER.

EACH LICENSE SPECIFIED IN THIS TITLE IS A WHOLESALER’S LICENSE THAT THE COMPTROLLER ISSUES.

REVISOR’S NOTE: This section is new language added to state expressly what was only implied in the former law, that all wholesaler’s licenses are issued by the Comptroller.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“Wholesaler’s license” § 1–101

2–302. CLASS 1 BEER, WINE, AND LIQUOR WHOLESALER’S LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 1 BEER, WINE, AND LIQUOR WHOLESALER’S LICENSE.

(B) SCOPE OF AUTHORIZATION.

THE LICENSE AUTHORIZES THE LICENSE HOLDER TO:

(1) ACQUIRE BEER, WINE, AND LIQUOR FROM:

(I) A LICENSE HOLDER THAT IS AUTHORIZED TO SELL AND DELIVER THE BEER, WINE, AND LIQUOR TO A WHOLESALER; AND

(II) A HOLDER OF A NONRESIDENT DEALER’S PERMIT OR A RESIDENT DEALER’S PERMIT THAT IS AUTHORIZED TO SELL AND DELIVER BEER, WINE, AND LIQUOR; AND

(2) SELL AND DELIVER BEER, WINE, AND LIQUOR FROM THE LICENSED PREMISES TO:

(I) A LICENSE HOLDER OR PERMIT HOLDER IN THE STATE; AND

(II) AN AUTHORIZED PERSON OUTSIDE THE STATE.

(C) FEE.

THE ANNUAL LICENSE FEE IS \$2,000.

(D) ADDITIONAL LOCATION FOR WAREHOUSING, SALE, AND DELIVERY.

THE LICENSE HOLDER MAY USE AN ADDITIONAL LOCATION FOR THE WAREHOUSING, SALE, AND DELIVERY OF BEER, WINE, AND LIQUOR:

(1) IF APPROVED BY THE COMPTROLLER FOLLOWING SUBMISSION OF A SEPARATE APPLICATION FOR EACH LOCATION; AND

(2) ON THE PAYMENT OF A \$2,000 FEE FOR EACH ADDITIONAL LOCATION.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that there is a Class 1 beer, wine, and liquor wholesaler's license.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 2B, § 2-301(a)(2)(i) and (b)(1) and, as it related to Class 1 licenses, (a)(1).

In subsection (b) of this section, the former phrase "issued in accordance with the fee paid" is deleted as unnecessary.

Also in subsection (b) of this section, the references to the acquisition, sale, and delivery of "beer, wine, and liquor" are substituted for the former references to the acquisition of "the alcoholic beverages indicated on the license" and the sale and delivery of "those alcoholic beverages" for clarity.

Also in subsection (b) of this section, the former phrase "[e]xcept as otherwise provided in this subsection" is deleted in light of the organization of this revised article. The provisions to which the former phrase referred are found in Division II of this article.

In subsection (b)(1) of this section, the former references to license holders, holders of nonresident dealer's permits, and holders of resident dealer's permits that are authorized "by this State" to make the sales and deliveries are deleted as unnecessary.

In subsection (d)(1) of this section, the phrase "if approved by the Comptroller following submission of a separate application for each location" is substituted for the former ambiguous phrase "[u]pon approval of the application" to clarify that in practice there is a separate application that must be approved by the Comptroller before the holder of the license may use an additional location for the warehousing, sale, and delivery of beer, wine, and liquor.

In subsection (d)(2) of this section, the former reference to payment of an "additional" fee is deleted as unnecessary.

Defined terms: "Beer" § 1-101

"Comptroller" § 1-101

"License holder" § 1-101

"Person" § 1-101

"State" § 1-101

"Wholesaler" § 1-101

"Wholesaler's license" § 1-101

"Wine" § 1-101

2-303. CLASS 2 WINE AND LIQUOR WHOLESALER'S LICENSE.**(A) ESTABLISHED.**

THERE IS A CLASS 2 WINE AND LIQUOR WHOLESALER'S LICENSE.

(B) SCOPE OF AUTHORIZATION.

THE LICENSE AUTHORIZES THE LICENSE HOLDER TO:

(1) ACQUIRE WINE AND LIQUOR FROM:

(I) A LICENSE HOLDER THAT IS AUTHORIZED TO SELL AND DELIVER THE WINE AND LIQUOR TO A WHOLESALER; AND

(II) A HOLDER OF A NONRESIDENT DEALER'S PERMIT OR A RESIDENT DEALER'S PERMIT THAT IS AUTHORIZED TO SELL AND DELIVER WINE AND LIQUOR; AND

(2) SELL AND DELIVER WINE AND LIQUOR FROM THE LICENSED PREMISES TO:

(I) A LICENSE HOLDER OR PERMIT HOLDER IN THE STATE; AND

(II) AN AUTHORIZED PERSON OUTSIDE THE STATE.

(C) FEE.

THE ANNUAL LICENSE FEE IS \$1,750.

(D) ADDITIONAL LOCATION FOR WAREHOUSING, SALE, AND DELIVERY.

THE LICENSE HOLDER MAY USE AN ADDITIONAL LOCATION FOR THE WAREHOUSING, SALE, AND DELIVERY OF WINE AND LIQUOR:

(1) IF APPROVED BY THE COMPTROLLER FOLLOWING SUBMISSION OF A SEPARATE APPLICATION FOR EACH LOCATION; AND

(2) ON THE PAYMENT OF A \$1,750 FEE FOR EACH ADDITIONAL LOCATION.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state

expressly what was only implied in the former law, that there is a Class 2 wine and liquor wholesaler's license.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 2B, § 2-301(a)(2)(ii) and (b)(1) and, as it related to Class 2 licenses, (a)(1).

In subsection (b) of this section, the former phrase "issued in accordance with the fee paid" is deleted as unnecessary.

Also in subsection (b) of this section, the references to the acquisition, sale, and delivery of "wine and liquor" are substituted for the former references to the acquisition of "the alcoholic beverages indicated on the license" and the sale and delivery of "those alcoholic beverages" for clarity.

Also in subsection (b) of this section, the former phrase "[e]xcept as otherwise provided in this subsection" is deleted in light of the organization of this revised article. The provisions to which the former phrase referred are found in Division II of this article.

In subsection (b)(1) of this section, the former references to license holders, holders of nonresident dealer's permits, and holders of resident dealer's permits that are authorized "by this State" to make the sales and deliveries are deleted as unnecessary.

In subsection (d)(1) of this section, the phrase "if approved by the Comptroller following submission of a separate application for each location" is substituted for the former ambiguous phrase "[u]pon approval of the application" to clarify that in practice there is a separate application that must be approved by the Comptroller before the holder of the license may use an additional location for the warehousing, sale, and delivery of wine and liquor.

In subsection (d)(2) of this section, the former reference to payment of an "additional" fee is deleted as unnecessary.

Defined terms: "Comptroller" § 1-101

"License holder" § 1-101

"Person" § 1-101

"State" § 1-101

"Wholesaler" § 1-101

"Wholesaler's license" § 1-101

"Wine" § 1-101

2-304. CLASS 3 BEER AND WINE WHOLESALER'S LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 3 BEER AND WINE WHOLESALER'S LICENSE.

(B) SCOPE OF AUTHORIZATION.

THE LICENSE AUTHORIZES THE LICENSE HOLDER TO:

(1) ACQUIRE BEER AND WINE FROM:

(I) A LICENSE HOLDER THAT IS AUTHORIZED TO SELL AND DELIVER THE BEER AND WINE TO A WHOLESALER; AND

(II) A HOLDER OF A NONRESIDENT DEALER'S PERMIT OR A RESIDENT DEALER'S PERMIT THAT IS AUTHORIZED TO SELL AND DELIVER BEER AND WINE; AND

(2) SELL AND DELIVER BEER AND WINE FROM THE LICENSED PREMISES TO:

(I) A LICENSE HOLDER OR PERMIT HOLDER IN THE STATE; AND

(II) AN AUTHORIZED PERSON OUTSIDE THE STATE.

(C) FEE.

THE ANNUAL LICENSE FEE IS \$1,500.

(D) ADDITIONAL LOCATION FOR WAREHOUSING, SALE, AND DELIVERY.

THE LICENSE HOLDER MAY USE AN ADDITIONAL LOCATION FOR THE WAREHOUSING, SALE, AND DELIVERY OF BEER AND WINE:

(1) IF APPROVED BY THE COMPTROLLER FOLLOWING SUBMISSION OF A SEPARATE APPLICATION FOR EACH LOCATION; AND

(2) ON THE PAYMENT OF A \$1,500 FEE FOR EACH ADDITIONAL LOCATION.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that there is a Class 3 beer and wine wholesaler's license.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 2B, § 2–301(a)(2)(iii) and (b)(1) and, as it related to Class 3 licenses, (a)(1).

In subsection (b) of this section, the former phrase “issued in accordance with the fee paid” is deleted as unnecessary.

Also in subsection (b) of this section, the references to the acquisition, sale, and delivery of “beer and wine” are substituted for the former references to the acquisition of “the alcoholic beverages indicated on the license” and the sale and delivery of “those alcoholic beverages” for clarity.

In subsection (b)(1) of this section, the former references to license holders, holders of nonresident dealer’s permits, and holders of resident dealer’s permits that are authorized “by this State” to make the sales and deliveries are deleted as unnecessary.

In subsection (d)(1) of this section, the phrase “if approved by the Comptroller following submission of a separate application for each location” is substituted for the former ambiguous phrase “[u]pon approval of the application” to clarify that in practice there is a separate application that must be approved by the Comptroller before the holder of the license may use an additional location for the warehousing, sale, and delivery of beer and wine.

In subsection (d)(2) of this section, the former reference to payment of an “additional” fee is deleted as unnecessary.

Defined terms: “Beer” § 1–101
 “Comptroller” § 1–101
 “License holder” § 1–101
 “Person” § 1–101
 “State” § 1–101
 “Wholesaler” § 1–101
 “Wholesaler’s license” § 1–101
 “Wine” § 1–101

2–305. CLASS 4 BEER WHOLESALER’S LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 4 BEER WHOLESALER’S LICENSE.

(B) SCOPE OF AUTHORIZATION.

THE LICENSE AUTHORIZES THE LICENSE HOLDER TO:

(1) ACQUIRE BEER FROM:

(I) A LICENSE HOLDER THAT IS AUTHORIZED TO SELL AND DELIVER BEER TO A WHOLESALER; AND

(II) A HOLDER OF A NONRESIDENT DEALER'S PERMIT OR A RESIDENT DEALER'S PERMIT THAT IS AUTHORIZED TO SELL AND DELIVER BEER; AND

(2) SELL AND DELIVER BEER FROM THE LICENSED PREMISES TO:

(I) A LICENSE HOLDER OR PERMIT HOLDER IN THE STATE; AND

(II) AN AUTHORIZED PERSON OUTSIDE THE STATE.

(C) FEE.

THE ANNUAL LICENSE FEE IS \$1,250.

(D) ADDITIONAL LOCATION FOR WAREHOUSING, SALE, AND DELIVERY.

THE LICENSE HOLDER MAY USE AN ADDITIONAL LOCATION FOR THE WAREHOUSING, SALE, AND DELIVERY OF BEER:

(1) IF APPROVED BY THE COMPTROLLER FOLLOWING SUBMISSION OF A SEPARATE APPLICATION FOR EACH LOCATION; AND

(2) ON THE PAYMENT OF A \$1,250 FEE FOR EACH ADDITIONAL LOCATION.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that there is a Class 4 beer wholesaler's license.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 2B, § 2-301(a)(2)(iv) and (b)(1) and, as it related to Class 4 licenses, (a)(1).

In subsection (b) of this section, the former phrase "issued in accordance with the fee paid" is deleted as unnecessary.

Also in subsection (b) of this section, the references to the acquisition, sale, and delivery of "beer" are substituted for the former references to the

acquisition of “the alcoholic beverages indicated on the license” and the sale and delivery of “those alcoholic beverages” for clarity.

In subsection (b)(1) of this section, the former references to license holders, holders of nonresident dealer’s permits, and holders of resident dealer’s permits that are authorized “by this State” to make the sales and deliveries are deleted as unnecessary.

In subsection (d)(1) of this section, the phrase “if approved by the Comptroller following submission of a separate application for each location” is substituted for the former ambiguous phrase “[u]pon approval of the application” to clarify that in practice there is a separate application that must be approved by the Comptroller before the holder of the license may use an additional location for the warehousing, sale, and delivery of beer.

In subsection (d)(2) of this section, the former reference to payment of an “additional” fee is deleted as unnecessary.

Defined terms: “Beer” § 1–101
 “Comptroller” § 1–101
 “License holder” § 1–101
 “Person” § 1–101
 “State” § 1–101
 “Wholesaler” § 1–101
 “Wholesaler’s license” § 1–101

2–306. CLASS 5 WINE WHOLESALER’S LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 5 WINE WHOLESALER’S LICENSE.

(B) SCOPE OF AUTHORIZATION.

THE LICENSE AUTHORIZES THE LICENSE HOLDER TO:

(1) ACQUIRE WINE FROM:

(I) A LICENSE HOLDER THAT IS AUTHORIZED TO SELL AND DELIVER WINE TO A WHOLESALER; AND

(II) A HOLDER OF A NONRESIDENT DEALER’S PERMIT OR A RESIDENT DEALER’S PERMIT THAT IS AUTHORIZED TO SELL AND DELIVER WINE; AND

(2) SELL AND DELIVER WINE FROM THE LICENSED PREMISES TO:

- (I) A LICENSE HOLDER OR PERMIT HOLDER IN THE STATE; AND**
- (II) AN AUTHORIZED PERSON OUTSIDE THE STATE.**

(C) FEE.

THE ANNUAL LICENSE FEE IS \$1,250.

(D) ADDITIONAL LOCATION FOR WAREHOUSING, SALE, AND DELIVERY.

THE LICENSE HOLDER MAY USE AN ADDITIONAL LOCATION FOR THE WAREHOUSING, SALE, AND DELIVERY OF WINE:

(1) IF APPROVED BY THE COMPTROLLER FOLLOWING SUBMISSION OF A SEPARATE APPLICATION FOR EACH LOCATION; AND

(2) ON THE PAYMENT OF A \$1,250 FEE FOR EACH ADDITIONAL LOCATION.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that there is a Class 5 wine wholesaler's license.

Subsections (b) through (d) of this section are new language derived without substantive change from former Art. 2B, § 2-301(a)(2)(v) and (b)(1) and, as it related to Class 5 licenses, (a)(1).

In subsection (b) of this section, the former phrase "issued in accordance with the fee paid" is deleted as unnecessary.

Also in subsection (b) of this section, the references to the acquisition, sale, and delivery of "wine" are substituted for the former references to the acquisition of "the alcoholic beverages indicated on the license" and the sale and delivery of "those alcoholic beverages" for clarity.

In subsection (b)(1) of this section, the former references to license holders, holders of nonresident dealer's permits, and holders of resident dealer's permits that are authorized "by this State" to make the sales and deliveries are deleted as unnecessary.

In subsection (d)(1) of this section, the phrase "if approved by the Comptroller following submission of a separate application for each location" is substituted for the former ambiguous phrase "[u]pon approval of the application" to clarify

that in practice there is a separate application that must be approved by the Comptroller before the holder of the license may use an additional location for the warehousing, sale, and delivery of wine.

In subsection (d)(2) of this section, the former reference to payment of an “additional” fee is deleted as unnecessary.

Defined terms: “Comptroller” § 1–101

“License holder” § 1–101

“Person” § 1–101

“State” § 1–101

“Wholesaler” § 1–101

“Wholesaler’s license” § 1–101

“Wine” § 1–101

2–307. CLASS 6 LIMITED WINE WHOLESALER’S LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 6 LIMITED WINE WHOLESALER’S LICENSE.

(B) AUTHORIZED HOLDER.

THE LICENSE MAY BE ISSUED ONLY TO A WINE MANUFACTURER THAT:

(1) HOLDS A CLASS 4 LIMITED WINERY LICENSE; AND

(2) PRODUCES NOT MORE THAN 27,500 GALLONS OF ITS OWN WINE ANNUALLY.

(C) SCOPE OF AUTHORIZATION.

(1) THE LICENSE AUTHORIZES THE LICENSE HOLDER TO SELL AND DELIVER ITS OWN BRAND OF WINE PRODUCED AT THE LICENSE HOLDER’S PREMISES TO:

(I) A HOLDER OF A RETAIL LICENSE THAT IS AUTHORIZED TO ACQUIRE THE WINE; AND

(II) A HOLDER OF A PERMIT THAT IS AUTHORIZED TO ACQUIRE THE WINE.

(2) THE LICENSE HOLDER MAY NOT SELL ITS WINE TO A HOLDER OF A WHOLESALER’S LICENSE.

(D) FEE.

THE ANNUAL LICENSE FEE IS \$50.

(E) ADDITIONAL LOCATION FOR WAREHOUSING, SALE, AND DELIVERY.

THE LICENSE HOLDER MAY USE AN ADDITIONAL LOCATION FOR THE WAREHOUSING, SALE, AND DELIVERY OF WINE:

(1) IF APPROVED BY THE COMPTROLLER FOLLOWING SUBMISSION OF A SEPARATE APPLICATION FOR EACH LOCATION; AND

(2) ON THE PAYMENT OF A \$50 FEE FOR EACH ADDITIONAL LOCATION.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that there is a Class 6 limited wine wholesaler's license.

Subsections (b) through (e) of this section are new language derived without substantive change from former Art. 2B, § 2-301(a)(2)(vi) and (b)(2) and (3) and, as it related to Class 6 licenses, (a)(1).

In subsection (b)(1) of this section, the reference to a "Class 4 limited winery license" is substituted for the former reference to a "Class 4 limited winery manufacturer's license issued under this article" for brevity.

In subsection (c)(1) of this section, the former phrase "on approval of the application and payment of the fee" is deleted as unnecessary.

Also in subsection (c)(1) of this section, the former reference to holders of retail licenses and permits "in the State" is deleted as unnecessary.

In subsection (e)(1) of this section, the phrase "if approved by the Comptroller following submission of a separate application for each location" is substituted for the former ambiguous phrase "[u]pon approval of the application" to clarify that in practice there is a separate application that must be approved by the Comptroller before the holder of the license may use an additional location for the warehousing, sale, and delivery of wine.

In subsection (e)(2) of this section, the former reference to payment of an "additional" fee is deleted as unnecessary.

Defined terms: "Comptroller" § 1-101
"Wholesaler's license" § 1-101

“Wine” § 1–101

2–308. CLASS 7 LIMITED BEER WHOLESALER’S LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS 7 LIMITED BEER WHOLESALER’S LICENSE.

(B) AUTHORIZED HOLDER.

THE LICENSE MAY BE ISSUED ONLY TO A PERSON THAT:

(1) HOLDS A CLASS 5 MANUFACTURER’S LICENSE, A CLASS 7 MICRO-BREWERY LICENSE, OR A CLASS 8 FARM BREWERY LICENSE; AND

(2) PRODUCES IN THE AGGREGATE FROM ALL OF ITS LOCATIONS NOT MORE THAN 22,500 BARRELS OF BEER ANNUALLY.

(C) SCOPE OF AUTHORIZATION.

THE LICENSE AUTHORIZES THE LICENSE HOLDER TO:

(1) SELL AND DELIVER ITS OWN BEER PRODUCED AT THE LICENSE HOLDER’S PREMISES TO:

(I) A HOLDER OF A RETAIL LICENSE THAT IS AUTHORIZED TO ACQUIRE BEER FROM A WHOLESALER; AND

(II) A HOLDER OF A PERMIT THAT IS AUTHORIZED TO ACQUIRE BEER FROM A WHOLESALER; AND

(2) DISTRIBUTE NOT MORE THAN 3,000 BARRELS OF ITS OWN BEER ANNUALLY.

(D) FEE.

THE ANNUAL LICENSE FEE IS \$50.

(E) ADDITIONAL LOCATION FOR WAREHOUSING, SALE, AND DELIVERY.

THE LICENSE HOLDER MAY USE AN ADDITIONAL LOCATION FOR THE WAREHOUSING, SALE, AND DELIVERY OF BEER:

(1) IF APPROVED BY THE COMPTROLLER FOLLOWING SUBMISSION OF A SEPARATE APPLICATION FOR EACH LOCATION; AND

(2) ON THE PAYMENT OF A \$50 FEE FOR EACH ADDITIONAL LOCATION.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that there is a Class 7 limited beer wholesaler's license.

Subsections (b) through (e) of this section are new language derived without substantive change from former Art. 2B, § 2–301(b)(4) and (5) and (a)(2)(vii) and, as it related to a Class 7 limited beer wholesaler's license, (a)(1).

In the introductory language of subsection (c) of this section, the former phrase “[o]n approval of the application and payment of the fee” is deleted as unnecessary.

In subsection (c)(1) of this section, the former reference to holders of retail licenses and permits “in the State” is deleted as unnecessary.

In subsection (c)(1)(i) and (ii) of this section, the phrase “from a wholesaler” is added for clarity.

In subsection (e)(1) of this section, the phrase “if approved by the Comptroller following submission of a separate application for each location” is substituted for the former ambiguous phrase “[u]pon approval of the application” to clarify that in practice there is a separate application that must be approved by the Comptroller before the license holder may use an additional location for the warehousing, sale, and delivery of beer.

In subsection (e)(2) of this section, the former reference to payment of an “additional” fee is deleted as implicit.

Defined terms: “Beer” § 1–101

“Comptroller” § 1–101

“Manufacturer's license” § 1–101

“Person” § 1–101

“Wholesaler” § 1–101

“Wholesaler's license” § 1–101

2–309. SALE AND DELIVERY OF BEER OR WINE FROM WHOLESALER'S VEHICLE.

SUBJECT TO § 2–310 OF THIS SUBTITLE, THE SALE AND DELIVERY OF BEER OR WINE FROM A VEHICLE UNDER THE EXCLUSIVE CONTROL OF A HOLDER OF A

WHOLESALER'S LICENSE CONSTITUTES SALE AND DELIVERY FROM THE WHOLESALER'S LICENSED PREMISES IF THE BEER OR WINE IS:

(1) BEER PREVIOUSLY PURCHASED BY AND DELIVERED TO THE HOLDER OF THE WHOLESALER'S LICENSE; OR

(2) WINE OR A WINE-BASED BEVERAGE WITH AN ALCOHOL CONTENT OF 6.5% OR LESS BY VOLUME.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-301(d) and (e).

In this section, the former requirement that a wholesaler "ha[ve] a license to sell wine" in order for the sale and delivery of wine from the wholesaler's vehicle to be treated as a sale and delivery from the wholesaler's premises is deleted as unnecessary.

In the introductory language of this section, the reference to "licensed premises" is substituted for the former reference to "place of business" to conform to the terminology used throughout this article.

Also in the introductory language of this section, the reference to "sale and delivery" from a vehicle is substituted for the former references to "[d]elivery" from a vehicle for clarity and consistency throughout this subtitle.

Also in the introductory language of this section, the former phrase "within the meaning of this section" is deleted as surplusage.

Also in the introductory language of this section, the former references to delivery from a "truck" are deleted as unnecessary in light of the more general reference to delivery from a "vehicle".

Defined terms: "Beer" § 1-101

"Wholesaler" § 1-101

"Wholesaler's license" § 1-101

"Wine" § 1-101

2-310. SALE AND DELIVERY TO RETAIL LICENSE HOLDER.

(A) APPLICATION OF SECTION.

THIS SECTION DOES NOT APPLY TO A HOLDER OF A NONRESIDENT WINERY PERMIT.

(B) ACCOUNTING FOR ALCOHOLIC BEVERAGES AT WHOLESALER'S PREMISES.

BEFORE A HOLDER OF A WHOLESALER'S LICENSE MAY SELL AND DELIVER ALCOHOLIC BEVERAGES ACQUIRED BY THE WHOLESALER TO A HOLDER OF A RETAIL LICENSE, THE ALCOHOLIC BEVERAGES SHALL COME TO REST ON THE LICENSED PREMISES OF THE WHOLESALER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-301(f).

In subsection (b) of this section, the former reference to alcoholic beverages acquired by a wholesaler "from any source" is deleted as unnecessary.

Defined terms: "Alcoholic beverage" § 1-101

"Wholesaler" § 1-101

"Wholesaler's license" § 1-101

2-311. ADDITIONAL WHOLESALER'S LICENSES.

