

SENATE BILL 110

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(PRE-FILED)

4lr0905
CF 4lr0906

By: **Senator Hershey**

Requested: October 10, 2023

Introduced and read first time: January 10, 2024

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **School Construction – Local Cost–Share – Alterations**

3 FOR the purpose of adding an adjustment to the local cost–share for school construction
4 projects for certain counties under certain circumstances; and generally relating to
5 the local cost–share for school construction projects.

6 BY repealing and reenacting, with amendments,

7 Article – Education

8 Section 5–303(k)

9 Annotated Code of Maryland

10 (2022 Replacement Volume and 2023 Supplement)

11 (As enacted by Chapter 32 of the Acts of the General Assembly of 2022)

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

14 **Article – Education**

15 5–303.

16 (k) (1) **(I)** A county is eligible for an adjustment to the local cost–share for
17 school construction projects under [paragraph (2)] **SUBPARAGRAPH (II)** of this
18 [subsection] **PARAGRAPH** if:

19 [(i)] **1.** A county’s median household income is in the bottom
20 quartile in the State; and

21 [(ii)] **2.** The State and local cost–share formula for the county is
22 50% State and 50% local.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 ~~[(2) (i)]~~ **(II) 1.** The local cost–share of a school construction project
 2 in a county that is eligible under ~~[paragraph (1)]~~ **SUBPARAGRAPH (I)** of this ~~[subsection]~~
 3 **PARAGRAPH** shall be reduced to equal the local cost–share of the adjacent county that is
 4 less than 50% but closest to 50%.

5 ~~[(ii)]~~ **2.** The State cost–share of a school construction project in the
 6 eligible county shall be increased by a percentage that is equal to the reduction under
 7 ~~[subparagraph (i) of this paragraph]~~ **SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.**

8 **(2) (I) A COUNTY IS ELIGIBLE FOR AN ADJUSTMENT TO THE LOCAL**
 9 **COST–SHARE FOR AN ELIGIBLE SCHOOL CONSTRUCTION PROJECT IN THE COUNTY**
 10 **UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH IF:**

11 **1. THE PERCENTAGE OF STUDENTS IN THE COUNTY**
 12 **ELIGIBLE FOR FREE OR REDUCED PRICE MEALS IS GREATER THAN THE STATEWIDE**
 13 **AVERAGE OF STUDENTS ELIGIBLE FOR FREE OR REDUCED PRICE MEALS;**

14 **2. ALL SCHOOLS IN THE COUNTY PARTICIPATE IN THE**
 15 **U.S. DEPARTMENT OF AGRICULTURE COMMUNITY ELIGIBILITY PROVISION;**

16 **3. THE STATE AND LOCAL COST–SHARE FORMULA FOR**
 17 **THE COUNTY IS 50% STATE AND 50% LOCAL; AND**

18 **4. THE ELIGIBLE PROJECT IS A SCHOOL THAT IS THE**
 19 **ONLY ELEMENTARY, MIDDLE, OR HIGH SCHOOL IN THE COUNTY.**

20 **(II) 1. THE LOCAL COST–SHARE OF A SCHOOL**
 21 **CONSTRUCTION PROJECT IN A COUNTY THAT IS ELIGIBLE UNDER SUBPARAGRAPH**
 22 **(I) OF THIS PARAGRAPH SHALL BE REDUCED TO EQUAL THE AVERAGE OF COUNTIES**
 23 **IN WHICH ALL SCHOOLS IN THE COUNTY PARTICIPATE IN THE U.S. DEPARTMENT OF**
 24 **AGRICULTURE COMMUNITY ELIGIBILITY PROVISION.**

25 **2. THE STATE COST–SHARE OF A SCHOOL**
 26 **CONSTRUCTION PROJECT IN THE ELIGIBLE COUNTY SHALL BE INCREASED BY A**
 27 **PERCENTAGE THAT IS EQUAL TO THE REDUCTION UNDER SUBSUBPARAGRAPH 1 OF**
 28 **THIS SUBPARAGRAPH.**

29 (3) A county shall receive:

30 (i) A 10 percentage point increase in the State share of a school
 31 construction project if the proposed school construction project, when a local school system
 32 submits a project for approval to the Interagency Commission, is at a school with a
 33 concentration of poverty level, as defined in § 5–223 of this title, of 80% or greater;

1 (ii) A 5 percentage point increase in the State share of a school
2 construction project if the proposed school construction project, when a local school system
3 submits a project for approval to the Interagency Commission, is at a school with a
4 concentration of poverty level, as defined in § 5–223 of this title, of less than 80% but greater
5 than 55%;

6 (iii) A 5 percentage point increase in the State share of a school
7 construction project if the proposed school construction project is at a school that, in the
8 most recent school maintenance effectiveness assessment by the Interagency Commission,
9 received an assessment rating of:

10 1. Good;

11 2. Superior; or

12 3. Adequate and the school's current school facility
13 assessment percent of expected useful life is at least 120%; and

14 (iv) A 5 percentage point increase in the State share of a school
15 construction project if the proposed project is to build a net-zero school.

16 (4) A county shall receive a 5 percentage point increase in the State share
17 of a school construction project if the proposed project is to build a net-zero school.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
19 1, 2024.