

HOUSE BILL 898

P1, Q7
HB 89/23 – APP

4lr0893

By: **Delegates Acevero, Ivey, and Martinez**
Introduced and read first time: February 2, 2024
Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland People’s Fund – Establishment**

3 FOR the purpose of establishing the Maryland People’s Fund as a special, nonlapsing fund;
4 requiring interest earnings of the Fund to be credited to the Fund; requiring the
5 Comptroller to distribute a certain percentage of Maryland estate tax revenue to the
6 Fund; and generally relating to the Maryland People’s Fund.

7 BY repealing and reenacting, without amendments,
8 Article – State Finance and Procurement
9 Section 6–226(a)(2)(i)
10 Annotated Code of Maryland
11 (2021 Replacement Volume and 2023 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – State Finance and Procurement
14 Section 6–226(a)(2)(ii)189. and 190.
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2023 Supplement)

17 BY adding to
18 Article – State Finance and Procurement
19 Section 6–226(a)(2)(ii)191.
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2023 Supplement)

22 BY adding to
23 Article – State Government
24 Section 5–108
25 Annotated Code of Maryland
26 (2021 Replacement Volume and 2023 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 BY repealing and reenacting, with amendments,
2 Article – Tax – General
3 Section 2–801
4 Annotated Code of Maryland
5 (2022 Replacement Volume and 2023 Supplement)

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

8 **Article – State Finance and Procurement**

9 6–226.

10 (a) (2) (i) Notwithstanding any other provision of law, and unless
11 inconsistent with a federal law, grant agreement, or other federal requirement or with the
12 terms of a gift or settlement agreement, net interest on all State money allocated by the
13 State Treasurer under this section to special funds or accounts, and otherwise entitled to
14 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
15 Fund of the State.

16 (ii) The provisions of subparagraph (i) of this paragraph do not apply
17 to the following funds:

18 189. the Teacher Retention and Development Fund; [and]

19 190. the Protecting Against Hate Crimes Grant Fund; AND

20 **191. THE MARYLAND PEOPLE’S FUND.**

21 **Article – State Government**

22 **5–108.**

23 **(A) IN THIS SECTION, “FUND” MEANS THE MARYLAND PEOPLE’S FUND.**

24 **(B) THERE IS A MARYLAND PEOPLE’S FUND.**

25 **(C) THE STATE TREASURER SHALL ADMINISTER THE FUND.**

26 **(D) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**
27 **SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

28 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
29 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

1 **(E) THE FUND CONSISTS OF:**

2 **(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 2-801 OF THE**
3 **TAX – GENERAL ARTICLE;**

4 **(2) MONEY APPROPRIATED IN THE STATE BUDGET FOR THE FUND;**

5 **(3) INTEREST EARNINGS OF THE FUND; AND**

6 **(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR**
7 **THE BENEFIT OF THE FUND.**

8 **(F) THE FUND MAY NOT BE USED FOR ADMINISTRATIVE EXPENSES.**

9 **(G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**
10 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

11 **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**
12 **THE FUND.**

13 **(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
14 **WITH THE STATE BUDGET.**

15 **Article – Tax – General**

16 2-801.

17 **(A) THE COMPTROLLER SHALL DISTRIBUTE 25% OF THE MARYLAND**
18 **ESTATE TAX REVENUE TO THE MARYLAND PEOPLE’S FUND ESTABLISHED UNDER §**
19 **5-108 OF THE STATE GOVERNMENT ARTICLE.**

20 **(B) [The] AFTER MAKING THE DISTRIBUTION REQUIRED UNDER**
21 **SUBSECTION (A) OF THIS SECTION, THE** Comptroller shall distribute the **REMAINING**
22 **Maryland estate tax revenue to the General Fund of the State.**

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 January 1, 2025.