(A) FOR LICENSED WHOLESALERS.

THE HOLDER OF A CLASS 1, CLASS 2, OR CLASS 3 WHOLESALER'S LICENSE MAY OBTAIN MORE THAN ONE SUCH LICENSE PROVIDED SEPARATE RECORDS ARE KEPT.

(B) FOR LICENSED MANUFACTURERS.

(1) THE HOLDER OF A RECTIFYING OR WINERY LICENSE MAY APPLY FOR AND OBTAIN A WHOLESALER'S LICENSE OF ANY CLASS FOR THE SAME PREMISES OR ELSEWHERE AS PROVIDED UNDER THIS ARTICLE.

(2) THE HOLDER OF A CLASS 4 LIMITED WINERY LICENSE MAY APPLY FOR AND OBTAIN A CLASS 6 LIMITED WINE WHOLESALER'S LICENSE FOR THE SAME PREMISES OR ELSEWHERE AS PROVIDED UNDER THIS ARTICLE.

(3) (I) THE HOLDER OF A CLASS 5 MANUFACTURER'S LICENSE OR CLASS 7 MICRO-BREWERY LICENSE MAY APPLY FOR AND OBTAIN A CLASS 7 LIMITED BEER WHOLESALER'S LICENSE IN ACCORDANCE WITH THIS PARAGRAPH.

(II) A HOLDER OF A CLASS 5 MANUFACTURER'S LICENSE THAT WAS SELLING THE HOLDER'S OWN BEER AT WHOLESALE IN THE STATE AS OF JANUARY 1, 2013, MAY OBTAIN A CLASS 7 LIMITED BEER WHOLESALER'S LICENSE

TO CONTINUE TO SELL THE HOLDER'S OWN BEER AT WHOLESALE IN THE SAME LOCATION IN AN AMOUNT THAT IS NOT MORE THAN 3,000 BARRELS ANNUALLY.

(III) A HOLDER OF A CLASS 5 MANUFACTURER'S LICENSE THAT PRODUCES IN AGGREGATE FROM ALL ITS LOCATIONS NOT MORE THAN 22,500 BARRELS OF BEER ANNUALLY MAY OBTAIN A CLASS 7 LIMITED BEER WHOLESALER'S LICENSE AND DISTRIBUTE NOT MORE THAN 3,000 BARRELS OF ITS OWN BEER ANNUALLY.

(IV) A HOLDER OF ONE OR TWO CLASS 7 MICRO-BREWERY LICENSES THAT PRODUCES IN AGGREGATE FROM ALL OF ITS LOCATIONS NOT MORE THAN 22,500 BARRELS OF BEER ANNUALLY MAY OBTAIN A CLASS 7 LIMITED BEER WHOLESALER'S LICENSE AND DISTRIBUTE BEER THAT:

1. TOTALS ANNUALLY NOT MORE THAN 3,000 BARRELS IN AGGREGATE FROM ALL OF ITS LOCATIONS; AND

2. HAS BEEN BREWED AT THE LOCATION FROM WHERE IT IS DISTRIBUTED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 2-201(b)(5) and 2-301(c).

In subsection (a) of this section, the former phrase "upon approval of application and the payment of the fee" is deleted as unnecessary.

Defined terms: "Beer" § 1-101

"Manufacturer's license" § 1-101

"State" § 1-101

"Wholesaler's license" § 1-101

"Wine" § 1-101

2-312. DIRECT IMPORTATION OF ALCOHOLIC BEVERAGES.

(A) IN GENERAL.

SUBJECT TO SUBSECTION (B) OF THIS SECTION, A HOLDER OF A WHOLESALER'S LICENSE MAY DIRECTLY IMPORT ALCOHOLIC BEVERAGES OF THE TYPE INDICATED ON THE LICENSE FROM OUTSIDE THE CONTINENTAL LIMITS AND POSSESSIONS OF THE UNITED STATES IF THE BRAND OWNER PROVIDES NOTICE TO THE COMPTROLLER OF THE LICENSE HOLDER'S JURISDICTION AND AUTHORITY TO SELL THE ALCOHOLIC BEVERAGES.

(B) RESTRICTIONS.

A HOLDER OF A WHOLESALER’S LICENSE THAT IMPORTS ALCOHOLIC BEVERAGES FROM OUTSIDE THE CONTINENTAL LIMITS AND POSSESSIONS OF THE UNITED STATES MUST:

- (1) BE THE BRAND OWNER; OR**
- (2) PURCHASE THE ALCOHOLIC BEVERAGES:**
 - (I) DIRECTLY FROM THE BRAND OWNER OR THE AUTHORIZED AGENT OF THE BRAND OWNER; OR**
 - (II) FROM THE AUTHORIZED UNITED STATES IMPORTER.**

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2–301(b)(7) and (8).

In subsection (a) of this section, the phrase “a holder of a wholesaler’s license may directly import alcoholic beverages of the type indicated on the license” is substituted for the former phrase “[a] wholesaler’s license of the appropriate class authorizes the holder to directly import beer, wine, or distilled spirits” for clarity and consistency throughout this article.

Also in subsection (a) of this section, the reference to the importation of alcoholic beverages from “sources” outside the United States is deleted as unnecessary.

Also in subsection (a) of this section, the reference to the brand owner providing notice of the wholesaler’s jurisdiction and authority to sell “the alcoholic beverages” is added for clarity.

In the introductory language of subsection (b) of this section, the reference to a wholesaler importing “alcoholic beverages from outside the continental limits and possessions of the United States” is added for clarity and consistency with subsection (a) of this section.

Also in the introductory language of subsection (b) of this section, the former reference to the importation of alcoholic beverages “for subsequent distribution in or outside the State of Maryland” is deleted as unnecessary.

In subsection (b)(2) of this section, the former requirement that a holder of a wholesaler’s license that is not the brand owner be a “wholesale licensee” in order to import alcoholic beverages for subsequent distribution is deleted as redundant.

Also in subsection (b)(2) of this section, the reference to a holder of a wholesaler's license purchasing "the alcoholic beverages" from the brand owner, authorized agent of the brand owner, or authorized United States importer is added for clarity.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the word "brand" is undefined in this section.

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"License" § 1-101

"License holder" § 1-101

"Wholesaler's license" § 1-101

2-313. SALE OR DELIVERY RESTRICTED TO HOLDER OF LICENSE OR PERMIT.

(A) IN GENERAL.

SUBJECT TO SUBSECTION (B) OF THIS SECTION, A HOLDER OF A WHOLESALER'S LICENSE MAY NOT SELL OR DELIVER ALCOHOLIC BEVERAGES TO A PERSON IN THE STATE THAT DOES NOT HOLD A LICENSE OR PERMIT UNDER THIS ARTICLE.

(B) SERVICE UNDER RETAIL LICENSE ALLOWED.

THIS SECTION DOES NOT PROHIBIT A HOLDER OF A CLASS 4 LIMITED WINERY LICENSE AND A CLASS 6 LIMITED WINE WHOLESALER'S LICENSE FROM ALSO HOLDING A CLASS A LIGHT WINE LICENSE OR A CLASS A WINE LICENSE ISSUED UNDER DIVISION II OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2-401(c) and, as it related to wholesaler's licenses, (b).

In subsection (a) of this section, the reference to holding a license or permit "under this article" is added for clarity.

Also in subsection (a) of this section, the former phrase "[e]xcept as provided in [Art. 2B,] § 7-101(c)" is deleted as surplusage.

In subsection (b) of this section, the reference to a "Class A light wine license or a Class A wine license issued under Division II of this article" is substituted for the former reference to a "license issued under the authority of Title 4, Subtitle 2 of this article" to reflect the organization of this revised article.

Defined terms: "Alcoholic beverage" § 1-101

“License” § 1–101
“Person” § 1–101
“State” § 1–101
“Wholesaler’s license” § 1–101
“Wine” § 1–101

2–314. BEER SALE ON CREDIT TO RETAIL DEALER PROHIBITED.

(A) SALE PROHIBITED.

A HOLDER OF A WHOLESALER’S LICENSE MAY NOT SELL BEER TO A RETAIL DEALER ON TERMS OTHER THAN FOR CASH ON DELIVERY.

(B) ENFORCEMENT PROHIBITED.

A SUIT OR CIVIL ACTION TO ENFORCE OR COLLECT A CLAIM FOR CREDIT EXTENDED OR ENFORCE PAYMENT OF A CHECK GIVEN FOR PAYMENT IN VIOLATION OF THIS SECTION MAY NOT BE MAINTAINED IN THE STATE.

(C) PENALTY.

A PERSON THAT VIOLATES THIS SECTION IS SUBJECT TO THE PENALTIES PROVIDED IN § 6–402 OF THIS ARTICLE.

REVISOR’S NOTE: Subsections (a) and (b) of this section are new language derived without substantive change from former Art. 2B, § 12–112(d) and, as they related to wholesalers, §§ 12–112(b), 12–201(d), and the first and fourth sentences of 12–202(c).

Subsection (c) of this section is new language added to set out the penalties for a violation of this section.

In subsection (b) of this section, the reference to a “civil” action is substituted for the former references to an action “ex contractu” for clarity. No substantive change is intended.

Former Art. 2B, §§ 12–112(a) and 12–201(a), which stated that this section applied only in specified jurisdictions, are deleted as unnecessary in light of the organization of this revised article.

Defined terms: “Beer” § 1–101
“Person” § 1–101
“Retail dealer” § 1–101
“State” § 1–101
“Wholesaler’s license” § 1–101

2-315. INTERACTION BETWEEN WHOLESALING ENTITIES AND RETAILERS.**(A) DEFINITIONS.**

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ADVERTISEMENT” INCLUDES A GRAPHIC OR NONGRAPHIC SIGN, DISPLAY, POSTER, AND PLACARD.

(3) “WHOLESALING ENTITY” MEANS:

(I) A HOLDER OF A WHOLESALER’S LICENSE OR A PERSON CONNECTED WITH THE BUSINESS OF THE HOLDER; OR

(II) A NONRESIDENT DEALER OR RESIDENT DEALER OF ALCOHOLIC BEVERAGES.

(B) RESTRICTIONS ON OWNERSHIP INTEREST IN RETAIL ESTABLISHMENT.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A WHOLESALING ENTITY MAY NOT HAVE A FINANCIAL INTEREST IN:

(I) THE PREMISES ON OR IN WHICH A LICENSE HOLDER SELLS ALCOHOLIC BEVERAGES AT RETAIL; OR

(II) A BUSINESS THAT A LICENSE HOLDER CONDUCTS.

(2) A HOLDER OF A CLASS 6 LIMITED WINE WHOLESALER’S LICENSE MAY HAVE A FINANCIAL INTEREST IN NOT MORE THAN ONE CLASS A LICENSED PREMISES.

(3) A WHOLESALING ENTITY MAY NOT LEND MONEY OR ANY OTHER THING OF VALUE, MAKE A GIFT, OR OFFER A GRATUITY TO A RETAIL DEALER.

(4) A RETAIL DEALER MAY NOT ACCEPT, RECEIVE, OR MAKE USE OF MONEY, A GIFT, OR AN ADVERTISEMENT PROVIDED BY A WHOLESALING ENTITY OR BECOME INDEBTED TO A WHOLESALING ENTITY EXCEPT FOR THE PURCHASE OF ALCOHOLIC BEVERAGES AND ALLIED PRODUCTS PURCHASED FOR RESALE.

(5) A WHOLESALING ENTITY OTHER THAN A WHOLESALER OF BEER AND MALT BEVERAGES MAY NOT PROVIDE AN ADVERTISEMENT TO A RETAIL DEALER.

(C) ADVERTISEMENTS ALLOWED – BREWED PRODUCTS.

(1) THIS SUBSECTION APPLIES ONLY TO BREWED PRODUCTS.

(2) (I) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, A NONRESIDENT DEALER, RESIDENT DEALER, OR BEER WHOLESALER MAY NOT PROVIDE TO A RETAIL LICENSE HOLDER AN ADVERTISEMENT THAT:

1. IS WORTH MORE THAN \$150; AND

2. ADVERTISES THE BEER OR MALT PRODUCTS OF A PARTICULAR BREWER, NONRESIDENT DEALER, RESIDENT DEALER, OR BEER WHOLESALER.

(II) AN ADVERTISEMENT PROVIDED IN ACCORDANCE WITH THIS SUBSECTION SHALL CONTAIN BRAND INFORMATION THAT IS PROMINENT, PERMANENT, AND EQUAL TO THE LIFE AND VALUE OF THE UTILITARIAN CHARACTER OF THE ADVERTISING ITEM.

(III) AN ADVERTISEMENT THAT IS MANUFACTURED BY A BEER WHOLESALER AND PROVIDED TO THE HOLDER OF A RETAIL LICENSE MAY NOT BE WORTH MORE THAN \$50 TO THE HOLDER OF THE RETAIL LICENSE WHERE THE ADVERTISEMENT ADVERTISES THE BEER OR MALT PRODUCTS OF THE BEER WHOLESALER.

(D) ADVERTISEMENTS ALLOWED – WINE AND LIQUOR.

(1) THIS SUBSECTION APPLIES ONLY TO WINE AND LIQUOR.

(2) AN ADVERTISEMENT FOR USE IN WINDOWS OR ELSEWHERE ON A RETAIL LIQUOR ESTABLISHMENT MAY BE GIVEN TO A RETAILER BY A BRAND OWNER WHO IS ENGAGED IN THE BUSINESS OF A MANUFACTURING ENTITY IF:

(I) THE UTILITARIAN VALUE IS SECONDARY AND ONLY INCIDENTAL TO THE VALUE AS AN ADVERTISEMENT;

(II) THE TOTAL VALUE OF AN ITEM PROVIDED BY A BRAND OWNER FOR EACH OF ITS INDIVIDUAL BRANDS FOR USE IN ANY ONE RETAIL

ESTABLISHMENT AT ANY ONE TIME IS NOT MORE THAN \$150 FOR EACH INDIVIDUAL BRAND; AND

(III) THE COST OF INSTALLING THESE MATERIALS DOES NOT EXCEED THE USUAL COST IN THE LOCALITY.

(3) (I) IN LIEU OF PREMANUFACTURED ADVERTISING MATERIAL, MATERIALS AND LABOR MAY BE PROVIDED BY A BRAND OWNER FOR THE CUSTOM MANUFACTURE OF AN ADVERTISING DISPLAY THAT:

1. IS WORTH NOT MORE THAN \$150;
2. IS TEMPORARY; AND
3. HAS NO OTHER UTILITARIAN VALUE.

(II) A NONRESIDENT DEALER, RESIDENT DEALER, OR BRAND OWNER MAY NOT UNDERTAKE A PLAN THAT DIRECTLY OR INDIRECTLY RESULTS IN THE PURCHASE OF ADVERTISING MATERIALS, SUPPLIES, OR SERVICES BY A HOLDER OF A WHOLESALER'S LICENSE OR RETAIL LICENSE HOLDER.

(III) A HOLDER OF A WHOLESALER'S LICENSE OR RETAIL LICENSE HOLDER MAY NOT PARTICIPATE DIRECTLY OR INDIRECTLY IN A TRANSACTION IN WHICH THE LICENSE HOLDER PAYS FOR OR SHARES THE COST FOR ANY OF THE ADVERTISING MATERIALS, SUPPLIES, SERVICES, OR MAILING EXPENSES USED TO PROMOTE A BRAND OWNER'S PRODUCTS.

(IV) THIS SUBSECTION DOES NOT PREVENT A HOLDER OF A WHOLESALER'S LICENSE FROM PROVIDING BRAND OWNERS WITH DISPLAY MATERIALS AND INSTALLATION SERVICES AT CHARGES COMPUTED AT NOT LESS THAN THE FAIR MARKET VALUE FOR THESE SERVICES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12-104(b), (f), and, except as they related to a holder of a manufacturer's license, (a), (c), and (d).

In subsection (a)(2) of this section, the defined term "advertisement" is substituted for the former narrower term "[s]ign" for clarity.

In subsection (a)(3) of this section, the defined term "[w]holesaling entity" is substituted for the former overly broad reference to a "[b]usiness entity" for clarity.

In subsection (b)(4) of this section, the former phrase “[e]xcept as provided for” is deleted as surplusage.

In subsection (b)(5) of this section, the phrase “to a retail dealer” is added for clarity.

In subsection (c)(2)(i) of this section, the former reference to a holder of a retail license “issued under the provisions of this article” is deleted as surplusage.

In subsection (d)(1) of this section, the reference to “liquor” is substituted for the former reference to “distilled spirits” to conform to the terminology used throughout this article.

In the introductory language of subsection (d)(2) of this section, the former reference to an advertisement “bearing advertising matter or any other forms of advertising” is deleted as surplusage.

Also in the introductory language of subsection (d)(2) of this section, the former reference to “furnished” is deleted as included in the reference to “given”.

In subsection (d)(2)(ii) of this section, the former reference to “the sum of” \$150 is deleted as surplusage.

In subsection (d)(2)(iii) of this section, the former reference to “customary” is deleted as unnecessary in light of the reference to “usual”.

Also in subsection (d)(2)(iii) of this section, the former reference to the “particular” locality is deleted as surplusage.

In subsection (d)(3)(i)2 of this section, the former reference to temporary “in nature” is deleted as surplusage.

In subsection (d)(3)(ii) of this section, the former reference to “design” is deleted as included in the reference to “plan”.

In subsection (d)(3)(iii) of this section, the former reference to the cost for any “of the value” of the advertising materials is deleted as surplusage.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that in subsection (a)(3)(i) of this section, the reference to a person “connected” with the business of the license holder is ambiguous and may be overly broad.

Defined terms: “Alcoholic beverage” § 1–101

“Beer” § 1–101

“License holder” § 1–101

- “Person” § 1-101
- “Retail dealer” § 1-101
- “Wholesaler” § 1-101
- “Wholesaler’s license” § 1-101
- “Wine” § 1-101

2-316. DISTRIBUTION OF ALCOHOLIC BEVERAGES — PROHIBITED PRACTICES.

(A) LEGISLATIVE PURPOSE.

THE PURPOSE OF THIS SECTION IS TO ELIMINATE THE UNDUE STIMULATION OF THE SALE OF ALCOHOLIC BEVERAGES AND THE PRACTICE OF WHOLESALERS GRANTING SECRET DISCOUNTS, REBATES, ALLOWANCES, FREE GOODS, OR OTHER INDUCEMENTS TO SELECTED LICENSE HOLDERS THAT CONTRIBUTE TO A DISORDERLY DISTRIBUTION OF ALCOHOLIC BEVERAGES.

(B) PROHIBITED ACTIONS.

(1) A LICENSED WHOLESALER, RESIDENT DEALER, OR NONRESIDENT WINERY PERMIT HOLDER MAY NOT DISCRIMINATE DIRECTLY OR INDIRECTLY IN PRICE, DISCOUNTS, OR THE QUALITY OF MERCHANDISE SOLD BETWEEN:

(I) ONE DISPENSARY AND ANOTHER DISPENSARY;

(II) ONE WHOLESALER AND ANOTHER WHOLESALER; OR

(III) ONE RETAILER AND ANOTHER RETAILER THAT PURCHASES ALCOHOLIC BEVERAGES THAT BEAR THE SAME BRAND AND TRADE NAME, AND ARE SIMILAR IN AGE AND QUALITY.

(2) A NONRESIDENT DEALER, RESIDENT DEALER, NONRESIDENT WINERY PERMIT HOLDER, OR NONRESIDENT UNLICENSED MANUFACTURER MAY NOT USE OR PROMOTE THE USE OF A PRACTICE PROHIBITED UNDER PARAGRAPH (1) OF THIS SUBSECTION TO SELL OR DISTRIBUTE ALCOHOLIC BEVERAGES TO OR THROUGH A LICENSED MANUFACTURER, LICENSED WHOLESALER, OR COUNTY DISPENSARY.

(C) DEPENDENT DISCOUNTING PROHIBITED.

A SUPPLIER, NONRESIDENT DEALER, RESIDENT DEALER, NONRESIDENT WINERY PERMIT HOLDER, OR WHOLESALER MAY NOT MAKE A DISCOUNT, REBATE, OR DEPLETION ALLOWANCE THAT IS OFFERED ON A PRODUCT DEPENDENT ON THE PRICING POLICY OR PRACTICE OF THE LICENSE HOLDER WHO IS INVOICED FOR THE PRODUCT.

(D) RATION PLAN ALLOWED.

(1) THIS SECTION DOES NOT RESTRICT A WHOLESALER, NONRESIDENT DEALER, RESIDENT DEALER, OR NONRESIDENT WINERY PERMIT HOLDER FROM LIMITING THE QUANTITY OF ALCOHOLIC BEVERAGES TO BE SOLD TO A LICENSE HOLDER UNDER A VOLUNTARY OR COMPULSORY RATIONING PLAN.

(2) A WHOLESALER, NONRESIDENT DEALER, RESIDENT DEALER, OR NONRESIDENT WINERY PERMIT HOLDER IS NOT REQUIRED TO SELL TO ALL LICENSE HOLDERS FROM WHOM ORDERS ARE RECEIVED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12–102(b) and the first through third sentences of (a), except as they related to manufacturers.

In subsection (a) of this section, the reference to “[t]he purpose of this section” is added for clarity.

In subsection (d)(2) of this section, the reference to “[a] wholesaler ... is not required” to sell to all license holders is substituted for the former reference to “the word ‘purchase’ shall not imply that a ... wholesaler ... shall be required” to sell to all license holders for clarity.

Defined terms: “Alcoholic beverage” § 1–101

“County” § 1–101

“License holder” § 1–101

“Wholesaler” § 1–101

2–317. RESTRICTIVE AGREEMENTS BETWEEN WHOLESALERS AND RETAILERS — PROHIBITED.

A HOLDER OF A WHOLESALER'S LICENSE MAY NOT ENTER INTO AN AGREEMENT WITH A RETAIL DEALER THAT LIMITS THE PURCHASES OR SALES OF THE RETAIL DEALER TO THE PRODUCTS OF ANY PRODUCER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12–101, except as it related to manufacturers.

The phrase “that limits” is substituted for the former phrase “the effect or purpose of which is to limit” for brevity.

The former statement that “it being the intent and purpose of this article that every retail dealer shall at all times, be and remain free to purchase the

alcoholic beverages sold by him, from any holder of a ... wholesaler's license issued under the provisions of this article" is deleted as unnecessary.

Defined terms: "Retail dealer" § 1-101
 "Wholesaler's license" § 1-101

SUBTITLE 4. WATER VESSEL, RAILROAD, AND AIRCRAFT LICENSES.

2-401. NO LICENSE OR PERMIT REQUIRED FOR CERTAIN PLANES OR SHIPS.

A LICENSE OR PERMIT IS NOT REQUIRED FOR A TRANSPORT PLANE FURNISHED WITH A COCKTAIL LOUNGE OR A WATER VESSEL CARRYING PASSENGERS OR CARGO TO A FOREIGN PORT IF:

(1) ALCOHOLIC BEVERAGES ARE PURCHASED FROM A MANUFACTURER OR WHOLESALER; AND

(2) SATISFACTORY EVIDENCE IS SUBMITTED IN WRITING TO THE COMPTROLLER THAT THE ALCOHOLIC BEVERAGES ARE FOR SALE OR USE BEYOND THE CONTINENTAL LIMITS AND POSSESSIONS OF THE UNITED STATES.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 1-201(e).

In the introductory language of this section, the reference to "a water vessel" is substituted for the former reference to "ships" to conform to the terminology used in §§ 2-402 and 2-403 of this subtitle.

In item (2) of this section, the reference to submitting evidence "to the Comptroller" is added for clarity.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that in the introductory language of this section, the meaning of the reference to a "transport plane" is unclear.

Defined terms: "Alcoholic beverage" § 1-101
 "Comptroller" § 1-101
 "License" § 1-101
 "Wholesaler" § 1-101

2-402. CLASS E (WATER VESSEL) BEER, WINE, AND LIQUOR LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS E (WATER VESSEL) BEER, WINE, AND LIQUOR LICENSE ISSUED BY THE COMPTROLLER.

(B) SCOPE OF LICENSE.

(1) THE LICENSE IS REQUIRED TO BE OBTAINED FOR EACH WATER VESSEL ON WHICH BEER, WINE, OR LIQUOR IS SOLD.

(2) THE LICENSE IS VALID THROUGHOUT THE STATE.

(C) SCOPE OF AUTHORIZATION.

THE LICENSE AUTHORIZES THE OWNER OR OPERATOR OF A WATER VESSEL TO SELL BEER, WINE, OR LIQUOR FOR CONSUMPTION ON THE VESSEL IF THE WATER VESSEL IS USED:

(1) FOR THE TRANSPORTATION FOR HIRE OF PASSENGERS FROM PORTS IN THE STATE TO OTHER PORTS IN THE STATE, COASTAL PORTS IN OTHER STATES, OR FOREIGN PORTS; OR

(2) TO OPERATE TOURS WITHIN STATE WATERWAYS.

(D) FEE.

THE ANNUAL LICENSE FEE IS \$150.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 6-501(a) through (e).

In subsection (a) of this section, the former reference to the issuance of a license "subject to the conditions and restrictions set forth in this section" is deleted as unnecessary.

In subsection (b)(1) and the introductory language of subsection (c) of this section, the former references to a "ferry boat" and "other vessel" are deleted as included in the references to a "water vessel".

In subsection (b)(1) of this section, the statement that a license "is required to be obtained" for each water vessel is substituted for the former requirement that a license "shall be issued" for each water vessel to avoid the implication that the Comptroller has a duty to issue a license for each vessel.

Also in subsection (b)(1) of this section, the reference to "beer, wine, or liquor" is substituted for the former reference to "such beverages" for clarity.

In the introductory language of subsection (c) of this section, the reference to “beer, wine, or liquor” is substituted for the former reference to “all alcoholic beverages” to conform to the terminology of the Class E beer, wine, and liquor license.

In subsection (d) of this section, the former reference to the annual license fee “be[ing] paid to the Office of the Comptroller before the license is issued” is deleted as unnecessary.

Defined terms: “Beer” § 1–101

“Comptroller” § 1–101

“State” § 1–101

“Wine” § 1–101

2–403. LOCAL PROHIBITION AGAINST SELLING ALCOHOLIC BEVERAGES ON WATER VESSELS.

A LICENSE HOLDER MAY NOT SELL ALCOHOLIC BEVERAGES WHILE THE WATER VESSEL FOR WHICH THE LICENSE IS ISSUED IS DOCKED TO A WHARF OR PIER IN A JURISDICTION WHERE LOCAL LAW PROHIBITS THE SALE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 6–501(f).

The reference to “sell[ing] alcoholic beverages” is substituted for the former reference to “mak[ing] any sale pursuant to the license” for clarity.

The defined term “jurisdiction” is substituted for the former word “county” for accuracy.

The word “docked” is substituted for the former phrase “made fast” for clarity.

Defined terms: “Alcoholic beverage” § 1–101

“Jurisdiction” § 1–101

“License” § 1–101

“License holder” § 1–101

2–404. CLASS F (RAILROAD) BEER AND LIGHT WINE LICENSE.

(A) “LIGHT WINE” DEFINED.

IN THIS SECTION, “LIGHT WINE” MEANS WINE THAT CONTAINS NOT MORE THAN 15.5% OF ALCOHOL BY VOLUME.

(B) ESTABLISHED.

THERE IS A CLASS F (RAILROAD) BEER AND LIGHT WINE LICENSE ISSUED BY THE COMPTROLLER.

(C) SCOPE OF LICENSE.

THE LICENSE IS VALID THROUGHOUT THE STATE.

(D) SCOPE OF AUTHORIZATION.

THE LICENSE AUTHORIZES THE OWNER OR OPERATOR OF A STEAM, A DIESEL, OR AN ELECTRIC RAILROAD IN THE STATE OR A CAR ON A LINE OF THE RAILROAD THAT IS A CLUB, A PARLOR, A BUFFET, AN OBSERVATION, A SLEEPING, OR A DINING CAR TO SELL BEER AND LIGHT WINE IN THOSE CARS, FOR CONSUMPTION IN THOSE CARS.

(E) FEE.

THE ANNUAL LICENSE FEE IS \$60.

(F) EFFECT OF SECTION.

(1) OTHER PROVISIONS OF THIS ARTICLE MAY NOT BE CONSTRUED AS APPLYING TO OR AFFECTING THE SALE OF ALCOHOLIC BEVERAGES UNDER A CLASS F BEER AND LIGHT WINE LICENSE.

(2) THIS SECTION MAY NOT BE CONSIDERED REPEALED BY A LOCAL OR GENERAL LAW UNLESS THE LAW EXPRESSLY REFERS TO AND REPEALS THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 5–501, 11–201, 1–102(a)(17), and, as it related to Class F licenses, 8–102.

In subsection (a) of this section, the term “light wine”, which formerly was used as a defined term for all of Article 2B, is used as a defined term for this section, the only section in Division I of this article where “light wine” is used. “Light wine” is further defined in each title of Division II where it is used.

Also in subsection (a) of this section, the former reference to “naturally fermented” wine is deleted as surplusage in light of the definition of “wine” in § 1–101 of this article.

In subsection (d) of this section and throughout this subtitle, the former references to “keep[ing] for sale” are deleted as implicit in the references to “sell[ing]”.

In subsection (e) of this section, the former reference to the annual license fee “be[ing] paid to the Comptroller for the use of the State before the license is issued” is deleted as unnecessary.

In subsection (f)(1) of this section, the reference to “[o]ther provisions of” this article is added for clarity.

Also in subsection (f)(1) of this section, the former statement that this article “does not restrict, limit, or prohibit the sale of alcoholic beverages on any day or during any period of hours on any day” is deleted as unnecessary in light of the statement that this article does not “appl[y] to or affec[t] the sale of alcoholic beverages”.

Also in subsection (f)(1) of this section, the former phrase “in any manner” is deleted as surplusage.

Also in subsection (f)(1) of this section, the former reference to a license “issued according to the provisions of this article” is deleted as surplusage.

Defined terms: “Alcoholic beverage” § 1–101

“Beer” § 1–101

“Comptroller” § 1–101

“State” § 1–101

“Wine” § 1–101

2–405. CLASS F (RAILROAD) BEER, WINE, AND LIQUOR LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS F (RAILROAD) BEER, WINE, AND LIQUOR LICENSE ISSUED BY THE COMPTROLLER.

(B) SCOPE OF LICENSE.

THE LICENSE IS VALID THROUGHOUT THE STATE.

(C) SCOPE OF AUTHORIZATION.

THE LICENSE AUTHORIZES THE OWNER OR OPERATOR OF A STEAM, A DIESEL, OR AN ELECTRIC RAILROAD IN THE STATE OR A CAR ON A LINE OF THE RAILROAD THAT IS A CLUB, A PARLOR, A BUFFET, AN OBSERVATION, A SLEEPING, OR A DINING

CAR TO SELL BEER, WINE, AND LIQUOR IN THOSE CARS, FOR CONSUMPTION IN THOSE CARS.

(D) LICENSE TO BE KEPT IN CHIEF OPERATING OFFICE.

THE LICENSE SHALL BE KEPT IN THE CHIEF OPERATING OFFICE OF THE CORPORATION IN THE STATE.

(E) FEE.

THE ANNUAL LICENSE FEE IS \$200.

(F) EFFECT OF SECTION.

(1) OTHER PROVISIONS OF THIS ARTICLE MAY NOT BE CONSTRUED AS APPLYING TO OR AFFECTING THE SALE OF ALCOHOLIC BEVERAGES UNDER A CLASS F BEER, WINE, AND LIQUOR LICENSE.

(2) THIS SECTION MAY NOT BE CONSIDERED REPEALED BY A LOCAL OR GENERAL LAW UNLESS THE LAW EXPRESSLY REFERS TO AND REPEALS THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 6–502, 11–201, and, as they related to Class F licenses, 8–102 and 10–505.

In subsection (c) of this section, the reference to “beer, wine, and liquor” is substituted for the former reference to “all alcoholic beverages” to conform to the terminology of the Class F beer, wine, and liquor license.

In subsection (e) of this section, the former reference to the annual license fee “be[ing] paid to the Office of the Comptroller before the license is issued” is deleted as unnecessary.

In subsection (f)(1) of this section, the reference to “[o]ther provisions of” this article is added for clarity.

Also in subsection (f)(1) of this section, the former statement that this article “does not restrict, limit, or prohibit the sale of alcoholic beverages on any day or during any period of hours on any day” is deleted as unnecessary in light of the statement that this article does not “appl[y] to or affec[t] the sale of alcoholic beverages”.

Also in subsection (f)(1) of this section, the former phrase “in any manner” is deleted as surplusage.

Also in subsection (f)(1) of this section, the former reference to a license “issued according to the provisions of this article” is deleted as surplusage.

Former Art. 2B, § 8–213, which stated that “[n]othing contained in this article as to Harford County shall apply to or affect Class F licenses issued under this article, with respect to sales of beer, wine and liquor or other alcoholic beverages on passenger trains, while said trains are in transit through [Harford County]”, is deleted as unnecessary in light of subsection (f) of this section and § 2–404 of this subtitle, which state that other provisions of this article do not apply to or affect the sale of alcoholic beverages under a Class F license.

Defined terms: “Alcoholic beverage” § 1–101

“Beer” § 1–101

“Comptroller” § 1–101

“State” § 1–101

“Wine” § 1–101

2–406. CLASS G (AIRCRAFT) BEER, WINE, AND LIQUOR LICENSE.

(A) ESTABLISHED.

THERE IS A CLASS G (AIRCRAFT) BEER, WINE, AND LIQUOR LICENSE ISSUED BY THE COMPTROLLER.

(B) SCOPE OF LICENSE.

THE LICENSE IS VALID THROUGHOUT THE STATE.

(C) SCOPE OF AUTHORIZATION.

THE LICENSE AUTHORIZES THE OWNER OR OPERATOR OF AIRCRAFT OPERATED ON REGULARLY SCHEDULED FLIGHTS OVER ANY PART OF THE STATE TO SELL BEER, WINE, AND LIQUOR IN THE AIRCRAFT FOR CONSUMPTION IN THE AIRCRAFT.

(D) FEE.

THE ANNUAL LICENSE FEE IS \$200.

(E) EFFECT OF SECTION.

THIS SECTION MAY NOT BE CONSIDERED REPEALED BY A LOCAL OR GENERAL LAW UNLESS THE LAW EXPRESSLY REFERS TO AND REPEALS THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 6–503 and, as it related to Class G licenses, 8–102.

In subsection (c) of this section, the reference to “beer, wine, and liquor” is substituted for the former reference to “all alcoholic beverages” to conform to the terminology of the Class G beer, wine, and liquor license.

Also in subsection (c) of this section, the former references to “airplanes” are deleted as included in the references to “aircraft”.

In subsection (d) of this section, the former reference to the annual license fee “be[ing] paid to the Office of the Comptroller before the license is issued” is deleted as unnecessary.

Defined terms: “Beer” § 1–101

“Comptroller” § 1–101

“State” § 1–101

“Wine” § 1–101

2–407. LICENSE APPLICATION — GENERALLY.

(A) APPLICATION TO BE FILED WITH COMPTROLLER.

(1) AN APPLICANT FOR A CLASS E, CLASS F, OR CLASS G LICENSE SHALL SUBMIT TO THE COMPTROLLER AN APPLICATION IN THE FORM THAT THE COMPTROLLER PROVIDES.

(2) AN APPLICATION SHALL BE MADE UNDER OATH.

(B) THREE OFFICER OR EMPLOYEE RULE.

EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE APPLICATION SHALL BE MADE ON BEHALF OF AN ENTITY THAT IS A CORPORATION, A LIMITED LIABILITY COMPANY, OR AN INCORPORATED OR UNINCORPORATED CLUB BY THREE OFFICERS OR EMPLOYEES RESIDING IN THE STATE WHO ARE AUTHORIZED BY THE ENTITY TO APPLY FOR THE LICENSE.

(C) EXCEPTIONS TO APPLICATION REQUIREMENTS.

(1) IF THERE ARE FEWER THAN THREE OFFICERS, DIRECTORS, OR AUTHORIZED INDIVIDUALS OF THE ENTITY, ALL OFFICERS, DIRECTORS, OR AUTHORIZED INDIVIDUALS SHALL MAKE THE APPLICATION.

(2) A STOCKHOLDER ON BEHALF OF A CLOSE CORPORATION MAY MAKE THE APPLICATION IF:

(I) THERE ARE NO OFFICERS OR DIRECTORS OF THE CLOSE CORPORATION; AND

(II) THERE IS AN AFFIRMATIVE VOTE OF THE STOCKHOLDERS HOLDING A MAJORITY OF THE STOCK.

(3) IF THREE PRINCIPAL OFFICERS OF AN ENTITY ARE APPLICANTS FOR A CLASS G LICENSE, NO APPLICANT NEED BE A REGISTERED VOTER, TAXPAYER, OR RESIDENT OF THE STATE.

(4) EXCEPT AS PROVIDED IN PARAGRAPH (5) OF THIS SUBSECTION, IF THE APPLICATION FOR A CLASS E OR CLASS F LICENSE IS MADE FOR THE USE OF A LIMITED LIABILITY COMPANY:

(I) THE LICENSE SHALL BE APPLIED FOR AND ISSUED TO THREE OF THE AUTHORIZED INDIVIDUALS FOR THE COMPANY, AS INDIVIDUALS; AND

(II) AT LEAST ONE OF THE APPLICANTS:

1. SHALL BE A REGISTERED VOTER AND TAXPAYER OF THE STATE WHEN THE APPLICATION IS SUBMITTED; AND

2. SHALL HAVE RESIDED IN THE STATE FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS SUBMITTED.

(5) IN BALTIMORE CITY, AN AUTHORIZED INDIVIDUAL OF A LIMITED LIABILITY COMPANY WHO HOLDS A LICENSE FOR THE USE OF THE LIMITED LIABILITY COMPANY THAT WAS GRANTED ON OR BEFORE JUNE 1, 2012, NEED NOT BE A REGISTERED VOTER IN BALTIMORE CITY.

(D) CONTENTS OF APPLICATION.

(1) AN APPLICATION SHALL CONTAIN:

(I) THE NAME AND ADDRESS OF THE APPLICANT;

(II) THE AMOUNT OF TIME THE APPLICANT HAS RESIDED IN THE STATE;

(III) THE NAME AND ADDRESS OF THE ENTITY ON WHOSE BEHALF THE LICENSE IS SOUGHT;

(IV) THE CLASS OF LICENSE SOUGHT;

(V) A STATEMENT THAT THE APPLICANT:

1. IS A CITIZEN OF THE UNITED STATES;

2. IS AT LEAST 21 YEARS OLD;

3. HAS NOT BEEN CONVICTED OF A FELONY;

4. HAS NOT HAD A LICENSE FOR THE SALE OF ALCOHOLIC BEVERAGES REVOKED; AND

5. IF ISSUED A LICENSE, WILL OBEY ALL LAWS RELATING TO THE BUSINESS FOR WHICH THE LICENSE IS SOUGHT;

(VI) A STATEMENT THAT THE ENTITY FOR WHICH THE LICENSE IS SOUGHT:

1. CONSENTS TO THE ISSUANCE OF THE LICENSE; AND

2. EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AUTHORIZES THE COMPTROLLER TO INSPECT AND SEARCH AT ANY TIME, WITHOUT WARRANT, THE AIRCRAFT, RAILROAD CAR, OR WATER VESSEL TO WHICH THE LICENSE APPLIES;

(VII) THE NAMES AND ADDRESSES OF ALL OF THE OFFICERS OF THE ENTITY; AND

(VIII) THE SIGNATURES OF THE PRESIDENT OR VICE PRESIDENT OF THE ENTITY, AND THE THREE OFFICERS TO WHOM THE LICENSE SHALL BE ISSUED.

(2) AN INSPECTION OR A SEARCH CONDUCTED UNDER PARAGRAPH (1)(VI)2 OF THIS SUBSECTION MAY NOT BE AT A TIME OR IN A MANNER THAT DELAYS OR INTERFERES WITH THE MOVEMENT OF AN AIRCRAFT, A TRAIN, OR A WATER VESSEL.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 10–102, 9–101(c)(2) through (4), (1)(i) and (ii).

and (5)(ii) and (b)(2) through (4), (6), (7), and the second clause of (1)(i), and, as it related to Class E, F, and G licenses, the first sentence of 10–101(a).

In subsection (a)(2) of this section, the reference to an application being “made under oath” is substituted for the former reference to an application being “sworn to by the applicant” to conform to the terminology used throughout this article.

In subsection (b) of this section, the former reference to any officers or employees “duly” authorized is deleted as surplusage.

Throughout subsection (c) of this section, the references to authorized “individual[s]” are substituted for the former references to authorized “person[s]” for clarity.

In subsection (c)(1) and (2) of this section, the former references to the making of an application “as provided in this section” are deleted as surplusage.

In subsections (c)(1) and (3) and (d)(1)(viii) of this section, the references to an “entity” are substituted for the former references to a “corporation”, a “limited liability company”, and a “corporation or club” to conform to the terminology used throughout this section.

In subsection (c)(4)(ii)1 of this section, the former reference to “county or city” is deleted as unnecessary because a Class E, F, or G license is a statewide license.

In subsection (d)(1)(iii) of this section, the reference to the “entity” is substituted for the former references to the “corporation, partnership or association”, the “limited liability company”, and the “particular company” for brevity.

In subsection (d)(1)(v)5 of this section, the former reference to “regulations” is deleted as included in the reference to “laws”.

In subsection (d)(1)(vi)1 of this section, the former reference to the license “applied for” is deleted as surplusage.

In subsection (d)(1)(vi)2 of this section, the former reference to the Comptroller’s “duly authorized deputies, inspectors and clerks” is deleted as implicit in the reference to the “Comptroller”.

Also in subsection (d)(1)(vi)2 of this section, the former references to “any and all” are deleted as surplusage.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that in subsection (b) of this section, reference is made

to “an entity that is a corporation, a limited liability company, or an incorporated or unincorporated club”, but no mention is made of partnerships or other forms of entities. The Committee wonders whether the reference is intended to be a list for illustrative purposes rather than an exhaustive list.

Defined terms: “Alcoholic beverage” § 1–101

“Club” § 1–101

“Comptroller” § 1–101

“License” § 1–101

“State” § 1–101

2–408. CLASS E, CLASS F, AND CLASS G LICENSES.

(A) LICENSE EXPIRATION.

A CLASS E, CLASS F, OR CLASS G LICENSE EXPIRES 10 DAYS AFTER THE LAST REMAINING INDIVIDUAL TO WHOM THE LICENSE IS ISSUED DIES OR IS DECLARED INCOMPETENT.

(B) REPLACEMENT LICENSE.

(1) BEFORE A LICENSE UNDER SUBSECTION (A) OF THIS SECTION EXPIRES, THE COMPTROLLER SHALL ISSUE A REPLACEMENT LICENSE CONTAINING THE PRIVILEGES CONFERRED BY THE ORIGINAL LICENSE IF:

(i) THE COMPTROLLER RECEIVES FROM AN INDIVIDUAL ON BEHALF OF THE LICENSE HOLDER AN APPLICATION FOR THE REPLACEMENT LICENSE WITHIN 10 DAYS AFTER THE LAST REMAINING INDIVIDUAL DIES OR IS DECLARED INCOMPETENT; AND

(ii) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE APPLICATION IS ACCOMPANIED BY PAYMENT OF A FEE OF \$1.

(2) IN FREDERICK COUNTY, A FEE MAY NOT BE CHARGED FOR A NEW LICENSE.

(3) A REPLACEMENT LICENSE EXPIRES AT THE END OF THE LICENSE YEAR.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–506(a)(8) and (9).

In subsection (a) of this section, the reference to “the last remaining individual” is substituted for the former reference to “all of the persons” for clarity.

Also in subsection (a) of this section, the reference to being “declared” incompetent is substituted for the former reference to “becom[ing]” incompetent for clarity.

Also in subsection (a) of this section, the former phrase “during its term” is deleted as surplusage.

Also in subsection (a) of this section, the former language “[n]o Class E, Class F or Class G license shall expire or become inoperative because of the death and/or incompetency of one or more, but less than all, of the persons to whom it is issued for a company” is deleted as surplusage.

Defined term: “Comptroller” § 1–101

SUBTITLE 5. STATE CATERER’S LICENSES.

2–501. STATE CATERER’S LICENSE.

(A) ESTABLISHED.

THERE IS A STATE CATERER’S LICENSE.

(B) GENERAL STATEWIDE OR LIMITED STATEWIDE LICENSE.

THE LICENSE MAY BE ISSUED AS A GENERAL STATEWIDE OR A LIMITED STATEWIDE CATERER’S LICENSE.

REVISOR’S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that a statewide caterer’s license exists.

Subsection (b) of this section is new language derived without substantive change from former Art. 2B, § 6–701(d)(1).

Former Art. 2B, § 6–701(a), which stated that former Art. 2B, § 6–701 applied throughout the State, is deleted as unnecessary in light of the organization of this revised article.

Defined term: “State” § 1–101

2–502. AUTHORIZED HOLDER.

(A) IN GENERAL.

THE COMPTROLLER MAY ISSUE A STATE CATERER'S LICENSE TO A PERSON THAT:

- (1) IS ENGAGED IN THE BUSINESS OF CATERING;**
 - (2) MEETS ALL STATE AND LOCAL REQUIREMENTS FOR AND HOLDS ALL REQUIRED LICENSES RELATING TO THE CONDUCT OF THE CATERING BUSINESS;**
 - (3) HOLDS ANY CATERING LICENSE THAT MAY BE REQUIRED UNDER THIS ARTICLE IN THE JURISDICTION IN WHICH THE PERSON'S PRINCIPAL PLACE OF BUSINESS IS LOCATED;**
 - (4) (I) HOLDS A RETAIL LICENSE THAT MAY BE ANNUALLY RENEWED OTHER THAN A CLASS C LICENSE; OR**
 - (II) DOES NOT HOLD A LICENSE BUT HAS A PERMANENT OFFICE AND STORAGE FACILITY FOR ALCOHOLIC BEVERAGES IN THE STATE; AND**
 - (5) MEETS ALL OTHER REQUIREMENTS OF THIS SUBTITLE.**
- (B) CONDITIONS UNDER WHICH STATE CATERER'S LICENSE NOT REQUIRED.**

A LICENSED RETAIL DEALER THAT OPERATES ONLY IN THE JURISDICTION UNDER AUTHORITY OF THE LOCAL LICENSING BOARD NEED NOT ACQUIRE A STATE CATERER'S LICENSE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 6-701(b) and (f)(2).

Throughout this section and subtitle, the references to a "State caterer's" license are substituted for the former references to a "SCAT" license for clarity.

In subsections (a)(3) and (b) of this section, the defined term "jurisdiction" is substituted for the former references to a "[local] political subdivision" to conform to the terminology used throughout this article.

In subsection (a)(3) of this section, the reference to a person's principal "place of business" is substituted for the former reference to a person's principal "office" to conform to the terminology used throughout this article.

In subsection (a)(4) of this section and throughout this subtitle, the references to a license "that may be annually renewed" are substituted for the former references to a "permanent" license for clarity.

Also in subsection (a)(4) of this section, the former reference to an “existing” license is deleted as surplusage.

In subsection (b) of this section, the defined term “retail dealer” is substituted for the former reference to a “retailer” to conform to the terminology used throughout this article.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“Jurisdiction” § 1–101

“License” § 1–101

“Local licensing board” § 1–101

“Person” § 1–101

“Retail dealer” § 1–101

“State” § 1–101

2–503. SCOPE OF AUTHORIZATION.

(A) FOR ALL STATE CATERER’S LICENSES.

(1) A GENERAL STATEWIDE OR LIMITED STATEWIDE CATERER’S LICENSE AUTHORIZES THE HOLDER TO:

(I) ACQUIRE ALCOHOLIC BEVERAGES:

1. IF THE HOLDER OPERATES UNDER A RETAIL LICENSE THAT MAY BE ANNUALLY RENEWED, THROUGH A HOLDER OF A WHOLESALER’S LICENSE; OR

2. EXCEPT AS PROVIDED IN §§ 25–307, 29–306, 32–306, 32–309(E), AND 33–305 OF THIS ARTICLE, THROUGH A LICENSED RETAIL DEALER THAT HAS OFF–SALE PRIVILEGES;

(II) SERVE ALCOHOLIC BEVERAGES AT A CATERED EVENT ANYWHERE IN THE STATE TO INDIVIDUALS WHO HAVE ATTAINED THE LEGAL DRINKING AGE ON PREMISES THAT ARE UNLICENSED OR FOR WHICH A TEMPORARY LICENSE HAS BEEN ISSUED BY THE LOCAL LICENSING BOARD; AND

(III) EXCEPT AS PROVIDED IN § 2–504(B)(2) OF THIS SUBTITLE, STORE UNUSED ALCOHOLIC BEVERAGES AT THE HOLDER’S PRINCIPAL PLACE OF BUSINESS FOR USE AT OTHER CATERED EVENTS.

(2) THE HOLDER MAY SELL AND SERVE ALCOHOLIC BEVERAGES DURING THE HOURS AND ON THE DAYS THAT A HOLDER OF A CLASS B LICENSE MAY OPERATE IN THE JURISDICTION WHERE THE CATERED EVENT IS CONDUCTED.

(B) FOR GENERAL STATEWIDE CATERER'S LICENSES ONLY.

A GENERAL STATEWIDE CATERER'S LICENSE AUTHORIZES THE HOLDER TO PROVIDE CATERING SERVICES IN ANY JURISDICTION IN THE STATE.

(C) FOR LIMITED STATEWIDE CATERER'S LICENSES ONLY.

A LIMITED STATEWIDE CATERER'S LICENSE AUTHORIZES THE HOLDER TO PROVIDE CATERING SERVICES IN NOT MORE THAN THREE CONTIGUOUS AND DESIGNATED JURISDICTIONS IN THE STATE IF THE TOTAL POPULATION OF THE DESIGNATED JURISDICTIONS DOES NOT EXCEED 1,000,000, BASED ON THE MOST RECENT POPULATION RECORDS OF THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 6-701(c), (l), (d)(2), (3), and (4), and (f)(1).

In the introductory language of subsection (a)(1) of this section, the reference to a "general statewide or limited statewide" license is added for clarity.

In subsection (a)(1)(i)2 of this section, the former reference to a licensed retail dealer "located in the State" is deleted as unnecessary.

In subsection (a)(1)(ii) of this section, the phrase "anywhere in the State" is substituted for the former phrase "throughout the State" for clarity.

Also in subsection (a)(1)(ii) of this section, the reference to individuals "who have attained the legal drinking age" is substituted for the former reference to individuals "21 years of age or older" for clarity and consistency throughout this article.

In subsection (a)(1)(iii) of this section, the phrase "except as provided in § 2-504(b)(2) of this subtitle," is added for clarity.

In subsections (b) and (c) of this section, the references to "provide catering services" are substituted for the former references to "operate" for clarity.

Also in subsections (b) and (c) of this section, the former references to the holder "compl[ying] with all other provisions of this subtitle" are deleted as implicit.

In subsection (b) of this section, the defined term “jurisdiction” is substituted for the former reference to a “political subdivision” to conform to the terminology used throughout this article. Similarly, in subsection (c) of this section, the defined term “jurisdictions” is substituted for the former references to “political subdivisions”.

In subsection (c) of this section, the former reference to “applicable” population records is deleted as surplusage.

Defined terms: “Alcoholic beverage” § 1–101

“Jurisdiction” § 1–101

“License” § 1–101

“Local licensing board” § 1–101

“Off-sale” § 1–101

“Retail dealer” § 1–101

“State” § 1–101

“Wholesaler’s license” § 1–101

2–504. DUTIES AND RESTRICTIONS.

(A) DUTIES.

AT EACH CATERED EVENT AT WHICH ALCOHOLIC BEVERAGES ARE SERVED, THE HOLDER OF A GENERAL STATEWIDE OR LIMITED STATEWIDE CATERER’S LICENSE SHALL:

(1) SUPPLY SERVICE PERSONNEL, INCLUDING BARTENDERS AND WAITERS;

(2) ENSURE THAT THE SERVICE PERSONNEL ARE PRESENT AT ALL TIMES DURING THE CATERED EVENT;

(3) HAVE AT LEAST ONE INDIVIDUAL AT THE CATERED EVENT WHO HAS BEEN CERTIFIED BY AN ALCOHOL AWARENESS PROGRAM UNDER § 4–505 OF THIS ARTICLE;

(4) ENSURE THAT THE SALE OF FOOD REPRESENTS AT LEAST 70% OF THE TOTAL COST OF THE CATERED EVENT; AND

(5) RETURN ALL UNOPENED CONTAINERS OF ALCOHOLIC BEVERAGES TO THE HOLDER’S PRINCIPAL PLACE OF BUSINESS AT THE END OF THE CATERED EVENT.

(B) RESTRICTIONS.

(1) THE HOLDER OF A GENERAL STATEWIDE OR LIMITED STATEWIDE CATERER'S LICENSE MAY NOT:

(I) DELIVER ALCOHOLIC BEVERAGES TO A CATERED EVENT WITHOUT SERVICE PERSONNEL PRESENT ON THE PREMISES OF THE CATERED EVENT; AND

(II) EXCEPT WHEN OPERATING UNDER AN ON-PREMISES RETAIL LICENSE THAT MAY BE ANNUALLY RENEWED ISSUED BY A LOCAL LICENSING BOARD, SERVE ALCOHOLIC BEVERAGES AT:

- 1. THE HOLDER'S PRINCIPAL PLACE OF BUSINESS; OR**
- 2. AN EVENT FOR WHICH THE HOLDER IS A SPONSOR OR PROMOTER.**

(2) TO ENSURE PRODUCT INTEGRITY, A PARTIALLY USED KEG OF A MALT BEVERAGE MAY NOT BE USED AT ANOTHER CATERED EVENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 6-701(h), (i), (j), and (k).

In the introductory language of subsection (a) of this section, the former reference to alcoholic beverages "products" is deleted as unnecessary.

In subsection (a)(3) of this section, the phrase "at the catered event" is substituted for the former reference to "on-site" for clarity.

Also in subsection (a)(3) of this section, the reference to an alcohol awareness program "under § 4-505 of this article" is substituted for the former reference to a program "that is licensed by the State Comptroller" for clarity.

In subsection (a)(5) of this section, the reference to "unopened" containers is substituted for the former reference to "full" containers for accuracy.

In subsection (b)(1)(i) of this section, the reference to service personnel "present on the premises of the catered event" is substituted for the former reference to "on the premises" for clarity.

Also in subsection (b)(1)(i) of this section, the former phrase "under the SCAT license" is deleted as surplusage.

In subsection (b)(1)(ii)1 of this section, the reference to the license holder's principal "place of business" is substituted for the former reference to the

holder's principal "office" to conform to the terminology used throughout this article.

In subsection (b)(2) of this section, the reference to a "partially used" keg is substituted for the former reference to a "partial" keg for clarity.

Defined terms: "Alcoholic beverage" § 1-101
"Local licensing board" § 1-101

2-505. FEES.

(A) GENERAL STATEWIDE CATERER'S LICENSE.

THE ANNUAL FEE FOR A GENERAL STATEWIDE CATERER'S LICENSE IS \$2,000.

(B) LIMITED STATEWIDE CATERER'S LICENSE.

(1) THE ANNUAL FEES FOR A LIMITED STATEWIDE CATERER'S LICENSE ARE:

(I) FOR DESIGNATED JURISDICTIONS THAT HAVE A TOTAL POPULATION OF NOT MORE THAN 300,000, \$750;

(II) FOR DESIGNATED JURISDICTIONS THAT HAVE A TOTAL POPULATION OF MORE THAN 300,000 BUT LESS THAN 600,000, \$1,000; AND

(III) FOR DESIGNATED JURISDICTIONS THAT HAVE A TOTAL POPULATION OF AT LEAST 600,000, \$1,500.

(2) THE FEE FOR A LIMITED STATEWIDE CATERER'S LICENSE IS BASED ON THE MOST RECENT POPULATION RECORDS OF THE DESIGNATED JURISDICTIONS IN WHICH THE APPLICANT OR LIMITED STATEWIDE CATERER'S LICENSE HOLDER PROVIDES CATERING SERVICES, AS COMPILED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE.

(C) CREDIT AGAINST LICENSE FEE.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN APPLICANT FOR A GENERAL STATEWIDE OR LIMITED STATEWIDE CATERER'S LICENSE THAT HOLDS A RETAIL LICENSE THAT MAY BE ANNUALLY RENEWED AND A SPECIAL CATERING LICENSE OR THAT IS REQUIRED TO PAY AN ADDITIONAL FEE TO PROVIDE CATERING SERVICES IN THE APPLICANT'S JURISDICTION IS ENTITLED TO A CREDIT AGAINST THE LICENSE FEE.

(2) THE CREDIT MAY BE GRANTED IF:

(I) THE CREDIT DOES NOT EXCEED THE ADDITIONAL CATERING FEE REQUIRED TO BE PAID IN THE JURISDICTION; AND

(II) AFTER THE CREDIT IS APPLIED AGAINST THE LICENSE FEE, AT LEAST A \$250 FEE REMAINS TO BE PAID.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 6-701(e).

In subsection (b)(1) of this section, the references to “total” population are added for clarity and consistency with § 2-503(c) of this subtitle.

In subsection (b)(2) of this section, the reference to the jurisdictions “in which the applicant or limited statewide caterer’s license holder provides catering services” is substituted for the former reference to the “applicable” population records of the jurisdiction for clarity.

In subsections (b)(2) and (c)(1) and (2)(i) of this section, the defined term “jurisdictio[n]” is substituted for the former references to “political subdivisio[n]” to conform to the terminology used throughout this article.

In subsection (c)(1) of this section, the reference to “provide catering services” is substituted for the former reference to “the privilege of catering” to conform to the terminology used throughout this subtitle.

In subsection (c)(2)(ii) of this section, the phrase “after the credit is applied against the license fee, at least a \$250 fee remains to be paid” is substituted for the former phrase “there is a minimum license fee payment of \$250 for a general or limited SCAT license” for clarity.

Defined term: “Jurisdiction” § 1-101

2-506. ENFORCEMENT OF PROHIBITIONS AGAINST UNLAWFUL SALES.

(A) INVESTIGATION BY LOCAL LICENSING BOARD.

A LOCAL LICENSING BOARD MAY CONDUCT AN INVESTIGATION AT A CATERED EVENT TO ENFORCE THE PROHIBITIONS UNDER §§ 6-304 AND 6-307 OF THIS ARTICLE AGAINST SELLING OR PROVIDING ALCOHOLIC BEVERAGES TO INDIVIDUALS WHO HAVE NOT ATTAINED THE LEGAL DRINKING AGE OR ARE VISIBLY UNDER THE INFLUENCE OF AN ALCOHOLIC BEVERAGE.

(B) REPORT TO COMPTROLLER.

IF A LOCAL LICENSING BOARD DETERMINES THAT ALCOHOLIC BEVERAGES WERE UNLAWFULLY SOLD OR PROVIDED AT A CATERED EVENT:

(1) THE LOCAL LICENSING BOARD SHALL REPORT ITS FINDINGS TO THE COMPTROLLER; AND

(2) THE COMPTROLLER SHALL TAKE THE ACTION THE COMPTROLLER DETERMINES IS APPROPRIATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 6-701(g).

In subsection (a) of this section, the reference to individuals who "have not attained the legal drinking age" is substituted for the former reference to individuals who "are under 21 years of age" for clarity and consistency throughout this article.

In the introductory language of subsection (b) of this section, the reference to "alcoholic beverages [that] were unlawfully sold or provided at a catered event" is substituted for the former reference to "sales [that] have been made unlawfully" for clarity.

Defined terms: "Alcoholic beverage" § 1-101
 "Comptroller" § 1-101
 "Local licensing board" § 1-101

GENERAL REVISOR'S NOTE TO SUBTITLE

Former Art. 2B, § 6-701(m), which authorized the Comptroller to adopt regulations to establish reporting requirements and to carry out former Art. 2B, § 6-701, is deleted as unnecessary in light of the Comptroller's general authority to adopt regulations under § 1-302 of this article.

TITLE 3. STATE LICENSING.

SUBTITLE 1. APPLICATIONS FOR STATE LICENSES.

3-101. APPLICATIONS TO BE FILED WITH COMPTROLLER.

AN APPLICATION FOR A MANUFACTURER'S LICENSE, WHOLESALER'S LICENSE, CLASS E (WATER VESSEL) LICENSE, CLASS F (RAILROAD) LICENSE, CLASS G (AIRPLANE) LICENSE, OR STATEWIDE CATERER'S LICENSE SHALL BE FILED WITH THE COMPTROLLER.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 2B, § 10–101(a).

The reference to a “statewide caterer’s license” is added for accuracy.

The reference to a “water vessel” license is substituted for the former obsolete reference to a “steamboat[s]” license.

Defined terms: “Comptroller” § 1–101

“Manufacturer’s license” § 1–101

“Wholesaler’s license” § 1–101

3–102. INDIVIDUAL APPLICANT FOR MANUFACTURER’S OR WHOLESALER’S LICENSE.

TO BE ISSUED A MANUFACTURER’S LICENSE OR A WHOLESALER’S LICENSE, AN INDIVIDUAL APPLICANT SHALL HAVE BEEN A RESIDENT OF THE STATE FOR 2 YEARS IMMEDIATELY BEFORE THE APPLICATION IS FILED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 2–401(a), as it related to individual applicants.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the requirement that an applicant shall have been a resident in the State for 2 years immediately before the filing of the application may violate the equal protection guarantees of the Fourteenth Amendment to the United States Constitution and Article 24 of the Maryland Declaration of Rights. Maryland courts look unfavorably on legislation that classify persons by geography, which may be accomplished by residency or registration requirements, if the primary purpose of the legislation is economic. *See Verzi v. Baltimore County*, 333 Md. 411 (1994).

Defined terms: “Manufacturer’s license” § 1–101

“State” § 1–101

“Wholesaler’s license” § 1–101

3–103. NAMES AND ADDRESSES OF APPLICANTS REQUIRED.

AN APPLICATION FOR A LICENSE SHALL DISCLOSE THE NAME AND ADDRESS OF THE BUSINESS ENTITY ON WHOSE BEHALF THE APPLICATION IS MADE AND THE NAME AND ADDRESS OF EACH INDIVIDUAL APPLICANT.

REVISOR'S NOTE: This section is new language derived without substantive change from the second clause of former Art. 2B, § 9–101(b)(1) and the second sentence of (2).

The reference to “business entity” is substituted for the former references to “corporation, or a club, whether incorporated or unincorporated” and “corporation, partnership or association” for brevity.

Defined term: “License” § 1–101

3–104. APPLICATION ON BEHALF OF PARTNERSHIP.

(A) APPLICATION TO BE ISSUED TO THREE INDIVIDUALS.

(1) IF AN APPLICATION FOR A LICENSE IS MADE FOR THE USE OF A PARTNERSHIP, THE LICENSE SHALL BE ISSUED TO THREE INDIVIDUALS.

(2) EACH OF THE INDIVIDUALS SHALL QUALIFY AS:

(I) AN INDIVIDUAL GENERAL PARTNER; OR

(II) IF A GENERAL PARTNER IS A CORPORATION, AN OFFICER OF THE CORPORATION AS AN INDIVIDUAL.

(B) PARTNERSHIP WITH FEWER THAN THREE GENERAL PARTNERS.

(1) IF A PARTNERSHIP HAS FEWER THAN THREE GENERAL PARTNERS, THE NAMES OF EACH GENERAL PARTNER SHALL BE ON THE LICENSE.

(2) EACH OF THE THREE GENERAL PARTNERS OR CORPORATE OFFICERS SHALL:

(I) HAVE BEEN A RESIDENT OF THE STATE FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS FILED; AND

(II) BE A REGISTERED VOTER OF THE STATE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 9–101(a)(6)(ii) through (iv) and, as it related to partnerships, the second sentence of § 2–401(a).

In subsection (b)(1) of this section, the reference to the requirement that “the names of each general partner shall be on the license” is substituted for the former reference to “a license may be issued to all of the general partners or officers qualified under subparagraph (ii)2 of this paragraph” for clarity.

Former Art. 2B, § 9–101(a)(6)(i), which stated that former Art. 2B, § 9–101(a)(6) applied only to licenses issued by the Comptroller, is deleted as unnecessary in light of the organization of this revised article.

Former Art. 2B, § 9–101(b)(6)(v), which stated that former Art. 2B, § 9–101(b)(6) may not be construed to waive any of the requirements under former Art. 2B, § 9–102, is deleted as unnecessary in light of the organization of this revised article.

Defined terms: “License” § 1–101

“State” § 1–101

3–105. APPLICATION ON BEHALF OF CORPORATION OR CLUB.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES TO:

- (1) A CORPORATION; AND**
- (2) A CLUB, WHETHER INCORPORATED OR UNINCORPORATED.**

(B) THREE OFFICERS REQUIRED.

(1) EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (D) OF THIS SECTION, A LICENSE ON BEHALF OF A CORPORATION OR CLUB SHALL BE APPLIED FOR AND ISSUED TO THREE OFFICERS OF THE CORPORATION OR CLUB AS INDIVIDUALS.

(2) AT LEAST ONE OF THE THREE OFFICERS SHALL:

(I) HAVE BEEN A RESIDENT OF THE STATE FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS FILED; AND

(II) BE A REGISTERED VOTER AND TAXPAYER OF THE STATE WHEN THE APPLICATION IS FILED.

(C) CORPORATION WITH FEWER THAN THREE OFFICERS OR DIRECTORS.

IF A CORPORATION HAS FEWER THAN THREE OFFICERS OR DIRECTORS, ALL OFFICERS OR DIRECTORS SHALL APPLY FOR A LICENSE.

(D) CLOSE CORPORATION.

IN A CLOSE CORPORATION, AT LEAST ONE INDIVIDUAL STOCKHOLDER MAY APPLY FOR A LICENSE IF:

(1) THE CLOSE CORPORATION DOES NOT HAVE OFFICERS OR DIRECTORS; AND

(2) THERE IS AN AFFIRMATIVE VOTE OF A MAJORITY OF THE STOCKHOLDERS.

(E) CONTENTS OF APPLICATION.

AN APPLICATION FOR A CORPORATION OR A CLUB LICENSE SHALL INCLUDE:

(1) THE NAME AND ADDRESS OF EACH OFFICER;

(2) THE NAME AND ADDRESS OF THE CORPORATION OR CLUB; AND

(3) THE SIGNATURES OF THE PRESIDENT OR VICE PRESIDENT OF THE CORPORATION OR CLUB AND OF THE THREE OFFICERS TO WHOM THE LICENSE SHALL BE ISSUED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 9–101(b)(6), (7), the first sentence of (2), and, except as it related to being a registered voter and taxpayer of a county or city, (1).

In subsections (c) and (d) of this section, the references to “apply[ing] for a license” are substituted for the former references to “mak[ing] the application as provided in this section” for brevity and clarity.

In the introductory language of subsection (d) of this section, the reference to “one individual stockholder” is substituted for the former reference to “one stockholder” for consistency within this title.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the requirement in subsection (b)(2)(i) of this section that at least one of the three officers who apply for a license on behalf of a corporation or club shall have been a resident of the State for at least 2 years before the application is filed may violate the equal protection guarantees of the Fourteenth Amendment to the United States Constitution and Article 24 of the Maryland Declaration of Rights. Maryland courts look unfavorably on legislation that classify persons by geography, which may be accomplished by residency or registration requirements, if the primary purpose of the legislation is economic. *See Verzi v. Baltimore County*, 333 Md. 411 (1994).

Defined terms: “Club” § 1–101

“License” § 1–101

“State” § 1–101

3–106. APPLICATION ON BEHALF OF LIMITED LIABILITY COMPANY.

(A) IN GENERAL.

(1) A LICENSE FOR THE USE OF A LIMITED LIABILITY COMPANY SHALL BE APPLIED FOR AND ISSUED TO, AS INDIVIDUALS:

(I) ALL OF THE AUTHORIZED INDIVIDUALS, IF THE LIMITED LIABILITY COMPANY HAS FEWER THAN THREE AUTHORIZED INDIVIDUALS; OR

(II) THREE AUTHORIZED INDIVIDUALS, IF THE LIMITED LIABILITY COMPANY HAS THREE OR MORE AUTHORIZED INDIVIDUALS.

(2) AT LEAST ONE OF THE AUTHORIZED INDIVIDUALS SHALL:

(I) HAVE BEEN A RESIDENT OF THE STATE FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS FILED; AND

(II) BE A REGISTERED VOTER AND TAXPAYER OF THE STATE WHEN THE APPLICATION IS FILED.

(B) CONTENTS OF APPLICATION.

AN APPLICATION FOR A LIMITED LIABILITY COMPANY LICENSE SHALL INCLUDE:

(1) THE NAME, ADDRESS, AND SIGNATURE OF EACH AUTHORIZED INDIVIDUAL TO WHOM THE LICENSE SHALL BE ISSUED; AND

(2) THE NAME AND ADDRESS OF THE LIMITED LIABILITY COMPANY.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 9–101(c)(2), (3)(i), (5)(ii), and, except as it related to being a registered voter and taxpayer of a county or city, (1)(i).

Throughout this section, the references to three authorized “individuals” are substituted for the former references to “persons” to clarify that they are human beings.

In subsection (b)(2) of this section, the former reference to “the name and address of the applicant” is deleted as duplicative of subsection (b)(1) of this section.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the requirement in subsection (a)(2)(i) of this section that at least one of the three authorized individuals who apply for a license on behalf of a corporation or club shall have been a resident of the State for at least 2 years before the application is filed may violate the equal protection guarantees of the Fourteenth Amendment to the United States Constitution and Article 24 of the Maryland Declaration of Rights. Maryland courts look unfavorably on legislation that classify persons by geography, which may be accomplished by residency or registration requirements, if the primary purpose of the legislation is economic. *See Verzi v. Baltimore County*, 333 Md. 411 (1994).

Defined terms: "License" § 1-101
 "State" § 1-101

3-107. DISPOSITION OF FEES.

THE COMPTROLLER MAY RETAIN FROM THE LICENSE AND PERMIT FEES THAT ARE COLLECTED AN AMOUNT TO PAY FOR:

(1) THE COST OF REFUNDS ISSUED IN ACCORDANCE WITH § 3-108(B) OF THIS SUBTITLE; AND

(2) THE ADMINISTRATIVE EXPENSES INCURRED BY THE COMPTROLLER TO DISCHARGE ITS DUTIES UNDER THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-204(a)(3).

In the introductory language of this section, the former reference to license and permit fees collected "by the office for the use of the State of Maryland" is deleted as surplusage.

Defined terms: "Comptroller" § 1-101
 "License" § 1-101

3-108. REFUND OF LICENSE FEES.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A LICENSE HOLDER IS NOT ENTITLED TO A REFUND OF THE UNEARNED PORTION OF THE LICENSE FEE.

(B) INSTANCES WHEN REFUNDS ARE AUTHORIZED.

A REFUND SHALL BE ISSUED TO A LICENSE HOLDER ON SURRENDER OF THE LICENSE IF:

(1) RECEIVERSHIP OR BANKRUPTCY OF THE BUSINESS ENTITY ON WHOSE BEHALF THE LICENSE WAS ISSUED OCCURS AND A LICENSE TRANSFER IS NOT REQUESTED, WITH THE REFUND ISSUED FOR THE BENEFIT OF THE CREDITORS OF THE LICENSE HOLDER;

(2) THE LICENSE HOLDER DIES, WITH THE REFUND ISSUED FOR THE BENEFIT OF THE ESTATE OF THE DECEASED LICENSE HOLDER;

(3) THE LICENSE HOLDER VOLUNTEERS FOR OR HAS BEEN CALLED INTO THE ARMED FORCES OF THE UNITED STATES OR THE ORGANIZED STATE MILITIA;

(4) THE LICENSE HOLDER SURRENDERS A LICENSE AND OBTAINS A NEW LICENSE OF ANOTHER CLASS CARRYING A HIGHER FEE, WITH THE REFUND DEDUCTED FROM THE HIGHER FEE;

(5) THE LICENSE HOLDER, AGAINST WHOM CHARGES ARE PENDING WHEN THE LICENSE IS RENEWED, IS FOUND GUILTY AND THE LICENSE IS REVOKED, WITH THE REFUND ISSUED TO THE LICENSE HOLDER IN AN AMOUNT BASED ON THE DATE THAT THE REVOCATION BECOMES FINAL;

(6) THE ISSUANCE OF A LICENSE BY THE COMPTROLLER IS REVERSED ON JUDICIAL REVIEW AND THE OPERATION OF THE ESTABLISHMENT IS PROHIBITED, WITH THE REFUND ISSUED TO THE LICENSE HOLDER IN AN AMOUNT BASED ON THE DATE THAT THE REFUSAL TO GRANT THE RENEWAL BECOMES FINAL; OR

(7) THE LICENSED PREMISES IS TAKEN BY THE FEDERAL GOVERNMENT, THE STATE, OR A MUNICIPALITY FOR PUBLIC USE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–205(a).

In subsection (b)(3) of this section, the reference to the “organized” State militia is substituted for the former obsolete reference to the “regular” State militia to conform to the terminology used in § 13–203 of the Public Safety Article.

In subsection (b)(4) of this section, the reference to the “higher fee” is substituted for the former reference to the “amount of the fee to be paid for the newly obtained license” for brevity.

In subsection (b)(6) of this section, the reference to “the operation of the establishment is prohibited” is added for clarity.

Also in subsection (b)(6) of this section, the reference to a “judicial review” is substituted for the former reference to an “appeal” for accuracy.

Also in subsection (b)(6) of this section, the reference to “the date that the refusal to grant the renewal becomes final” is substituted for the former reference to “the date the revocation becomes final” for accuracy.

In subsection (b)(7) of this section, the former reference to a “city” is deleted as included in the reference to a “municipality”.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

“State” § 1–101

3–109. FEES FOR LICENSES ISSUED FOR LESS THAN 1 YEAR.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO TEMPORARY OR MISCELLANEOUS LICENSES.

(B) FEE SCHEDULE.

THE FEE FOR A LICENSE ISSUED FOR LESS THAN 1 YEAR IS:

(1) THE FULL ANNUAL LICENSE FEE, IF THE LICENSE IS ISSUED DURING THE FIRST QUARTER OF THE LICENSE YEAR;

(2) THREE–FOURTHS OF THE ANNUAL LICENSE FEE, IF THE LICENSE IS ISSUED DURING THE SECOND QUARTER OF THE LICENSE YEAR;

(3) ONE–HALF OF THE ANNUAL LICENSE FEE, IF THE LICENSE IS ISSUED DURING THE THIRD QUARTER OF THE LICENSE YEAR; AND

(4) ONE–FOURTH OF THE ANNUAL LICENSE FEE, IF THE LICENSE IS ISSUED DURING THE FOURTH QUARTER OF THE LICENSE YEAR.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–207(a).

Defined term: “License” § 1–101

SUBTITLE 2. ISSUANCE OR DENIAL OF STATE LICENSES.

3–201. STATE LICENSES ISSUED BY COMPTROLLER.

(A) IN GENERAL.

THE COMPTROLLER SHALL ISSUE EACH LICENSE THAT APPLIES STATEWIDE.

(B) LICENSES TO BE ISSUED ONLY TO INDIVIDUALS.

A LICENSE MAY NOT BE ISSUED TO A PARTNERSHIP, CORPORATION, OR LIMITED LIABILITY COMPANY BUT ONLY TO AN INDIVIDUAL AUTHORIZED TO ACT FOR A PARTNERSHIP, CORPORATION, OR LIMITED LIABILITY COMPANY.

(C) LICENSE HOLDER SUBJECT TO PENALTIES, CONDITIONS, AND RESTRICTIONS.

A LICENSE HOLDER SHALL ASSUME ALL RESPONSIBILITIES AS AN INDIVIDUAL AND BE SUBJECT TO ALL PENALTIES, CONDITIONS, AND RESTRICTIONS IMPOSED ON LICENSE HOLDERS UNDER THIS ARTICLE AND THE PROVISIONS OF THE TAX – GENERAL ARTICLE THAT RELATE TO THE ALCOHOLIC BEVERAGE TAX.

REVISOR'S NOTE: Subsection (a) of this section is new language added to state expressly what was only implied in the former law, that all licenses that apply statewide are issued by the Comptroller.

Subsections (b) and (c) of this section are new language derived without substantive change from the first sentence of former Art. 2B, § 9–101(a)(1).

Although no provision in former Article 2B covers all statewide licenses, several provisions in the former law provided that the Comptroller issue certain statewide licenses: former Art. 2B, §§ 2–207(a)(1) (pub–brewery license), 2–208(b)(1) (micro–brewery license), 6–501(c) (Class E water vessels), 6–502(c) (Class F railroads), 6–503(c) (Class G airplanes), 6–701(b) (statewide caterer's license), and 7–101(a)(2) (special licenses). Other statewide licenses that the Comptroller in fact issues are distillery, rectifying, winery, limited winery, brewery, and wholesaler's licenses. With respect to these licenses, this revision codifies current practice and various strong implications found under former Article 2B that the Comptroller issues all statewide licenses. *See, e.g.* former Art. 2B, § 2–402(a) (establishing fees for the initial issuance and

renewal of alcoholic beverages licenses issued “by the Comptroller” under former Art. 2B, Title 2, Subtitles 2 and 3; and former Art. 2B, § 10–101(a), requiring that an application for some of these licenses be filed with the Comptroller).

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

3–202. APPROVAL OR DENIAL OF LICENSE APPLICATION.

(A) INVESTIGATION.

ON RECEIPT OF AN APPLICATION, THE COMPTROLLER SHALL ORDER AN INVESTIGATION OF:

- (1) THE APPLICANT;**
- (2) THE BUSINESS TO BE OPERATED; AND**
- (3) THE STATEMENTS PRESENTED IN THE LICENSE APPLICATION.**

(B) GROUNDS FOR DENIAL OF LICENSE APPLICATION.

ON COMPLETION OF THE INVESTIGATION, THE COMPTROLLER SHALL DENY THE LICENSE APPLICATION:

- (1) IF THE COMPTROLLER DETERMINES THAT THE APPLICANT:**
 - (I) IS NOT A FIT PERSON TO RECEIVE THE LICENSE;**
 - (II) MADE A MATERIAL FALSE STATEMENT IN THE APPLICATION;**

OR

(III) ACTED FRAUDULENTLY IN CONNECTION WITH THE APPLICATION; OR

(2) FOR OTHER REASONS THAT THE COMPTROLLER CONSIDERS SUFFICIENT.

(C) APPROVAL OF LICENSE APPLICATION.

IF THE COMPTROLLER DOES NOT FIND CAUSE TO DENY THE LICENSE, THE COMPTROLLER SHALL APPROVE THE APPLICATION AND ISSUE THE LICENSE.

(D) FEE.

(1) IN ADDITION TO ANY LICENSE FEE OTHERWISE REQUIRED UNDER THIS ARTICLE, AN APPLICANT FOR THE INITIAL ISSUANCE OF A MANUFACTURER'S OR WHOLESALE'S LICENSE UNDER TITLE 2, SUBTITLE 2 OR 3 OF THIS ARTICLE SHALL PAY TO THE COMPTROLLER A NONREFUNDABLE APPLICATION FEE OF \$200.

(2) THE APPLICATION FEE UNDER THIS SUBSECTION DOES NOT APPLY TO A LICENSE FOR WHICH PAYMENT OF AN ANNUAL LICENSE FEE IS NOT OTHERWISE REQUIRED UNDER THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 10–201, as it related to the issuance of statewide licenses, and 2–402(a)(1) and, as it related to application fees, (b).

In the introductory language of subsection (a) of this section, the phrase “[o]n receipt of an application” is substituted for the former phrase “[b]efore the Comptroller shall approve any license” for clarity.

Also in the introductory language of subsection (a) of this section, the requirement that the Comptroller “order an investigation of” an applicant is substituted for the former requirement that the Comptroller “cause an investigation to be made regarding” an applicant for brevity.

In subsection (a)(3) of this section, the reference to “statements” is substituted for the former reference to “facts” for clarity.

In the introductory language of subsection (b) of this section, the phrase “[o]n completion of” the investigation is substituted for the former reference to “[a]fter” the investigation for clarity.

Also in the introductory language of subsection (b) of this section, the former statement that “no such license ... shall be issued” is deleted as unnecessary in light of the statement that the Comptroller “shall deny the license application”.

In subsection (b)(1) of this section, the phrase “if the Comptroller determines” is substituted for the former phrases “if the Comptroller is of the opinion” and “in the discretion of the Comptroller” for brevity.

In subsection (b)(1)(i) of this section, the former reference to the license “applied for” is deleted as surplusage.

In subsection (b)(1)(iii) of this section, the reference to “act[ing] fraudulently” is substituted for the former reference to “practic[ing] fraud” for consistency with terminology used throughout this article.

In subsection (b)(2) of this section, the reference to other reasons “that the Comptroller considers sufficient” is substituted for the former reference to other reasons “why the license ... should not be issued” to conform to terminology used throughout this article.

In subsection (c) of this section, the reference to the Comptroller not “find[ing] cause to deny the license” is substituted for the former phrase “[i]f no such findings are made by the Comptroller” for clarity.

In subsection (d)(1) of this section, the reference to a “manufacturer’s or wholesaler’s” license is added for clarity.

Also in subsection (d)(1) of this section, the former reference to a license “issued by the Comptroller” is deleted as unnecessary because all manufacturer’s licenses and wholesaler’s licenses are issued by the Comptroller.

In subsection (d)(2) of this section, the reference to an “annual” license is added for clarity.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“Person” § 1–101

“Wholesaler’s license” § 1–101

3–203. FORMS; NUMBERING.

(A) FORMS.

A STATEWIDE LICENSE SHALL BE ON THE FORM THAT THE COMPTROLLER PROVIDES.

(B) NUMBERING.

THE COMPTROLLER SHALL NUMBER EACH STATEWIDE LICENSE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 9–102(d) and, as it related to required forms for statewide licenses, 10–206(a).

The references to a “statewide” license are substituted for the former broader references to a license “issued under the provisions of this article” or “[e]very license” because this title applies only to statewide licenses.

In subsection (a) of this section, the former phrase “as the case may be” is deleted as unnecessary in light of the organization of this revised article.

In subsection (b) of this section, the former reference to “appropriately” number is deleted as surplusage.

Defined terms: “Comptroller” § 1–101
 “License” § 1–101

3–204. EFFECTIVE DATE; EXPIRATION.

EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE, A LICENSE ISSUED BY THE COMPTROLLER SHALL BE DATED AS OF THE DATE OF ISSUANCE AND SHALL EXPIRE ON THE NEXT APRIL 30 AFTER ITS ISSUANCE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–206(a), as it related to the effective date for and expiration of statewide licenses, other than temporary or special licenses.

The phrase “[e]xcept as otherwise provided in this article” is added for accuracy to reflect the organization of this article.

The reference to a “license issued by the Comptroller” is substituted for the former broader reference to a license “issued under the provisions of this article” because this title applies only to licenses issued by the Comptroller.

Defined terms: “Comptroller” § 1–101
 “License” § 1–101

3–205. LICENSE NOT PROPERTY.

A LICENSE ISSUED BY THE COMPTROLLER:

(1) IS NOT PROPERTY AND DOES NOT CONFER PROPERTY RIGHTS;
AND

(2) IS SUBJECT TO:

**(I) SUSPENSION, REVOCATION, AND RESTRICTIONS
 AUTHORIZED BY LAW; AND**

(II) REGULATIONS AUTHORIZED UNDER THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–501(a).

In the introductory language of this section, the reference to a “license issued by the Comptroller” is substituted for the former broader reference to a license “issued under provisions of this article” because this title applies only to licenses issued by the Comptroller.

Also in the introductory language of this section, the former phrase “[e]xcept as otherwise provided under this section” is deleted as unnecessary in light of the organization of this revised article.

In item (2)(i) of this section, the reference to suspension, revocation, and restrictions “authorized by law” is added for clarity.

In item (2)(ii) of this section, the reference to regulations “authorized under this article” is substituted for the former reference to regulations “that may be adopted as herein provided” for clarity.

Also in item (2)(ii) of this section, the former reference to “rules” is deleted as included in the reference to “regulations”.

Defined terms: “Comptroller” § 1–101
 “License” § 1–101

3–206. REPLACEMENT LICENSES.**(A) ISSUANCE.**

THE COMPTROLLER MAY ISSUE A REPLACEMENT LICENSE TO A LICENSE HOLDER WHOSE LICENSE IS LOST OR DESTROYED ON RECEIVING:

- (1) AN APPLICATION UNDER OATH; AND**
- (2) PAYMENT OF A \$1 FEE.**

(B) CONTENTS.

ON THE REPLACEMENT LICENSE, THE WORD “REPLACEMENT” SHALL APPEAR WITH ALL OF THE INFORMATION THAT APPEARED ON THE ORIGINAL LICENSE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–502(a).

Throughout this section, the references to a “replacement” license are substituted for the former references to “another” license and a “duplicate” license for clarity.

In subsection (a) of this section, the reference to the “Comptroller” is substituted for the former reference to the “license issuing authority” because only the Comptroller may issue a license under this subtitle.

Also in subsection (a) of this section, the former reference to a license “issued under this article” is deleted as included in the defined term “license”.

Also in subsection (a) of this section, the former phrase “[e]xcept as otherwise provided in this section,” is deleted as unnecessary in light of the organization of this revised article.

In subsection (b) of this section, the reference to the word “appear[ing]” on the replacement license is substituted for the former reference to “be[ing] endorsed” for clarity.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

3–207. WAITING PERIODS AFTER DENIAL OF LICENSE APPLICATIONS.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION:

(1) IF A LICENSE IS DENIED, ANOTHER LICENSE APPLICATION MAY NOT BE CONSIDERED FROM THE SAME APPLICANT OR FOR THE SAME LOCATION FOR 6 MONTHS AFTER THE DENIAL; AND

(2) IF A SUBSEQUENT APPLICATION BY THE SAME APPLICANT OR FOR THE SAME LOCATION IS DENIED WITHIN A 2–YEAR PERIOD IMMEDIATELY AFTER THE FIRST DENIAL, ANOTHER APPLICATION MAY NOT BE CONSIDERED FROM THAT APPLICANT OR FOR THAT LOCATION UNTIL THE 2–YEAR PERIOD EXPIRES.

(B) EXCEPTIONS.

THIS SECTION DOES NOT APPLY TO:

(1) AN APPLICANT, IF THE LICENSE WAS DENIED BECAUSE IT WAS NOT NECESSARY TO ACCOMMODATE THE PUBLIC OR THE LOCATION WAS NOT SUITABLE FOR THE SALE OF ALCOHOLIC BEVERAGES; OR

(2) THE LOCATION, IF THE LICENSE WAS DENIED BECAUSE THE COMPTROLLER DETERMINED THAT THE APPLICANT WAS NOT A PROPER PERSON TO BE ISSUED THE LICENSE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–208(a)(1) and (2)(i) and the first sentence of (ii).

Throughout this section, the references to the “location” are substituted for the former references to the “premises” for consistency with terminology used throughout this article.

In subsection (a) of this section, the former phrases “as the case may be” are deleted as surplusage.

In subsection (a)(1) of this section, the references to the “same” applicant and location are added for clarity.

Also in subsection (a)(1) of this section, the former phrase “a period of” 6 months is deleted as surplusage.

In subsection (a)(2) of this section, the former reference to “the date of” the first refusal is deleted as surplusage.

In the introductory language of subsection (b) of this section, the reference to this section “not apply[ing]” is substituted for the former reference to this section “not hold[ing] against” for clarity.

In subsection (b)(1) of this section, the former phrase “under the license applied for” is deleted as surplusage. Similarly, in subsection (b)(2) of this section, the former references to the license “applied for” are deleted.

In subsection (b)(2) of this section, the reference to the “Comptroller” is added for clarity.

Also in subsection (b)(2) of this section, the former reference to the premises “set forth in an application” is deleted as surplusage.

Also in subsection (b)(2) of this section, the former reference to the applicant “personally” is deleted as surplusage.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the reference in subsection (b)(2) of this section to a determination whether the applicant was “not a proper person” to be issued the license is unclear as to whether the applicant was not fit, *i.e.* having

committed an immoral act, or the applicant did not meet technical requirements. The General Assembly may want to clarify the requirements necessary for a determination that an applicant is “not a proper person”.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“License” § 1–101

“Person” § 1–101

SUBTITLE 3. TRANSFER OF STATE LICENSES; SUBSTITUTION OF NAMES ON LICENSE.

3–301. TRANSFER OF PLACE OF BUSINESS; TRANSFER OF LICENSE AND INVENTORY.

(A) IN GENERAL.

SUBJECT TO SUBSECTION (B) OF THIS SECTION, A LICENSE HOLDER OR A RECEIVER OR TRUSTEE FOR THE BENEFIT OF CREDITORS MAY:

(1) TRANSFER THE LICENSE HOLDER’S PLACE OF BUSINESS TO SOME OTHER LOCATION; OR

(2) TRANSFER THE LICENSE AND THE LICENSE HOLDER’S INVENTORY TO ANOTHER PERSON.

(B) CONDITIONS OF TRANSFER.

A TRANSFER UNDER SUBSECTION (A) OF THIS SECTION MAY BE MADE IF:

(1) AN APPLICATION FOR THE TRANSFER HAS BEEN MADE;

(2) ALL SALES AND USE, AMUSEMENT, ADMISSION, AND WITHHOLDING TAXES HAVE BEEN PAID TO THE COMPTROLLER;

(3) A BULK TRANSFER PERMIT HAS BEEN OBTAINED IF THE INVENTORY OF ALCOHOLIC BEVERAGES IS TO BE TRANSFERRED:

(I) IN ANY MANNER, INCLUDING BY SALE, GIFT, INHERITANCE, AND ASSIGNMENT; AND

(II) REGARDLESS OF WHETHER CONSIDERATION IS PAID; AND

(4) THE COMPTROLLER APPROVES THE NEW LOCATION OR LICENSE HOLDER IN THE SAME WAY THE COMPTROLLER APPROVES THE ISSUANCE OF A LICENSE.

(C) TRANSFER OF LOCATION AND OWNERSHIP IN SAME APPLICATION.

AN APPLICANT MAY APPLY FOR A TRANSFER OF LOCATION AND A TRANSFER OF OWNERSHIP IN THE SAME APPLICATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–503(a)(2) and the second sentence of (3).

In the introductory language of subsection (a) of this section, the defined term “license holder” is substituted for the former reference to “[a]ny holder of a license under this article” for brevity.

In subsection (a)(2) of this section, the reference to “transfer[ring]” the license is substituted for the former reference to “sell[ing] or assign[ing]” the license for brevity and consistency with terminology used throughout this article. Similarly, in subsection (b)(1) of this section, the former reference to a “sale” is deleted as included in the reference to the “transfer”.

Also in subsection (a)(2) of this section, the reference to “inventory” is substituted for the former reference to “stock in trade” for clarity. Similarly, in subsection (b)(3) of this section, the reference to “inventory” is substituted for the former reference to “stock”.

In subsection (b)(4) of this section, the defined term “Comptroller” is substituted for the former reference to the “board” to state expressly what was only implied in the former law, that this subtitle applies to State licenses issued by the Comptroller.

Also in subsection (b)(4) of this section, the reference to “license holder” is substituted for the former reference to “assignee” for consistency within this section.

Also in subsection (b)(4) of this section, the phrase “in the same way the Comptroller approves the issuance of a license” is substituted for the former phrase “as in the case of an original application for such a license under § 10–202 of this title” for clarity.

In subsection (c) of this section, the phrase “[a]n applicant may apply for” a transfer is substituted for the former phrase “[t]his section permits the” transfer for clarity.

Also in subsection (c) of this section, the reference to a “transfer of ownership” is substituted for the former reference to an “assignment of license” for consistency.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

“Person” § 1–101

3–302. COMPLIANCE WITH BULK TRANSFERS ACT REQUIRED.

THE COMPTROLLER MAY NOT ALLOW THE TRANSFER OF A LICENSE UNTIL THE TRANSFEROR HAS:

(1) COMPLIED WITH THE BULK TRANSFERS ACT UNDER TITLE 6 OF THE COMMERCIAL LAW ARTICLE; AND

(2) PROVIDED TO THE COMPTROLLER AN AFFIDAVIT THAT CERTIFIES COMPLIANCE WITH THE BULK TRANSFERS ACT.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–503(a)(4).

In item (2) of this section, the defined term “Comptroller” is substituted for the former reference to the “board” to state expressly what was only implied in the former law, that this subtitle applies to State licenses issued by the Comptroller.

Defined terms: “License” § 1–101

“Comptroller” § 1–101

3–303. FILING FEE AND ENDORSEMENT.

(A) PAYMENT TO COMPTROLLER.

AN APPLICANT SHALL PAY TO THE COMPTROLLER A FEE OF \$20, IN ADDITION TO THE COSTS OF PUBLICATION AND NOTICE, WHEN FILING AN APPLICATION FOR THE TRANSFER OF A LICENSE.

(B) ENDORSEMENT BY COMPTROLLER.

THE COMPTROLLER SHALL ENDORSE ON THE LICENSE THE TRANSFER OF THE LICENSE IF THE APPLICANT HAS PAID THE FEE REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 2B, § 10-503(a)(3).

In subsection (a) of this section, the reference to the "Comptroller" is substituted for the former reference to the "local collecting agent" for clarity. Similarly, in subsection (b) of this section, the reference to the "Comptroller" is substituted for the former reference to the "license issuing authority".

Also in subsection (a) of this section, the former reference to the "sale" of a license is deleted as included in the reference to the "transfer" of a license. Similarly, in subsection (b) of this section, the former reference to the "assignment" of a license is deleted as included in the reference to the "transfer" of a license.

In subsection (b) of this section, the former phrase ", when made," is deleted as surplusage.

Defined terms: "Comptroller" § 1-101
 "License" § 1-101

3-304. SUBSTITUTION OF NAMES OF OFFICERS ON LICENSE.

(A) CONDITIONS FOR SUBSTITUTION.

FOR A LICENSE ISSUED BY THE COMPTROLLER FOR THE USE OF A CORPORATION OR CLUB, THE LICENSE HOLDER MAY SUBSTITUTE ON THE LICENSE THE NAME OF A DIFFERENT OFFICER FOR THE NAME OF ANY OFFICER WHO:

- (1) HAS DIED;**
- (2) HAS RETIRED; OR**
- (3) NO LONGER HOLDS AN OFFICE IN THE CORPORATION OR CLUB.**

(B) AFFIDAVIT REQUIRED.

THE LICENSE HOLDER SHALL FILE WITH THE COMPTROLLER AN AFFIDAVIT THAT CONTAINS:

- (1) THE SUBSTITUTION OF THE OFFICER;**
- (2) AN EXPLANATION FOR THE SUBSTITUTION; AND**

(3) IN THE CASE OF A CORPORATION, A STATEMENT THAT THE OWNERSHIP OF THE CORPORATION HAS NOT CHANGED.

(C) AMENDMENT OF RECORDS AND ISSUANCE OF CORRECTED LICENSE.

ON RECEIPT OF THE AFFIDAVIT AND AFTER DETERMINING THAT THE APPLICANT QUALIFIES UNDER THIS ARTICLE, THE COMPTROLLER SHALL:

(1) AMEND ITS RECORDS; AND

(2) ISSUE A CORRECTED LICENSE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–301(a)(2)(ii), (iii), and, as it related to licenses issued by the Comptroller, (i).

In the introductory language of subsection (a) of this section, the reference to “the license holder” is substituted for the former reference to “a corporation or club holding an alcoholic beverages license” for brevity. Similarly, in the introductory language of subsection (b) of this section, the reference to the “license holder” is substituted for the former reference to the “corporation or club”.

Also in the introductory language of subsection (a) of this section, the reference to “any officer who” is substituted for the former reference to “the deleted officer” for clarity.

Also in the introductory language of subsection (a) of this section, the former phrase “notwithstanding any other provision of this article to the contrary” is deleted as surplusage.

Also in the introductory language of subsection (a) of this section, the former phrase “, during the license year,” is deleted as surplusage.

In subsection (a) of this section, the reference to an officer who “[h]as been removed from office” is deleted as included in the reference to an officer who “no longer holds an office in the corporation or club”.

In the introductory language of subsections (b) and (c) of this section, the references to the “Comptroller” are substituted for the former references to the “license issuing authority” because only the Comptroller may issue licenses under this subtitle.

In subsection (b)(1) of this section, the former reference to “officers” is deleted in light of the reference to “officer” and GP § 1–202, which provides that the singular generally includes the plural.

In subsection (c)(2) of this section, the reference to a “corrected license” is substituted for the former reference to a “new license in corrected form” for brevity.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the reference to a “corporation or club” may be too narrow because a license may be held for the use of other types of business entities, such as limited liability companies. The General Assembly may want to consider using a term that encompasses all of the types of business entities for the use of which a license may be held.

Defined terms: “Club” § 1–101
 “Comptroller” § 1–101
 “License” § 1–101
 “License holder” § 1–101

SUBTITLE 4. RENEWAL OF STATE LICENSES.

3–401. ELIGIBILITY FOR RENEWAL; PROCESS.

(A) ELIGIBILITY.

SUBJECT TO §§ 3–405 AND 3–406 OF THIS SUBTITLE, A HOLDER OF AN EXPIRING LICENSE IS ENTITLED TO AN ANNUAL LICENSE RENEWAL:

- (1) ON THE APPROVAL OF THE LICENSE RENEWAL APPLICATION BY THE COMPTROLLER;**
- (2) ON PAYMENT OF THE ANNUAL LICENSE FEE; AND**
- (3) WITHOUT FILING OR PROVIDING MORE INFORMATION UNLESS SPECIFICALLY REQUESTED BY THE COMPTROLLER.**

(B) PROCESS.

EXCEPT AS PROVIDED IN §§ 3–406(A) AND 3–407(C) OF THIS SUBTITLE, THE COMPTROLLER SHALL CONSIDER AN APPLICATION FOR LICENSE RENEWAL IN THE SAME MANNER AS FOR AN ORIGINAL APPLICATION.

(C) FEE.

- (1) IN ADDITION TO ANY LICENSE FEE OTHERWISE REQUIRED UNDER THIS ARTICLE, AN APPLICANT FOR RENEWAL OF A MANUFACTURER’S OR**

WHOLESALE'S LICENSE UNDER TITLE 2, SUBTITLE 2 OR 3 OF THIS ARTICLE SHALL PAY TO THE COMPTROLLER A RENEWAL FEE OF \$30.

(2) THE RENEWAL FEE UNDER THIS SUBSECTION DOES NOT APPLY TO A LICENSE FOR WHICH PAYMENT OF AN ANNUAL LICENSE FEE IS NOT OTHERWISE REQUIRED UNDER THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, §§ 10–301(a)(1)(ii)4 and the third sentence of (b) and 2–402(a)(2) and, as it related to renewal fees, (b).

In the introductory language of subsection (a) of this section, the phrase “[s]ubject to §§ 3–405 and 3–406 of this subtitle” is added for clarity.

Also in the introductory language of subsection (a) of this section, the reference to an “annual license renewal” is substituted for the former reference to a “new license for another year” for clarity and brevity.

In subsection (a)(1) of this section, the reference to the “approval of the license renewal application by the Comptroller” is substituted for the former misleading reference to the “filing of the renewal application” for clarity.

In subsection (a)(2) of this section, the reference to an annual “license” fee is added for clarity.

In subsection (a)(3) of this section, the reference to the “Comptroller” is substituted for the former reference to the “official authorized to approve the license” for clarity and brevity.

In subsection (b) of this section, the reference to “license” renewal is added for clarity.

Also in subsection (b) of this section, the requirement that the Comptroller “consider an application ... in the same manner” as for an original application is substituted for the former requirement that an application “be treated” as an original application for clarity and consistency within this subtitle.

Also in subsection (b) of this section, the phrase “[e]xcept as provided in §§ 3–406(a) and 3–407(c) of this subtitle” is substituted for the former reference to a renewal application “received otherwise as herein stated” for clarity.

In subsection (c)(1) of this section, the reference to a “manufacturer’s or wholesaler’s” license is added for clarity.

Also in subsection (c)(1) of this section, the former reference to a license “issued by the Comptroller” is deleted as unnecessary because all

manufacturer's licenses and wholesaler's licenses are issued by the Comptroller.

In subsection (c)(2) of this section, the reference to an "annual" license is added for clarity.

Defined terms: "Comptroller" § 1-101
 "License" § 1-101
 "Manufacturer's license" § 1-101
 "Wholesaler's license" § 1-101

3-402. RENEWAL APPLICATION.

TO RENEW A LICENSE, THE LICENSE HOLDER ANNUALLY SHALL FILE A WRITTEN APPLICATION, UNDER OATH, WITH THE COMPTROLLER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-301(a)(1)(i), except as it related to the filing period for a renewal application.

The word "annually" is substituted for the former reference to "each and every year" for brevity.

The reference to the "license holder" is substituted for the former reference to the "holder of any expiring license" for brevity.

The reference to an application "under" oath is substituted for the former reference to an application "duly verified by" oath for clarity and brevity.

The reference to the "Comptroller" is substituted for the former reference to the "official authorized to approve the [license]" for clarity and brevity.

The former phrase "[e]xcept in Prince George's County" is deleted as potentially misleading, as the exception does not apply to licenses renewed by the Comptroller under this subtitle. The Prince George's County exception applies to locally issued licenses and is revised in Title 26, Subtitle 18 of this article.

The former reference to "special licenses issued under the provisions of this article" is deleted as unnecessary. The Comptroller does not issue "special" licenses, that is, licenses of limited duration.

Defined terms: "Comptroller" § 1-101
 "License" § 1-101
 "License holder" § 1-101

3-403. FILING PERIOD FOR RENEWAL APPLICATION.

AN APPLICATION TO RENEW A LICENSE SHALL BE FILED BETWEEN MARCH 2 AND APRIL 1, INCLUSIVE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-301(a)(1)(i), as it related to the filing period for a renewal application.

The reference to a license renewal period being "between March 2 and April 1, inclusive" is substituted for the former reference to a license renewal period of "not less than 30 nor more than 60 days before the first day of May" for clarity and brevity.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that the reference to the time period that is "not less than 30 nor more than 60 days before the first day of May" is the period "between March 2 and April 1, inclusive". It is not clear whether the intent was to begin this period on March 1 instead of March 2.

Defined term: "License" § 1-101

3-404. CONTENTS OF RENEWAL APPLICATION.**(A) REQUIRED.**

TO BE APPROVED, A LICENSE RENEWAL APPLICATION SHALL:

(1) STATE WHETHER THE FACTS IN THE ORIGINAL APPLICATION HAVE CHANGED AND, IF SO, THE MANNER IN WHICH THE FACTS HAVE CHANGED; AND

(2) BE ACCOMPANIED BY A STATEMENT SIGNED BY THE OWNER OF THE LICENSED PREMISES CONSENTING TO:

(I) RENEWAL OF THE LICENSE; AND

(II) SEARCH AND SEIZURE IN THE SAME MANNER AS FOR AN ORIGINAL APPLICATION.

(B) CONSENT STATEMENT; EXCEPTION.

THE COMPTROLLER MAY NOT REQUIRE THE CONSENT STATEMENT UNDER SUBSECTION (A)(2) OF THIS SECTION FOR A RETAIL DEALER APPLYING FOR RENEWAL IF:

- (1) THE OWNER SIGNED A COMPARABLE CONSENT STATEMENT IN CONNECTION WITH AN ORIGINAL OR PREVIOUS LICENSE RENEWAL APPLICATION;**
- (2) THE CONSENT STATEMENT UNDER ITEM (1) OF THIS SUBSECTION IS IN EFFECT FOR THE TERM OF THE OWNER’S LEASE WITH THE APPLICANT; AND**
- (3) THE LEASE DOES NOT EXPIRE DURING THE TERM OF THE LICENSE RENEWAL.**

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–301(a)(1)(ii)1, 2, and 3.

Throughout this section, the references to a “license” renewal application are added for clarity.

In the introductory language of subsection (a) of this section, the phrase “[t]o be approved” is added for clarity.

In the introductory language of subsection (a)(2) of this section, the reference to the owner of the “licensed” premises is added for clarity.

In subsection (a)(2)(ii) of this section, the reference to search and seizure “in the same manner as for” an original application is substituted for the former reference to search and seizure “as in the case of” an original application for clarity.

In the introductory language of subsection (b) of this section, the reference to a consent statement “under subsection (a)(2) of this section” is substituted for the former reference to a consent statement “by the owner of the premises” for clarity.

Also in the introductory language of subsection (b) of this section, the reference to the “Comptroller” is added to state expressly what was only implicit in the former law, that the Comptroller is the official that may not require a consent statement under the circumstances stated in this subsection.

In subsection (b)(1) of this section, the reference to “a comparable consent” statement is substituted for the former reference to “such a” statement for clarity.

Also in subsection (b)(1) of this section, the former reference to a “previously” signed consent statement is deleted as unnecessary.

In subsection (b)(2) of this section, the requirement that a previous consent statement be “in effect” for the term of the owner’s lease with the applicant is

substituted for the former requirement that the previous consent statement “giv[e] consent” for the term of the lease for clarity.

In subsection (b)(3) of this section, the former reference to a lease “renewal” is deleted as included in the reference to the “lease”.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that in subsection (a)(1) of this section, the reference to the requirement that a license renewal application “state whether the facts in the original application have changed and, if so, the manner in which the facts have changed” has been substituted for the former reference to the requirement that a license renewal application “state that the facts in the original application are unchanged”. The Committee believes this substitution reflects the intent of the General Assembly.

The Alcoholic Beverages Article Review Committee also notes, for consideration by the General Assembly, that in the introductory language of subsection (b) of this section, the reference to a “retail dealer” may be too restrictive. There may be other types of license holders to which this subsection should apply.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“Retail dealer” § 1–101

3–405. PROTESTS.

(A) AUTHORIZED.

A PROTEST AGAINST A LICENSE RENEWAL MAY BE MADE BY AT LEAST 10 SIGNATORIES WHO ARE:

(1) RESIDENTS, COMMERCIAL TENANTS WHO ARE NOT HOLDERS OF OR APPLICANTS FOR A LICENSE, OR REAL ESTATE OWNERS; AND

(2) LOCATED IN THE IMMEDIATE VICINITY OF THE LICENSED PREMISES.

(B) HEARING REQUIRED.

(1) IF A PROTEST AGAINST RENEWING A LICENSE IS FILED AT LEAST 30 DAYS BEFORE THE LICENSE EXPIRES, THE COMPTROLLER MAY NOT APPROVE THE RENEWAL WITHOUT HOLDING A HEARING.

(2) THE COMPTROLLER SHALL HEAR AND DETERMINE THE PROTEST IN THE SAME MANNER AS THE COMPTROLLER HEARS AND DETERMINES AN ORIGINAL APPLICATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-301(a)(1)(iv)1, (iii)1, as it related to the statewide governance of protests of license renewals, and the first clause of (v).

In this section, the references to the "Comptroller" are substituted for references to the "board of licensing commissioners" and "such official" for clarity. This subtitle applies to the Comptroller and not to a local licensing board.

In subsection (a) of this section, the reference to a protest being "made by at least 10 signatories who are" residents is substituted for the former reference to a protest being "[s]igned by not less than ten" residents for clarity.

In subsection (a)(1) of this section, the former reference to a license "issued under this article" is deleted as included in the defined term "license".

In subsection (a)(2) of this section, the reference to the licensed "premises" is substituted for the former reference to a licensed "place of business" for clarity and consistency within this article.

In subsection (b)(1) of this section, the reference to "renewing a license" is substituted for the former reference to the "granting of the new license" for brevity.

Also in subsection (b)(1) of this section, the reference to "the renewal" is substituted for the former reference to "a license by way of renewal" for brevity.

Also in subsection (b)(1) of this section, the former reference to the license "for which renewal is sought" is deleted as surplusage.

In subsection (b)(2) of this section, the reference to license renewal "in the same manner as the Comptroller hears and determines" an original application is substituted for the former reference to license renewal "as in the case of" an original application for clarity and consistency within this subtitle.

Also in subsection (b)(2) of this section, the reference to a protest "[that] has been filed" is deleted as surplusage.

Defined terms: "Comptroller" § 1-101

"License" § 1-101

3-406. DENIAL OF RENEWAL APPLICATION.**(A) DISQUALIFICATION.****THE COMPTROLLER:**

(1) MAY NOT RENEW A LICENSE IF THE COMPTROLLER DETERMINES THAT THE LICENSE HOLDER IS NOT QUALIFIED TO OBTAIN A LICENSE RENEWAL; BUT

(2) SHALL ISSUE TO THE LICENSE HOLDER BY WAY OF RENEWAL THE CLASS OR TYPE OF LICENSE FOR WHICH THE COMPTROLLER DETERMINES THE LICENSE HOLDER IS QUALIFIED.

(B) CONVICTION.

(1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE COMPTROLLER SHALL DENY A LICENSE RENEWAL APPLICATION IF DURING THE LICENSE YEAR THE LICENSE HOLDER WAS CONVICTED OF A STATE OR FEDERAL OFFENSE THAT, IN THE JUDGMENT OF THE COMPTROLLER, RENDERS THE LICENSE HOLDER UNFIT OR UNQUALIFIED TO OBTAIN A RENEWED LICENSE.

(2) THE COMPTROLLER:

(I) SHALL HOLD A PUBLIC HEARING BEFORE RENEWING A LICENSE UNDER THE CIRCUMSTANCES DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION; AND

(II) MAY INQUIRE INTO ALL RELEVANT FACTS AND CIRCUMSTANCES CONCERNING THE OFFENSE AT THE HEARING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-301(c) and the first sentence of (b).

In this section, the references to the "Comptroller" are substituted for the former references to the "licensing official" and the "local licensing officials" for clarity. This subtitle applies only to the Comptroller and not to a local licensing official.

In subsection (a)(1) of this section, the former reference to qualifications to obtain renewal of an "expiring" license is deleted as unnecessary.

In subsection (a)(2) of this section, the reference to "the Comptroller" is substituted for the former reference to "they" for clarity.

In subsection (b)(1) of this section, the requirement that “the Comptroller shall deny” a license renewal is substituted for the former reference stating that “[n]o [license renewal] shall be granted” for clarity and brevity.

Also in subsection (b)(1) of this section, the references to a “license holder” are substituted for the former references to a “person” for clarity and consistency within this article.

Also in subsection (b)(1) of this section, the reference to a “State or federal offense” is substituted for the former reference to an “offense against the laws of the State or of the United States” for brevity.

Also in subsection (b)(1) of this section, the former reference to an offense that is “of such a nature as to” render the offender unfit for license renewal is deleted as unnecessary.

In subsection (b)(2)(i) of this section, the reference to license renewal “under the circumstances described in paragraph (1) of this subsection” is substituted for the former reference to license renewal “in such a case” for clarity.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

“State” § 1–101

3–407. ISSUANCE OF RENEWED LICENSES.

(A) ISSUANCE.

THE COMPTROLLER MAY ISSUE RENEWED LICENSES FOR THE FOLLOWING LICENSE YEAR BETWEEN APRIL 15 AND MAY 1, INCLUSIVE.

(B) EFFECTIVE DATE.

ALL RENEWED LICENSES SHALL BE DATED MAY 1.

(C) LICENSE SUBJECT TO RESTRICTION OR SUSPENSION.

IF AN EXPIRING LICENSE IS SUBJECT TO AN ORDER OF RESTRICTION OR SUSPENSION, THE COMPTROLLER SHALL ISSUE THE CORRESPONDING LICENSE RENEWAL SUBJECT TO THE SAME ORDER.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–301(d)(1) and the second sentence of (b).

In subsection (a) of this section, the reference to between April 15 and May 1 “, inclusive” is added for clarity.

Also in subsection (a) of this section, the reference to the “Comptroller” is substituted for the former reference to a “license issuing authority” for clarity.

Also in subsection (a) of this section, the reference to “renewed” licenses is substituted for the former reference to “such new” licenses for clarity.

Also in subsection (a) of this section, the reference to the “following license” year is substituted for the former reference to the “ensuing” year for clarity.

Also in subsection (a) of this section, the former reference to the issuance of renewed licenses between April 15 and May 1 “of each and every year” is deleted as unnecessary.

Also in subsection (a) of this section, the former reference to license renewal “as hereinabove provided” is deleted as unnecessary.

Also in subsection (a) of this section, the former reference to license renewal “at any time” between specific dates is deleted as unnecessary.

In subsection (c) of this section, the reference to the “corresponding license renewal” is substituted for the former reference to the “new license” for clarity.

Also in subsection (c) of this section, the reference to license renewal subject to “the same” order is substituted for the former reference to license renewal subject to “said” order for clarity.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

SUBTITLE 5. CONDUCT OF STATE LICENSE HOLDERS.

3–501. STORAGE OF ALCOHOLIC BEVERAGES.

A LICENSE HOLDER MAY STORE OR KEEP ALCOHOLIC BEVERAGES ONLY:

(1) ON THE PREMISES COVERED BY THE LICENSE; OR

(2) AT A PUBLIC WAREHOUSE, A GOVERNMENT–CONTROLLED WAREHOUSE, OR AN INDIVIDUAL WAREHOUSE FOR WHICH A PERMIT HAS BEEN ISSUED UNDER THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12-105.

Defined terms: "Alcoholic beverage" § 1-101

"License" § 1-101

"License holder" § 1-101

3-502. SOLICITATIONS AND SALES OUTSIDE LICENSED PREMISES.

(A) IN GENERAL.

A RETAIL DEALER MAY NOT EMPLOY A SOLICITOR OR SALESPERSON OUTSIDE THE LICENSED PREMISES TO SOLICIT ORDERS FOR THE SALE OF ALCOHOLIC BEVERAGES.

(B) SALE OUTSIDE LICENSED PREMISES PROHIBITED.

THE SALE OF ALCOHOLIC BEVERAGES MAY NOT OCCUR OUTSIDE THE LICENSED PREMISES.

(C) ORDERS BY MAIL, TELEPHONE, OR MESSENGER ALLOWED.

THIS SECTION DOES NOT PROHIBIT:

(1) RECEIVING ORDERS BY MAIL, TELEPHONE, OR MESSENGER;

(2) THE FILLING OF ORDERS BY DELIVERY; OR

(3) THE PAYMENT FOR ORDERS AT THE PLACE OF DELIVERY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12-301(a).

In subsections (a) and (b) of this section, the references to a licensed "premises" are substituted for the former references to a licensed "place of business" to conform to the terminology used throughout this article.

In subsection (a) of this section, the reference to a "salesperson" is substituted for the former reference to a "salesman" to conform to the terminology used throughout this article.

Also in subsection (a) of this section, the former phrase "within this State" is deleted as implicit.

Also in subsection (b) of this section, the reference to “occur” is substituted for the former reference to “be consummated” for clarity.

Defined terms: “Alcoholic beverage” § 1–101
“Retail dealer” § 1–101

3–503. EMPLOYMENT OF UNDERAGE INDIVIDUALS.

(A) EMPLOYMENT OF INDIVIDUAL UNDER AGE OF 18 YEARS.

AN INDIVIDUAL UNDER THE AGE OF 18 YEARS MAY NOT BE ENGAGED IN THE SALE OF ALCOHOLIC BEVERAGES.

(B) EMPLOYMENT OF INDIVIDUAL BETWEEN AGES OF 18 AND 21 YEARS.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL BETWEEN THE AGES OF 18 AND 21 YEARS MAY BE EMPLOYED IN THE SALE OF BEER AND LIGHT WINE.

(2) AN INDIVIDUAL UNDER THE AGE OF 21 YEARS MAY NOT BE EMPLOYED BY A HOLDER OF A CLASS D BEER, WINE, AND LIQUOR LICENSE IN THE SALE OF ALCOHOLIC BEVERAGES.

(C) EMPLOYMENT OF INDIVIDUAL AT LEAST 18 YEARS OLD.

AN INDIVIDUAL AT LEAST 18 YEARS OLD MAY BE EMPLOYED BY A HOLDER OF A CLASS A LICENSE TO OPERATE A LOTTERY TICKET TERMINAL.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12–302(a).

Throughout this section, the references to an “individual” are substituted for the former, broader references to a “person” for accuracy, as all of the references are to human beings.

In subsection (a) of this section, the former phrase “[u]nless provision is made elsewhere, the following provisions apply statewide” is deleted as unnecessary in light of the organization of this revised article.

Defined terms: “Alcoholic beverage” § 1–101
“Beer” § 1–101
“Wine” § 1–101

3–504. ALCOHOL AWARENESS PROGRAM.

(A) “ALCOHOL AWARENESS PROGRAM” DEFINED.

IN THIS SECTION, “ALCOHOL AWARENESS PROGRAM” MEANS A PROGRAM THAT:

(1) INCLUDES INSTRUCTION ON HOW ALCOHOL AFFECTS AN INDIVIDUAL’S BEHAVIOR AND BODY;

(2) PROVIDES EDUCATION ON THE DANGERS OF DRINKING AND DRIVING; AND

(3) DEFINES EFFECTIVE METHODS TO:

(I) DETERMINE WHETHER A CUSTOMER IS UNDER THE LEGAL DRINKING AGE;

(II) SERVE CUSTOMERS TO MINIMIZE THE CHANCE OF INTOXICATION; AND

(III) STOP SERVICE BEFORE A CUSTOMER BECOMES INTOXICATED.

(B) SCOPE OF SECTION.

(1) THIS SECTION APPLIES TO:

(I) A LICENSED PREMISES THAT SELLS ALCOHOLIC BEVERAGES TO A CUSTOMER FROM A BAR OR SERVICE BAR ON THE PREMISES; AND

(II) A PREMISES LICENSED TO SELL ALCOHOLIC BEVERAGES FOR OFF-PREMISES CONSUMPTION.

(2) THIS SECTION DOES NOT APPLY TO:

(I) A TEMPORARY LICENSE;

(II) A CLASS E (ON-SALE) WATER VESSEL LICENSE;

(III) A CLASS F (ON-SALE) RAILROAD LICENSE; OR

(IV) A CLASS G (ON-SALE) AIRPLANE LICENSE.

(C) PROGRAM CERTIFICATION.

THE COMPTROLLER:

(1) SHALL APPROVE, CERTIFY, AND ISSUE AN ALCOHOL AWARENESS PROGRAM PERMIT TO EACH ALCOHOL AWARENESS PROGRAM THAT COMPLIES WITH THIS SECTION; AND

(2) MAY REQUIRE RECERTIFICATION OF THE APPROVED ALCOHOL AWARENESS PROGRAM TO ENSURE COMPLIANCE WITH CHANGES IN THE PROGRAM.

(D) ALCOHOL AWARENESS INSTRUCTOR'S PERMIT.

BEFORE AN INDIVIDUAL MAY TEACH AN ALCOHOL AWARENESS PROGRAM, THE INDIVIDUAL SHALL OBTAIN AN ALCOHOL AWARENESS INSTRUCTOR'S PERMIT.

(E) TRAINING REQUIRED.

A HOLDER OF ANY RETAIL ALCOHOLIC BEVERAGES LICENSE OR AN EMPLOYEE DESIGNATED BY THE HOLDER SHALL COMPLETE TRAINING IN AN APPROVED ALCOHOL AWARENESS PROGRAM.

(F) CERTIFICATE OF COMPLETION; NOTIFICATION OF LOCAL LICENSING BOARD.

(1) (I) FOR EACH COMPLETION OF A CERTIFIED ALCOHOL AWARENESS PROGRAM, THE ALCOHOL AWARENESS PROGRAM PROVIDER SHALL ISSUE A CERTIFICATE OF COMPLETION THAT IS VALID FOR 4 YEARS FROM THE DATE OF ISSUANCE.

(II) THE HOLDER OR EMPLOYEE SHALL COMPLETE RETRAINING IN AN APPROVED ALCOHOL AWARENESS PROGRAM FOR EACH SUCCESSIVE 4-YEAR PERIOD.

(III) ON REQUEST, A VALID CERTIFICATE SHALL BE PRESENTED TO THE PROPER AUTHORITY.

(2) WITHIN 5 DAYS AFTER A LICENSE HOLDER, AN OWNER OF AN UNLICENSED ESTABLISHMENT, OR AN EMPLOYEE OF A LICENSE HOLDER OR OWNER OF AN UNLICENSED ESTABLISHMENT IS SENT A CERTIFICATE OF COMPLETION, THE ALCOHOL AWARENESS PROGRAM PROVIDER SHALL INFORM THE APPROPRIATE LOCAL LICENSING BOARD OF:

(I) THE INDIVIDUAL'S NAME, ADDRESS, AND CERTIFICATION DATE; AND

(II) THE NAME AND ADDRESS OF THE LICENSED ESTABLISHMENT OR UNLICENSED ESTABLISHMENT.

(G) DECERTIFICATION.

THE COMPTROLLER MAY DECERTIFY THE ALCOHOL AWARENESS PROGRAM OF AN ALCOHOL AWARENESS PROGRAM PROVIDER WHO VIOLATES SUBSECTION (C), (D), OR (F) OF THIS SECTION.

(H) ENFORCEMENT AND PENALTIES.

(1) EACH LOCAL LICENSING BOARD SHALL ENFORCE THIS SECTION.

(2) A LICENSE HOLDER WHO VIOLATES SUBSECTION (E) OF THIS SECTION IS SUBJECT TO:

(I) FOR THE FIRST OFFENSE, A \$100 FINE; AND

(II) FOR EACH SUBSEQUENT OFFENSE, A FINE NOT TO EXCEED \$500 OR A SUSPENSION OR REVOCATION OF THE LICENSE OR BOTH.

(I) EFFECT OF SECTION.

(1) THIS SECTION DOES NOT CREATE OR ENLARGE A CIVIL CAUSE OF ACTION OR CRIMINAL PROCEEDING AGAINST A LICENSE HOLDER.

(2) EVIDENCE OF A VIOLATION OF THIS SECTION:

(I) MAY ONLY BE USED AS EVIDENCE BEFORE THE LOCAL LICENSING BOARD IN AN ACTION BROUGHT BEFORE THE LOCAL LICENSING BOARD FOR A VIOLATION OF THIS SECTION; AND

(II) MAY NOT BE INTRODUCED IN A CIVIL OR CRIMINAL PROCEEDING.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 13-101(a), (d) through (f), (b)(1)(i) and (ii) and (2), and (c)(1).

In subsection (a)(3)(iii) of this section, the reference to "stop" is substituted for the former reference to "ceasing" for clarity.

In subsection (b)(1)(i) of this section, the reference to a licensed premises that “sells” is substituted for the former reference to licensed premises that “are operated by selling” for brevity.

In subsection (b)(2)(ii) of this section, the reference to “water vessel” is substituted for the former obsolete reference to “steamboat”. Similarly, in subsection (b)(2)(iv) of this section, the reference to “airplane” is substituted for the former obsolete reference to “aircraft”.

In subsection (d) of this section, the reference to “may” is substituted for the former reference to “who is authorized or employed to” for brevity.

In subsection (e) of this section, the former reference to “class of” retail alcoholic beverages license is deleted as surplusage.

In subsection (f)(1)(i) of this section, the phrase “the alcohol awareness program provider shall issue” is substituted for the former phrase “[a] certificate of completion shall be issued for each completion of” for clarity.

In subsection (f)(1)(iii) of this section, the former reference to “up-to-date” is deleted as included in the reference to “valid”.

In subsection (f)(2) of this section, the references to an “unlicensed establishment” are substituted for the former obsolete references to a “bottle club” for clarity.

In subsection (h)(1) of this section, the reference to each local licensing board “shall enforce” is substituted for the former reference to “is responsible for enforcing” for brevity.

Also in subsection (h)(1) of this section, the former phrase “including the penalty provision” is deleted as unnecessary.

Former Art. 2B, § 13–101(g), which stated that “[t]he Comptroller may issue regulations to set standards and requirements pertaining to course content, course duration, course format and any other course related activities the Comptroller may require”, is deleted as unnecessary in light of the requirement under § 1–302 of this article for the Comptroller to adopt regulations to discharge the duties of this article.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

“Local licensing board” § 1–101

“On-sale” § 1–101

3-505. EVIDENCE OF PURCHASER’S AGE.

(A) LICENSE HOLDER MAY KEEP RECORD OF EVIDENCE OF AGE.

A LICENSE HOLDER OR AN EMPLOYEE OF THE LICENSE HOLDER MAY REQUIRE AN INDIVIDUAL TO SIGN A BOOK THAT THE LICENSE HOLDER KEEPS IF:

(1) THE INDIVIDUAL HAS SHOWN DOCUMENTARY EVIDENCE THAT SUBSTANTIATES THE INDIVIDUAL’S AGE TO ALLOW THE PURCHASE OF ALCOHOLIC BEVERAGES; AND

(2) THE AGE OF THE INDIVIDUAL REMAINS IN QUESTION.

(B) REQUIRED FORM.

(1) THE BOOK AUTHORIZED UNDER SUBSECTION (A) OF THIS SECTION SHALL CONTAIN COPIES OF THE FOLLOWING FORM:

DATE..... 20....

TO BE FILLED IN BY SELLER

IDENTIFICATION (CHECK ALL SHOWN)

- DRIVER’S LICENSE ARMY I.D. CARD.....**
- BIRTH CERTIFICATE..... COAST GUARD I.D. CARD.....**
- SERVICE DISCHARGE MARINE I.D. CARD.....**
- DRAFT CARD NAVY I.D. CARD**
- AIR FORCE I.D. CARD**
- OTHER (SPECIFY)**

DESCRIPTION OF PURCHASER

HEIGHT..... WEIGHT.....

COLOR OF EYES COLOR OF HAIR

OUTSTANDING FEATURES.....

.....

.....

.....

.....
SELLER’S SIGNATURE.....

TO BE FILLED IN BY PROSPECTIVE PURCHASER

I DECLARE I AM OF LEGAL AGE TO PURCHASE FERMENTED MALT BEVERAGES OR INTOXICATING LIQUOR, AND THAT I AM SUBJECT TO ARREST AND PROSECUTION FOR MISREPRESENTING MY AGE.

PRINT FULL NAME

STREET ADDRESS.....

CITY STATE.....

SIGNATURE.....

(2) THE LICENSE HOLDER OR AN EMPLOYEE OF THE LICENSE HOLDER SHALL RECORD ALL INFORMATION REQUIRED BY EACH SECTION OF THE FORM.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12–109(1).

In the introductory language of subsection (a) of this section, the reference to the authority of a license holder or employee to “require an individual to sign a book” is substituted for the former reference to the authority of a license holder or employee to “cause a book to be kept” for clarity and brevity.

The Alcoholic Beverages Article Review Committee notes, for the consideration of the General Assembly, that the requirement to record information in subsection (b)(2) of this section is vague. The General Assembly may wish to clarify this requirement.

Defined terms: “Alcoholic beverage” § 1–101
“License holder” § 1–101

3–506. RETAIL DELIVERY OF ALCOHOLIC BEVERAGES.

(A) SCOPE OF SECTION.

THIS SECTION DOES NOT APPLY TO:

(1) THE DELIVERY OF WINE FROM A DIRECT WINE SHIPPER TO A CONSUMER USING A COMMON CARRIER IN ACCORDANCE WITH TITLE 2, SUBTITLE 1, PART V OF THIS ARTICLE; OR

(2) THE HOLDER OF A COMMON CARRIER PERMIT IN THE COURSE OF DELIVERING DIRECTLY SHIPPED WINE IN ACCORDANCE WITH TITLE 2, SUBTITLE 1, PART V OF THIS ARTICLE.

(B) PROHIBITED UNLESS AUTHORIZED BY LOCAL LICENSING BOARD.

RETAIL DELIVERY TO A PURCHASER OF ALCOHOLIC BEVERAGES IS PROHIBITED UNLESS:

(1) A RETAIL LICENSE HOLDER OBTAINS A LETTER OF AUTHORIZATION FROM THE LOCAL LICENSING BOARD TO MAKE DELIVERIES; AND

(2) THE DELIVERY IS MADE FROM THE LICENSED PREMISES BY THE RETAIL LICENSE HOLDER OR AN EMPLOYEE OF THE RETAIL LICENSE HOLDER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 12-301(b) and (f).

In subsection (b)(1) of this section, the former requirement that a retail license holder "compl[y] with any regulations promulgated by the local licensing authority pertaining to those deliveries" is deleted as unnecessary because a retail license holder would be expected in any case to comply with regulations adopted by the local licensing board.

In subsection (b)(2) of this section, the former reference to an employee "authorized to sell and distribute alcoholic beverages by the local licensing authority in the jurisdiction where the delivery is made" is deleted as unnecessary in light of subsection (b)(1) of this section, which requires the retail license holder to obtain a letter of authorization from the local licensing board to make deliveries.

Defined terms: "Alcoholic beverage" § 1-101

"License holder" § 1-101

"Local licensing board" § 1-101

"Wine" § 1-101

3-507. DISPLAY OF LICENSE.

(A) IN GENERAL.

A LICENSE HOLDER SHALL FRAME THE LICENSE UNDER GLASS AND DISPLAY THE LICENSE CONSPICUOUSLY IN THE LICENSED PREMISES.

(B) CLASS F LICENSES.

A CLASS F LICENSE SHALL BE KEPT IN THE CHIEF OPERATING OFFICE OF THE CORPORATION IN THE STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–505.

In subsection (a) of this section, the defined term “license holder” is substituted for the former reference to “[e]very person receiving a license under the provisions of this article” for brevity.

Also in subsection (a) of this section, the reference to “the licensed premises” is substituted for the former reference to “his place of business” to conform to the terminology used throughout this article.

Also in subsection (a) of this section, the former phrase “at all times” is deleted as surplusage.

Also in subsection (a) of this section, the former phrase “easily read” is deleted as implicit in the word “conspicuously”.

Defined terms: “License” § 1–101

“License holder” § 1–101

“State” § 1–101

SUBTITLE 6. REVOCATION AND SUSPENSION OF STATE LICENSES AND PERMITS.

3–601. POWER OF COMPTROLLER.

THE COMPTROLLER MAY REVOKE OR SUSPEND A LICENSE OR PERMIT THAT THE COMPTROLLER ISSUES IN ACCORDANCE WITH THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–403(a)(1), as it related to the general authority of the Comptroller to revoke or suspend a license.

The reference to the authority of the Comptroller to revoke or suspend a license “in accordance with this subtitle” is added for clarity.

In this section and throughout this subtitle, the references to a “permit” are added to clarify that the Comptroller may revoke or suspend a permit as well as a license that the Comptroller issues.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

3–602. REVOCATION AND SUSPENSION PROCEDURES.

(A) BY COMPLAINT OR ON COMPTROLLER'S INITIATIVE.

REVOCAION OR SUSPENSION PROCEDURES MAY BE STARTED:

- (1) BY THE COMPTROLLER, AT THE COMPTROLLER'S INITIATIVE;**
- (2) ON THE COMPLAINT OF A DEPUTY OR AN INSPECTOR THAT THE COMPTROLLER EMPLOYS TO ADMINISTER THIS ARTICLE;**
- (3) ON THE COMPLAINT OF A PEACE OFFICER;**
- (4) IF THE LICENSE HOLDER OR PERMIT HOLDER IS LOCATED IN A MUNICIPALITY THAT IS WITHIN A COUNTY, ON THE COMPLAINT OF THE MAYOR AND COUNCIL OF THE MUNICIPALITY; OR**
- (5) ON THE WRITTEN COMPLAINT OF AT LEAST 10 RESIDENTS, REAL ESTATE OWNERS, OR VOTERS OF THE PRECINCT IN WHICH THE LICENSED PREMISES IS LOCATED.**

(B) HEARING.

SUBJECT TO SUBSECTION (C) OF THIS SECTION, A LICENSE HOLDER OR PERMIT HOLDER AGAINST WHOM PROCEEDINGS UNDER THIS SECTION ARE BROUGHT SHALL:

- (1) BE ENTITLED TO A HEARING ON THE CHARGES IN THE COMPLAINT; AND**
- (2) RECEIVE NOTICE OF THE HEARING AT LEAST 10 DAYS BEFORE THE HEARING DATE.**

(C) IMMEDIATE SUSPENSION BY COMPTROLLER.

THE COMPTROLLER MAY IMMEDIATELY SUSPEND A LICENSE OR PERMIT FOR A VIOLATION OF RECORDKEEPING OR REPORTING REQUIREMENTS UNDER § 1-408 OF THIS ARTICLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-403(a)(2)(i) and, except as it related to a local licensing board, (a)(1).

In subsection (a)(4) and the introductory language of (b) of this section, the references to a “permit holder” are added to state expressly what was only implied in the former law, that these subsections apply to permit holders.

In subsection (a)(4) of this section, the former reference to “the corporate limits” of a municipality is deleted as surplusage.

In subsection (a)(5) of this section, the reference to licensed “premises” is substituted for the former reference to licensed “place of business” for consistency with terminology used throughout this article.

Also in subsection (a)(5) of this section, the former reference to “citizens” is deleted as included in the reference to “residents”.

In the introductory language of subsection (b) of this section, the reference to a license holder “against whom proceedings under this section are brought” is added for clarity.

In subsection (b)(1) of this section, the reference to charges “in the complaint” is substituted for the former reference to charges “to be framed by the officer ... or upon the complaint” for brevity.

In subsection (c) of this section, the phrase “for a violation of recordkeeping and reporting requirements under § 1–408 of this article” is added to state expressly what was only implied in the former law, *i.e.* that the power of the Comptroller to immediately suspend a license or permit may be exercised only under certain circumstances. No substantive change is intended.

Defined terms: “Comptroller” § 1–101

“County” § 1–101

“License” § 1–101

“License holder” § 1–101

3–603. GROUNDS FOR REVOCATION OR SUSPENSION.

(A) DISCRETIONARY GROUNDS.

THE COMPTROLLER MAY REVOKE OR SUSPEND A LICENSE OR PERMIT:

(1) FOR ANY REASON TO PROMOTE THE PEACE OR SAFETY OF THE COMMUNITY IN WHICH THE PREMISES ARE LOCATED; OR

(2) FOR OFFENSES AS PROVIDED IN THIS ARTICLE.

(B) MANDATORY GROUNDS.

THE COMPTROLLER SHALL REVOKE A LICENSE OR PERMIT OR, EXCEPT AS PROVIDED IN § 3-606 OF THIS SUBTITLE, SUSPEND A LICENSE OR PERMIT FOR:

(1) CONVICTION OF THE LICENSE HOLDER OR PERMIT HOLDER FOR VIOLATION OF THIS ARTICLE OR A PROVISION OF THE TAX – GENERAL ARTICLE THAT RELATES TO THE ALCOHOLIC BEVERAGE TAX;

(2) WILLFUL FAILURE OR REFUSAL OF THE LICENSE HOLDER OR PERMIT HOLDER TO COMPLY WITH:

(I) THIS ARTICLE OR PROVISIONS OF THE TAX – GENERAL ARTICLE THAT RELATE TO THE ALCOHOLIC BEVERAGE TAX; OR

(II) A REGULATION ADOPTED UNDER THIS ARTICLE OR UNDER PROVISIONS OF THE TAX – GENERAL ARTICLE THAT RELATE TO THE ALCOHOLIC BEVERAGE TAX;

(3) MAKING A MATERIAL FALSE STATEMENT IN AN APPLICATION FOR A LICENSE OR PERMIT;

(4) TWO OR MORE CONVICTIONS WITHIN 2 YEARS OF AN AGENT OR EMPLOYEE OF A LICENSE HOLDER OR PERMIT HOLDER FOR ON-PREMISES VIOLATIONS OF THIS ARTICLE OR PROVISIONS OF THE TAX – GENERAL ARTICLE THAT RELATE TO THE ALCOHOLIC BEVERAGE TAX;

(5) ON-PREMISES POSSESSION BY A RETAIL DEALER, OTHER THAN A HOLDER OF A CLASS E, CLASS F, OR CLASS G LICENSE, OF AN ALCOHOLIC BEVERAGE ON WHICH THE TAX IMPOSED BY § 5-102 OF THE TAX – GENERAL ARTICLE HAS NOT BEEN PAID;

(6) VIOLATION OF § 2-216 OR § 3-315 OF THIS ARTICLE;

(7) WILLFUL FAILURE OF A LICENSE HOLDER OR PERMIT HOLDER TO:

(I) KEEP THE RECORDS REQUIRED UNDER THIS ARTICLE OR UNDER PROVISIONS OF THE TAX – GENERAL ARTICLE THAT RELATE TO THE ALCOHOLIC BEVERAGE TAX; OR

(II) ALLOW INSPECTION OF THE RECORDS BY AN AUTHORIZED PERSON;

(8) ON-PREMISES POSSESSION OF AN ALCOHOLIC BEVERAGE THAT A LICENSE HOLDER OR PERMIT HOLDER, OTHER THAN A HOLDER OF A CLASS E, CLASS F, OR CLASS G LICENSE, IS NOT LICENSED TO SELL;

(9) REVOCATION OR SUSPENSION OF A PERMIT ISSUED TO A LICENSE HOLDER OR PERMIT HOLDER BY THE FEDERAL ALCOHOL AND TOBACCO TAX AND TRADE BUREAU OR FOR CONVICTION OF VIOLATING A FEDERAL LAW RELATING TO ALCOHOLIC BEVERAGES;

(10) FAILURE TO FURNISH BOND AS REQUIRED BY THIS ARTICLE WITHIN 15 DAYS AFTER NOTICE FROM THE COMPTROLLER; AND

(11) VIOLATION OF § 3-604 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-401(a)(4) and, as they related to the Comptroller and State-issued licenses and permits, (2) and (3).

In the introductory language of subsection (a) of this section, the reference to the "Comptroller" is substituted for the former reference to the "issuing authority" to reflect that this subtitle applies to licenses or permits issued only by the Comptroller.

In subsection (a)(1) of this section, the reference to any "reason" is substituted for the former reference to any "cause which in the judgment of [the Comptroller] is necessary" for brevity.

Also in subsection (a)(1) of this section, the reference to the "premises" is substituted for the former reference to the "place of business" for consistency with terminology used throughout this article.

Also in subsection (a)(1) of this section, the former reference to the "official" is deleted as included in the reference to the "Comptroller".

Also in subsection (a)(1) of this section, the former reference to the "court" is deleted as unnecessary, as a court only decides on judicial review whether a suspension or revocation is proper.

In subsection (b)(2)(ii) of this section, the former reference to a "rule" is deleted as included in the reference to a "regulation" and to conform to other similar provisions of the Code.

In subsection (b)(4) of this section, the former reference to "servants" of a license holder is deleted as included in the reference to an "employee" of a license holder. Similarly, the former reference to "clerks" is deleted.

Also in subsection (b)(4) of this section, the former reference to “one or more” agents or employees is deleted as surplusage.

Also in subsection (b)(4) of this section, the former reference to premises “subject to the license or permit” is deleted as surplusage.

In subsection (b)(7)(ii) of this section, the former reference to a “duly” authorized person is deleted as surplusage.

In subsection (b)(9) of this section, the reference to the “federal Alcohol and Tobacco Tax and Trade Bureau” is substituted for the former incorrect reference to the “Federal Bureau of Alcohol, Tobacco and Firearms”.

In subsection (b)(11) of this section, the reference to a “violation of § 3–604 of this subtitle” is added for accuracy.

Former Art. 2B, § 10–401(a)(1), which defined “issuing authority” for former Art. 2B, § 10–401, is deleted as unnecessary because “issuing authority” is not used in this revised article.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

“Person” § 1–101

“Retail dealer” § 1–101

3–604. NUDITY AND SEXUAL DISPLAYS.

(A) REVOCATION REQUIRED.

(1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE COMPTROLLER SHALL REVOKE A LICENSE OR PERMIT IF, AFTER A HEARING UNDER § 3–602(B) OF THIS SUBTITLE, AN ACTIVITY LISTED IN THIS SECTION IS FOUND TO HAVE OCCURRED ON THE LICENSED PREMISES.

(2) THE LICENSE OR PERMIT OF A PERSON MAY NOT BE REVOKED UNDER PARAGRAPH (1) OF THIS SUBSECTION IF:

(I) THE PERSON OPERATES A THEATER, A CONCERT HALL, AN ART CENTER, A MUSEUM, OR A SIMILAR ESTABLISHMENT THAT IS PRIMARILY DEVOTED TO THE ARTS OR THEATRICAL PERFORMANCES; AND

(II) THE PERFORMANCES EXPRESS MATTERS OF SERIOUS LITERARY, ARTISTIC, SCIENTIFIC, OR POLITICAL VALUE.

(B) PROHIBITED ATTIRE AND CONDUCT.

AN INDIVIDUAL MAY NOT:

(1) BE EMPLOYED OR USED IN THE SALE OR SERVICE OF ALCOHOLIC BEVERAGES IN OR ON THE LICENSED PREMISES WHILE THE INDIVIDUAL IS UNCLOTHED OR IN ATTIRE, COSTUME, OR CLOTHING SO AS TO EXPOSE TO VIEW ANY PORTION OF THE FEMALE BREAST BELOW THE TOP OF THE AREOLA OR ANY PORTION OF THE PUBIC HAIR, ANUS, CLEFT OF THE BUTTOCKS, VULVA, OR GENITALS;

(2) BE EMPLOYED OR ACT AS A HOSTESS OR ACT IN A SIMILAR CAPACITY TO MINGLE WITH THE PATRONS WHILE THE HOSTESS OR INDIVIDUAL ACTING IN A SIMILAR CAPACITY IS UNCLOTHED OR IN ATTIRE, COSTUME, OR CLOTHING DESCRIBED IN ITEM (1) OF THIS SUBSECTION;

(3) ENCOURAGE OR ALLOW AN INDIVIDUAL ON THE LICENSED PREMISES TO CARESS OR FONDLE THE BREASTS, BUTTOCKS, ANUS, OR GENITALS OF ANOTHER INDIVIDUAL; OR

(4) ALLOW AN EMPLOYEE OR OTHER INDIVIDUAL TO WEAR OR USE A DEVICE OR COVERING EXPOSED TO VIEW THAT SIMULATES ANY PORTION OF THE BREAST, GENITALS, ANUS, OR PUBIC HAIR.

(C) PROHIBITED ENTERTAINMENT.

WITH RESPECT TO ENTERTAINMENT PROVIDED, A PERSON MAY NOT:

(1) ALLOW AN INDIVIDUAL TO PERFORM AN ACT OF OR AN ACT THAT SIMULATES:

(I) SEXUAL INTERCOURSE, MASTURBATION, SODOMY, BESTIALITY, ORAL COPULATION, FLAGELLATION, OR A SEXUAL ACT THAT IS PROHIBITED BY LAW;

(II) THE CARESSING OR FONDLING OF THE BREAST, BUTTOCKS, ANUS, OR GENITALS; OR

(III) THE DISPLAY OF THE PUBIC HAIR, ANUS, VULVA, OR GENITALS;

(2) SUBJECT TO ITEM (1) OF THIS SUBSECTION, ALLOW AN ENTERTAINER WHOSE BREASTS OR BUTTOCKS ARE EXPOSED TO PERFORM CLOSER THAN 6 FEET FROM THE NEAREST PATRON; OR

(3) ALLOW AN INDIVIDUAL TO USE AN ARTIFICIAL DEVICE OR INANIMATE OBJECT TO DEPICT, PERFORM, OR SIMULATE AN ACTIVITY PROHIBITED UNDER ITEM (1) OF THIS SUBSECTION.

(D) PROHIBITED MOTION PICTURES, STILL PICTURES, ELECTRONIC REPRODUCTION, OR OTHER VISUAL REPRODUCTION.

A PERSON MAY NOT SHOW A MOTION PICTURE, A STILL PICTURE, AN ELECTRONIC REPRODUCTION, OR ANY OTHER VISUAL REPRODUCTION DEPICTING:

(1) AN ACT OR A SIMULATED ACT OF SEXUAL INTERCOURSE, MASTURBATION, SODOMY, BESTIALITY, ORAL COPULATION, FLAGELLATION, OR A SEXUAL ACT THAT IS PROHIBITED BY LAW;

(2) AN INDIVIDUAL BEING CARESSED OR FONDLED ON THE BREAST, BUTTOCKS, ANUS, OR GENITALS;

(3) A SCENE IN WHICH AN INDIVIDUAL DISPLAYS THE VULVA, ANUS, OR GENITALS; OR

(4) A SCENE IN WHICH AN ARTIFICIAL DEVICE OR INANIMATE OBJECT IS USED TO DEPICT, OR A DRAWING IS USED TO PORTRAY, A PROHIBITED ACT DESCRIBED IN THIS SUBSECTION.

(E) INDIVIDUALS WHO MUST LEAVE PREMISES.

A PERSON MAY NOT ALLOW AN INDIVIDUAL TO REMAIN IN OR ON THE LICENSED PREMISES WHO EXPOSES TO PUBLIC VIEW ANY PORTION OF THE INDIVIDUAL'S GENITALS OR ANUS.

(F) EFFECTS OF OTHER STATUTES.

THIS SECTION DOES NOT ALLOW ANY CONDUCT OR FORM OF ATTIRE PROHIBITED BY ANY OTHER STATUTE, ORDINANCE, RULE, OR REGULATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-405(b) through (g).

Throughout this section, references to an “individual” are substituted for the former references to a “person” where the context clearly indicates that the provision refers to a human being.

In subsection (a)(1) of this section, the reference to the “Comptroller” is added to state explicitly what was only implied in the former law, that the Comptroller is required to revoke licenses under this subtitle.

In the introductory language of subsection (b) of this section, the former phrase “[w]ith respect to attire and conduct,” is deleted as surplusage.

In subsection (c)(2) of this section, the former reference to “the restrictions of” paragraph (1) of this subsection is deleted as surplusage.

In the introductory language of subsection (d) of this section, the former reference to “exhibit[ing]” is deleted as included in the reference to “show[ing]”.

Also in the introductory language of subsection (d) of this section, the former reference to a motion picture “film” is deleted as surplusage.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that it is not entirely clear whether this section was intended to apply to licenses and permits issued by the Comptroller. The Committee, however, revised it here in light of former Art. 2B, § 10–405(b)(1), which stated that the provision applied to “a license issued under the provisions of this article”.

Defined terms: “Alcoholic beverage” § 1–101

“Comptroller” § 1–101

“License” § 1–101

“Person” § 1–101

3–605. EFFECTS OF REVOCATION.

(A) IN GENERAL.

AFTER REVOKING A LICENSE OR PERMIT, THE COMPTROLLER:

(1) MAY NOT ISSUE ANOTHER LICENSE OR PERMIT TO THE PERSON WHOSE LICENSE OR PERMIT IS REVOKED;

(2) MAY NOT ISSUE ANY LICENSE OR PERMIT FOR THE SAME PREMISES FOR 6 MONTHS AFTER THE REVOCATION; AND

(3) MAY DECIDE NOT TO ISSUE ANOTHER LICENSE OR PERMIT FOR THE SAME PREMISES.

(B) LICENSE OR PERMIT HELD ON BEHALF OF CORPORATION, PARTNERSHIP, OR UNINCORPORATED ASSOCIATION.

IF THE LICENSE OR PERMIT WAS HELD ON BEHALF OF A CORPORATION, A PARTNERSHIP, OR AN UNINCORPORATED ASSOCIATION, ANOTHER LICENSE OR PERMIT MAY NOT BE OBTAINED ON BEHALF OF THE CORPORATION, PARTNERSHIP, OR UNINCORPORATED ASSOCIATION TO SELL ALCOHOLIC BEVERAGES ON THE SAME PREMISES FOR 6 MONTHS AFTER THE REVOCATION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-404(a), except as it related to the local licensing boards.

In the introductory language of subsection (a) of this section, the former reference to a "court" is deleted as misleading. A court does not revoke a license but overturns or upholds the decision of the Comptroller to do so.

Also in the introductory language of subsection (a) of this section, the former reference to the "State Appeal Board" is deleted as obsolete. The State Appeal Board was abolished in 1985.

Also in the introductory language of subsection (a) of this section, the former phrase "as the case may be" is deleted as surplusage.

Defined terms: "Alcoholic beverage" § 1-101

"Comptroller" § 1-101

"License" § 1-101

"Person" § 1-101

3-606. PAYMENT OF MONEY IN LIEU OF SUSPENSION.

(A) PETITION TO MAKE PAYMENT OFFER.

BEFORE THE EFFECTIVE DATE OF A SUSPENSION OF A LICENSE OR PERMIT, THE LICENSE HOLDER OR PERMIT HOLDER MAY MAKE AN OFFER OF COMPROMISE CONSISTING OF MONEY IN LIEU OF SERVING THE SUSPENSION.

(B) MAXIMUM AMOUNT OF OFFER.

AN OFFER OF COMPROMISE MAY NOT EXCEED:

(1) \$2,000 FOR RETAIL LICENSE HOLDERS; AND

(2) \$50,000 FOR OTHER LICENSE HOLDERS AND PERMIT HOLDERS.

(C) ACCEPTANCE OF OFFER.

THE COMPTROLLER MAY ACCEPT THE OFFER OF COMPROMISE IF:

(1) THE PUBLIC WELFARE AND MORALS WOULD NOT BE IMPAIRED BY ALLOWING THE LICENSE HOLDER OR PERMIT HOLDER TO OPERATE DURING THE PERIOD SET FOR THE SUSPENSION; AND

(2) THE PAYMENT OF THE MONEY WILL ACHIEVE THE DESIRED DISCIPLINARY PURPOSES.

(D) DISPOSITION OF MONEY.

MONEY IN LIEU OF SUSPENSION SHALL BE PAID INTO THE GENERAL FUND OF THE STATE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–402(a) through (d).

In subsection (a) of this section, the reference to “mak[ing]” an offer of compromise is substituted for the former reference to “petition[ing] the Comptroller for permission to make” an offer of compromise for brevity.

Also in subsection (a) of this section, the former clause “[w]hensoever any license or permit issued under the provisions of this article is suspended by the Comptroller” is deleted as surplusage.

Former Art. 2B, § 10–402(e), which authorized the Comptroller to adopt rules and regulations necessary to carry out the purposes of that section, is deleted as redundant of § 1–302 of this article.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

“State” § 1–101

SUBTITLE 7. EXPIRATION OF STATE LICENSES.

3–701. EXPIRATION OF LICENSES.

(A) ON DEATH OF LICENSE HOLDER.

A LICENSE EXPIRES ON THE DEATH OF A LICENSE HOLDER, SUBJECT TO SUBTITLE 8 OF THIS TITLE.

(B) AFTER VACATION OR EVICTION FROM PREMISES.

EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, A LICENSE ISSUED BY THE COMPTROLLER EXPIRES ON THE 10TH DAY AFTER A LICENSE HOLDER HAS VACATED OR BEEN EVICTED FROM THE LICENSED PREMISES.

REVISOR'S NOTE: Subsection (a) of this section is new language added as a convenient reference to provisions relating to the expiration of a license on the death of a license holder.

Subsection (b) of this section is new language derived without substantive change from the first clause of the first sentence of former Art. 2B, § 10-504(a), except as it related to Baltimore County.

In subsection (b) of this section, the reference to a license issued by "the Comptroller" is substituted for the former reference to a license issued "under this article" to clarify that this section applies only to licenses that the Comptroller issues and not to licenses the local licensing boards issue.

Defined terms: "Comptroller" § 1-101

"License" § 1-101

"License holder" § 1-101

3-702. PENDING OR APPROVED TRANSFERS OR CONTINUATION OF BUSINESS.

SECTION 3-701 OF THIS SUBTITLE DOES NOT APPLY IF AN APPLICATION IS PENDING OR HAS BEEN APPROVED FOR:

(1) A TRANSFER OF A LICENSE TO ANOTHER LOCATION OR ANOTHER PERSON, SUBJECT TO SUBTITLE 3 OF THIS TITLE; OR

(2) A CERTIFICATE OF PERMISSION, SUBJECT TO § 3-802 OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the second clause of the first sentence of former Art. 2B, § 10-504(a).

In item (2) of this section, the reference to "a certificate of permission" is added for clarity.

Defined terms: "License" § 1-101

“Person” § 1–101

3–703. LICENSE FOR PREMISES ACQUIRED FOR PUBLIC USE.

A LICENSE ISSUED BY THE COMPTROLLER FOR A PREMISES ACQUIRED FOR PUBLIC USE SHALL EXPIRE 180 DAYS AFTER ACQUISITION UNLESS AN APPLICATION IS PENDING OR HAS BEEN APPROVED FOR:

(1) A TRANSFER OF THE LICENSE TO ANOTHER LOCATION OR ANOTHER PERSON, SUBJECT TO SUBTITLE 3 OF THIS TITLE; OR

(2) A CERTIFICATE OF PERMISSION OR A RENEWAL LICENSE FOR CONTINUATION OF BUSINESS, SUBJECT TO § 3–802 OF THIS TITLE.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–504(c).

In the introductory language of this section, the reference to a license “issued by the Comptroller” is added for clarity.

Also in the introductory language of this section, the former reference to a license expiring “within” 180 days is deleted as surplusage.

In item (2) of this section, the reference to “a certificate of permission or a renewal license for continuation of business” is added for clarity.

Former Art. 2B, § 10–504(b), which stated that Art. 2B, § 10–504 did not apply to the holder of a license whose premises have been acquired for public use, is deleted as erroneous. Former Art. 2B, § 10–504(c), now revised as this section, contains provisions concerning a license for a premises acquired for public use.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“Person” § 1–101

3–704. POSTPONEMENT TO AVOID HARDSHIP.

(A) ADDITIONAL PERIOD ALLOWED.

THE COMPTROLLER MAY POSTPONE THE EXPIRATION OF A LICENSE THAT THE COMPTROLLER ISSUES FOR AN ADDITIONAL PERIOD TO AVOID HARDSHIP.

(B) LIMIT ON ADDITIONAL PERIOD.

THE ADDITIONAL PERIOD MAY NOT EXCEED 20 DAYS.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 2B, § 10-504(a), except as it related to local licensing boards.

In subsection (a) of this section, the former phrase "as the case may be" is deleted as surplusage.

Also in subsection (a) of this section, the former reference to an "undue" hardship is deleted as surplusage.

In subsection (b) of this section, the former phrase "in any case" is deleted as surplusage.

Defined terms: "Comptroller" § 1-101
 "License" § 1-101

SUBTITLE 8. DEATH OF LICENSE HOLDER.

3-801. EXPIRATION OF LICENSE ON DEATH OF LICENSE HOLDER.

SUBJECT TO § 3-802 OF THIS SUBTITLE AND EXCEPT AS PROVIDED IN § 2-408 OF THIS ARTICLE, A LICENSE EXPIRES WHEN THE LICENSE HOLDER DIES.

REVISOR'S NOTE: This section is new language derived without substantive change from the former Art. 2B, § 10-506(a)(1).

The phrase "except as provided in § 2-408 of this article" is substituted for the former phrase "other than Class E, Class F and Class G licenses" to reflect the organization of this revised article.

Defined terms: "License" § 1-101
 "License holder" § 1-101

3-802. CERTIFICATE OF PERMISSION OR RENEWAL LICENSE FOR CONTINUATION OF BUSINESS.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN § 2-408 OF THIS ARTICLE, ON APPLICATION TO THE COMPTROLLER AND PAYMENT OF A FEE OF \$1 BY THE PERSONAL REPRESENTATIVE OR SPECIAL ADMINISTRATOR OF THE ESTATE OF A DECEASED LICENSE HOLDER, THE COMPTROLLER MAY GRANT A CERTIFICATE OF PERMISSION FOR THE CONTINUATION OF THE BUSINESS IN THE NAME OF THE PERSONAL

REPRESENTATIVE OR SPECIAL ADMINISTRATOR FOR THE BENEFIT OF THE ESTATE OF THE DECEASED LICENSE HOLDER.**(B) TERM.**

(1) THE CERTIFICATE OF PERMISSION MAY BE GRANTED FOR A PERIOD NOT EXCEEDING 18 MONTHS AFTER THE DATE OF THE GRANTED PERMISSION UNLESS THE LICENSE EXPIRES EARLIER.

(2) IF THE LICENSE EXPIRES EARLIER THAN 18 MONTHS AFTER THE DATE OF THE GRANTED PERMISSION, THE COMPTROLLER MAY ISSUE A RENEWAL LICENSE ON APPLICATION BY THE PERSONAL REPRESENTATIVE OR SPECIAL ADMINISTRATOR FOR A PERIOD NOT EXCEEDING 18 MONTHS AFTER THE DEATH OF THE LICENSE HOLDER.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–506(a)(3) and (4) and, as it related to the Comptroller, (2)(i).

In this section and throughout this subtitle, the references to “personal representative” and “special administrator” are substituted for the former references to “executor” and “administrator” to conform to terminology used in the Estates and Trusts Article.

In subsection (a) of this section, the reference to the personal representative or special administrator “of the estate” of a deceased license holder is added for clarity.

In subsection (b)(2) of this section, the reference to the “Comptroller” is added to clarify that the Comptroller issues the replacement license under this subtitle.

Also in subsection (b)(2) of this section, the reference to the license expiring “earlier than 18 months after the date of the granted permission” is substituted for the former reference to the license expiring “earlier” for clarity.

Defined terms: “Comptroller” § 1–101

“License” § 1–101

“License holder” § 1–101

3–803. TRANSFER OR REINSTATEMENT OF LICENSE.**(A) APPLICATION FOR TRANSFER.**

THE PERSONAL REPRESENTATIVE OR SPECIAL ADMINISTRATOR TO WHOM A CERTIFICATE OF PERMISSION HAS BEEN GRANTED MAY APPLY TO THE COMPTROLLER FOR THE TRANSFER OF THE LICENSE FOR THE BENEFIT OF THE ESTATE OF THE LICENSE HOLDER.

(B) REINSTATEMENT OF LICENSE.

ON APPROVAL OF THE APPLICATION FOR TRANSFER OF THE LICENSE AND PAYMENT OF THE BALANCE OF ANY LICENSE FEE DUE UNTIL THE EXPIRATION OF THE LICENSE YEAR, THE LICENSE IS REINSTATED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-506(a)(6).

In subsection (a) of this section, the reference to the authority of a personal representative or special administrator to "apply to the Comptroller" for the transfer of a license is added to state expressly what only was implied in the former law.

Also in subsection (a) of this section, the former reference to "assign[ing]" a license is deleted as included in the reference to "transfer[ring]" a license. Similarly, in subsection (b) of this section, the reference to "assignment" of a license is deleted.

Defined terms: "Comptroller" § 1-101

"License" § 1-101

"License holder" § 1-101

3-804. RIGHTS OF PROTEST, REVOCATION, SUSPENSION, AND RESTRICTION.

(A) APPLICABILITY OF RIGHTS TO CERTIFICATE OF PERMISSION AND RENEWAL LICENSE.

ON PAYMENT OF A PRO RATA LICENSE FEE FOR THE PERIOD OF CONTINUATION, A CERTIFICATE OF PERMISSION AND A RENEWAL LICENSE ARE SUBJECT TO THE RIGHT OF PROTEST, REVOCATION, SUSPENSION, AND RESTRICTION.

(B) RENEWAL LICENSE, PERSONAL REPRESENTATIVE, AND SPECIAL ADMINISTRATOR SUBJECT TO ALCOHOLIC BEVERAGES LAWS.

DURING THE PERIOD OF CONTINUATION, THE RENEWAL LICENSE AND THE PERSONAL REPRESENTATIVE OR SPECIAL ADMINISTRATOR OF THE ESTATE OF THE DECEASED LICENSE HOLDER ARE SUBJECT TO THIS ARTICLE AND THE PROVISIONS OF THE TAX - GENERAL ARTICLE THAT RELATE TO THE ALCOHOLIC BEVERAGE TAX.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–506(a)(5).

In subsection (a) of this section, the reference to the “period of continuation” is substituted for the former reference to “such period” for clarity.

Also in subsection (a) of this section, the former phrase “as in other cases” is deleted as surplusage.

Defined terms: “Alcoholic beverage” § 1–101

“License” § 1–101

“License holder” § 1–101

3–805. REFUND.

THE PERSONAL REPRESENTATIVE OR SPECIAL ADMINISTRATOR OF THE DECEASED LICENSE HOLDER MAY APPLY FOR AND OBTAIN ANY REFUND TO WHICH THE DECEASED LICENSE HOLDER WOULD HAVE BEEN ENTITLED IF THE LICENSE HAD BEEN SURRENDERED FOR CANCELLATION ON THE DATE OF THE LICENSE HOLDER'S DEATH IF:

(1) THE BUSINESS OF THE LICENSE HOLDER IS NOT CONTINUED UNDER § 3–802 OF THIS SUBTITLE; AND

(2) THE LICENSE IS NOT TRANSFERRED UNDER § 3–803 OF THIS SUBTITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10–506(a)(7).

In item (2) of this section, the former reference to the license being “assigned” is deleted as included in the reference to the license being “transferred”.

Defined terms: “License” § 1–101

“License holder” § 1–101

SUBTITLE 9. JUDICIAL REVIEW.

3–901. JUDICIAL REVIEW OF COMPTROLLER'S FINAL DECISION.

A PERSON AGGRIEVED BY A FINAL DECISION OF THE COMPTROLLER IN A CONTESTED CASE UNDER THIS TITLE MAY SEEK JUDICIAL REVIEW IN ACCORDANCE WITH THE ADMINISTRATIVE PROCEDURE ACT.

REVISOR'S NOTE: This section is new language added to state expressly what only was implied in Title 2 of former Art. 2B, which authorized the Comptroller to grant permits and issue manufacturer's and wholesaler's licenses to persons.

Defined terms: "Comptroller" § 1-101
"Person" § 1-101

TITLE 4. LOCAL LICENSING.

SUBTITLE 1. APPLICATIONS FOR LOCAL LICENSES.

4-101. SCOPE OF SUBTITLE.

SUBJECT TO DIVISION II OF THIS ARTICLE, THIS SUBTITLE APPLIES STATEWIDE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-104(a).

The reference to "this subtitle" is substituted for the narrower former reference to "a requirement", which referred only to those requirements in former Art. 2B, § 10-104, to conform to the organization of this revised article.

4-102. APPLICATIONS TO BE FILED WITH LOCAL LICENSING BOARD.

(A) IN GENERAL.

EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN APPLICATION FOR A LICENSE SHALL BE FILED WITH THE LOCAL LICENSING BOARD.

(B) LICENSE FOR BUSINESS THAT IS IN MORE THAN ONE JURISDICTION.

IF AN APPLICATION FOR A LICENSE IS FOR A BUSINESS THAT IS LOCATED IN MORE THAN ONE JURISDICTION:

(1) THE BUSINESS SHALL BE CONSIDERED TO BE ENTIRELY IN THE JURISDICTION WHERE THE MAJOR PORTION OF THE BUSINESS IS LOCATED; AND

(2) THE ALCOHOLIC BEVERAGE LAWS OF THE JURISDICTION WHERE THE MAJOR PORTION OF THE BUSINESS IS LOCATED GOVERN THE LICENSING, REGULATION, AND OPERATION OF THE ENTIRE BUSINESS.

(C) LICENSE FOR BUSINESS THAT IS EQUALLY IN MORE THAN ONE JURISDICTION.

(1) IF AN APPLICATION FOR A LICENSE IS FOR A BUSINESS THAT IS LOCATED EQUALLY IN MORE THAN ONE JURISDICTION:

(I) THE BUSINESS SHALL BE CONSIDERED TO BE ENTIRELY IN THE JURISDICTION IN WHICH THE LICENSE FEE IS HIGHEST; AND

(II) THE ALCOHOLIC BEVERAGE LAWS OF THE JURISDICTION WHERE THE LICENSE FEE IS HIGHEST GOVERN THE LICENSING, REGULATION, AND OPERATION OF THE ENTIRE BUSINESS.

(2) THE LOCAL COLLECTING AGENT THAT COLLECTS THE LICENSE FEE SHALL REMIT AN EQUAL PORTION OF THE FEE TO THE LOCAL COLLECTING AGENT IN EACH JURISDICTION WHERE THE BUSINESS IS LOCATED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 10-101(b), (c), and the second sentence of (a).

In this section, the references to a "jurisdiction" are substituted for the former references to a "county" so that the section will apply to the City of Annapolis.

In subsections (b) and (c) of this section, the former references to "a place of" business are deleted as surplusage.

Also in subsections (b) and (c) of this section, the former references to "the City of Baltimore" are deleted as included in the defined term "jurisdiction".

In subsection (c)(2) of this section, the former phrase "under this subsection" is deleted as surplusage.

Defined terms: "Alcoholic beverage" § 1-101

"Jurisdiction" § 1-101

"License" § 1-101

"Local collecting agent" § 1-101

"Local licensing board" § 1-101

4-103. APPLICATION ON BEHALF OF PARTNERSHIP.

(A) APPLICATION TO BE MADE BY ALL PARTNERS.

AN APPLICATION FOR A LICENSE FOR THE USE OF A PARTNERSHIP SHALL BE MADE BY AND THE LICENSE ISSUED TO ALL OF THE PARTNERS AS INDIVIDUALS.

(B) RESIDENCY REQUIREMENT FOR APPLICANTS.

EACH OF THE PARTNERS SHALL HAVE RESIDED IN THE COUNTY OR CITY WHERE THE BUSINESS IS LOCATED FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS FILED.

(C) NAMES AND ADDRESSES TO BE DISCLOSED.

THE APPLICATION FOR A LICENSE SHALL STATE THE NAME AND ADDRESS OF THE PARTNERSHIP AND THE NAME AND ADDRESS OF EACH APPLICANT.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 2B, § 9-101(a)(1) and the second sentence of (b)(2), as it related to partnerships.

In subsections (b) and (c) of this section, the word "each" is added for clarity.

The Alcoholic Beverages Article Review Committee notes, for consideration by the General Assembly, that in subsection (b) of this section, the requirement that each of the partners shall have been a resident in the county or city where the business is located for 2 years immediately before the filing of the application may violate the equal protection guarantees of the Fourteenth Amendment to the United States Constitution and Article 24 of the Maryland Declaration of Rights. Maryland courts look unfavorably on legislation that classify persons by geography, which may be accomplished by residency or registration requirements, if the primary purpose of the legislation is economic. *See Verzi v. Baltimore County*, 333 Md. 411 (1994).

Defined terms: "County" § 1-101
"License" § 1-101

4-104. APPLICATION ON BEHALF OF CORPORATION OR CLUB.

(A) SCOPE OF SECTION.

THIS SECTION APPLIES TO:

- (1) A CORPORATION; AND**
- (2) A CLUB, WHETHER INCORPORATED OR UNINCORPORATED.**

(B) THREE OFFICERS REQUIRED.

(1) EXCEPT AS PROVIDED IN SUBSECTIONS (C) AND (D) OF THIS SECTION, A LICENSE ON BEHALF OF A CORPORATION OR CLUB SHALL BE APPLIED FOR AND ISSUED TO THREE OFFICERS OF THE CORPORATION OR CLUB AS INDIVIDUALS.

(2) AT LEAST ONE OF THE THREE OFFICERS SHALL:

(I) HAVE BEEN A RESIDENT OF THE JURISDICTION OR MUNICIPALITY FOR AT LEAST 2 YEARS BEFORE THE APPLICATION IS FILED; AND

(II) BE A REGISTERED VOTER AND TAXPAYER OF THE JURISDICTION OR MUNICIPALITY WHEN THE APPLICATION IS FILED.

(C) CORPORATION WITH FEWER THAN THREE OFFICERS OR DIRECTORS.

IF A CORPORATION HAS FEWER THAN THREE OFFICERS OR DIRECTORS, ALL OFFICERS OR DIRECTORS SHALL APPLY FOR A LICENSE.

(D) CLOSE CORPORATION.

IN A CLOSE CORPORATION, AT LEAST ONE INDIVIDUAL STOCKHOLDER MAY APPLY FOR A LICENSE IF:

(1) THE CLOSE CORPORATION DOES NOT HAVE OFFICERS OR DIRECTORS; AND

(2) THERE IS AN AFFIRMATIVE VOTE OF A MAJORITY OF THE STOCKHOLDERS.

(E) CONTENTS OF APPLICATION.

AN APPLICATION FOR A CORPORATION OR A CLUB LICENSE SHALL INCLUDE:

(1) THE NAME AND ADDRESS OF EACH OFFICER;

(2) THE NAME AND ADDRESS OF THE CORPORATION OR CLUB; AND

(3) THE SIGNATURES OF THE PRESIDENT OR VICE PRESIDENT OF THE CORPORATION OR CLUB AND OF THE THREE OFFICERS TO WHOM THE LICENSE SHALL BE ISSUED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 2B, § 9–101(b)(6) and (7), as it related to a corporation or club, (2), and, except as it related to an application filed with the Comptroller, (1)(i).

Editor's Note:

Chapter 41, the Alcoholic Beverages Article, continues in the next volume.