

Chapter 483

(House Bill 764)

AN ACT concerning

State Lottery Fund – Bus Rapid Transit Fund Distribution and Prince George’s County Blue Line Corridor Facility Fund – Alterations

FOR the purpose of repealing a certain limitation on the distribution of up to a certain amount of money from the State Lottery Fund to the Bus Rapid Transit Fund for certain bus rapid transit system grants; altering the circumstances for distributions from the Bus Rapid Transit Fund; adding an authorized use for the Prince George’s County Blue Line Corridor Facility Fund; altering distributions to the Prince George’s County Blue Line Corridor Facility Fund in certain fiscal years; requiring the Maryland Stadium Authority to submit a certain report, on or before a certain date, on certain activities in the Prince George’s County Blue Line Corridor; and generally relating to the State Lottery Fund and, the Bus Rapid Transit Fund, and the Prince George’s County Blue Line Corridor Facility Fund.

BY repealing and reenacting, with amendments,Article – Economic DevelopmentSection 10–657.6Annotated Code of Maryland(2018 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,

Article – State Government

Section 9–120

Annotated Code of Maryland

(2021 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 2–802

Annotated Code of Maryland

(2020 Replacement Volume and 2023 Supplement)

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

Article – Economic Development10–657.6.

(a) In this section, “Fund” means the Prince George’s County Blue Line Corridor Facility Fund.

(b) There is a Prince George's County Blue Line Corridor Facility Fund.

(c) The purpose of the Fund is to enable the Authority to:

(1) use the Fund as a revolving fund for implementing this subtitle as it relates to a Prince George's County Blue Line Corridor facility; and

(2) pay any expenses incurred by the Authority that are related to a Prince George's County Blue Line Corridor facility.

(d) The Authority shall administer the Fund.

(e) (1) The Fund is a continuing, nonlapsing fund that is not subject to reversion under § 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) (1) To the extent considered appropriate by the Authority, the receipts of the Fund shall be pledged to and charged with the following related to a Prince George's County Blue Line Corridor facility:

(i) payment of debt service on Authority bonds;

(ii) all reasonable charges and expenses related to the Authority's borrowing; and

(iii) the management of the Authority's obligations.

(2) The pledge shall be effective in the same manner as provided in § 10-634 of this subtitle.

(g) The Fund consists of:

(1) money distributed to the Fund under § 9-120(b)(1)(xi) of the State Government Article;

(2) money appropriated for deposit in the Fund;

(3) proceeds from the sale of bonds concerning a Prince George's County Blue Line Corridor facility;

(4) revenues collected or received from any source under this subtitle related to a Prince George's County Blue Line Corridor facility;

(5) any interest earnings of the Fund; and

(6) any additional money made available from any source for the purposes established for the Fund.

(H) THE AUTHORITY SHALL PAY FROM THE FUND ANY AND ALL EXPENSES THAT ARE INCURRED BY THE AUTHORITY, OR OTHERWISE SPECIFICALLY APPROVED BY THE AUTHORITY, RELATING TO PRINCE GEORGE'S COUNTY BLUE LINE CORRIDOR FACILITIES.

[(h)] (I) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State funds.

(2) Any interest earnings shall be credited to the Fund.

Article – State Government

9–120.

(a) The Comptroller shall distribute, or cause to be distributed, the State Lottery Fund to pay:

(1) on a pro rata basis for the daily and nondaily State lottery games, the expenses of administering and operating the State lottery, as authorized under this subtitle and the State budget; and

(2) then, except as provided in § 10–113.1 of the Family Law Article, § 11–618 of the Criminal Procedure Article, and § 3–307 of the State Finance and Procurement Article, the holder of each winning ticket or share.

(b) (1) By the end of the month following collection, the Comptroller shall deposit, cause to be deposited, or pay:

(i) 1. After June 30, 2023, but not later than June 30, 2026, into the Maryland Stadium Facilities Fund established under § 7–312 of the State Finance and Procurement Article from the money that remains in the State Lottery Fund, after the distribution under subsection (a) of this section, an amount not to exceed \$14,200,000 in each fiscal year;

2. after June 30, 2023, but not later than June 30, 2026, from the money that remains in the State Lottery Fund after the distribution under subsection (a) of this section, an amount for each fiscal year not to exceed:

A. \$34,900,000 into the Camden Yards Football Sports Facility Supplemental Financing Fund established under § 10–652.1 of the Economic Development Article; and

B. \$40,900,000 into the Camden Yards Baseball Sports Facility Supplemental Financing Fund established under § 10–652.2 of the Economic Development Article;

3. after June 30, 2026, but not later than June 30, 2039, into the Maryland Stadium Facilities Fund established under § 7–312 of the State Finance and Procurement Article from the money that remains in the State Lottery Fund, after the distribution under subsection (a) of this section, an amount not to exceed \$3,360,000 in each fiscal year;

4. after June 30, 2026, but not later than June 30, 2039, from the money that remains in the State Lottery Fund after the distribution under subsection (a) of this section, an amount for each fiscal year not to exceed:

A. \$45,000,000 into the Camden Yards Football Sports Facility Supplemental Financing Fund established under § 10–652.1 of the Economic Development Article; and

B. \$41,640,000 into the Camden Yards Baseball Sports Facility Supplemental Financing Fund established under § 10–652.2 of the Economic Development Article; and

5. after June 30, 2039, from the money that remains in the State Lottery Fund after the distribution under subsection (a) of this section, an amount for each fiscal year not to exceed:

A. \$45,000,000 into the Camden Yards Football Sports Facility Supplemental Financing Fund established under § 10–652.1 of the Economic Development Article; and

B. \$45,000,000 into the Camden Yards Baseball Sports Facility Supplemental Financing Fund established under § 10–652.2 of the Economic Development Article;

(ii) after June 30, 2014, into the Maryland Veterans Trust Fund 10% of the money that remains in the State Lottery Fund from the proceeds of sales of tickets from instant ticket lottery machines by veterans' organizations under § 9–112(d) of this subtitle, after the distribution under subsection (a) of this section;

(iii) after June 30, 2014, into the Baltimore City Public School Construction Financing Fund established under § 10–656 of the Economic Development Article the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) and (ii) of this paragraph, an amount equal to \$20,000,000 in each fiscal year that bonds are outstanding

and unpaid, to be paid in two installments with at least \$10,000,000 paid no later than December 1 of each fiscal year;

(iv) after June 30, 2021, into the Racing and Community Development Financing Fund established under § 10–657.2 of the Economic Development Article from the money that remains in the State Lottery Fund, after the distribution under subsection (a) of this section, an amount equal to \$17,000,000 in each fiscal year until the bonds issued for a racing facility have matured;

(v) after June 30, 2020, into the Michael Erin Busch Sports Fund established under § 10–612.2 of the Economic Development Article from the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) through (iv) of this paragraph, an amount equal to \$1,000,000 in each fiscal year;

(vi) after June 30, 2021, a grant to the Maryland Humanities Council for Maryland History Day and other programming from the money that remains in the State Lottery Fund after the distributions under subsection (a) of this section and items (i) through (v) of this paragraph, an amount equal to \$150,000 in each fiscal year;

(vii) after June 30, 2021, to Anne Arundel County or Baltimore City each fiscal year the amount required to be distributed under § 9–1A–31(a)(7)(ii) of this title to be used as required under § 9–1A–31 of this title;

(viii) after June 30, 2022, into the Maggie McIntosh School Arts Fund established under § 5–243 of the Education Article from the money that remains in the State Lottery Fund from the proceeds of all other lotteries after the distributions under subsection (a) of this section and items (i) through (vii) of this paragraph, an amount equal to \$250,000 in each fiscal year;

(ix) after June 1, 2022, to the Sports Entertainment Facilities Financing Fund established under § 10–657.5 of the Economic Development Article from the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) through (viii) of this paragraph, an amount not to exceed \$25,000,000 to be paid in two installments not later than November 1 and June 1 of each fiscal year;

(x) after June 30, 2022, to the Major Sports and Entertainment Event Program Fund established under § 10–611.2 of the Economic Development Article from the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) through (ix) of this paragraph:

1. for fiscal year 2023, an amount equal to \$10,000,000; and

2. for each fiscal year thereafter, the amount necessary to restore the Major Sports and Entertainment Event Program Fund to a balance of \$10,000,000;

(xi) [if a deposit or payment is made under item (i)2 through 5 of this paragraph, an amount equal to the total deposit or payment under item (i)2 through 5 of this paragraph, but not exceeding \$27,000,000, into] **AFTER JUNE 30, 2024, INTO** the Bus Rapid Transit Fund established under § 2–802.1 of the Transportation Article for bus rapid transit system grants in accordance with § 2–802 of the Transportation Article from the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) through (x) of this paragraph, **AN AMOUNT EQUAL TO \$27,000,000 IN EACH FISCAL YEAR;**

(xii) ~~1. NOT LATER THAN JUNE 30, 2024, INTO THE PRINCE GEORGE'S COUNTY BLUE LINE CORRIDOR FACILITY FUND ESTABLISHED UNDER § 10-657.6 OF THE ECONOMIC DEVELOPMENT ARTICLE FROM THE MONEY THAT REMAINS IN THE STATE LOTTERY FUND FROM THE PROCEEDS OF ALL LOTTERIES AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND ITEMS (I) THROUGH (XI) OF THIS PARAGRAPH, AN AMOUNT NOT LESS THAN \$18,207,162; AND~~

~~2. after June 30, 2023 2024, into the Prince George's County Blue Line Corridor Facility Fund established under § 10–657.6 of the Economic Development Article from the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) through (xi) of this paragraph, an amount not to exceed \$27,000,000 to be paid in two installments not later than November 1 and June 1 of each fiscal year; and~~

(xiii) into the General Fund of the State the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) through (xii) of this paragraph.

(2) The money paid into the General Fund under this subsection is available in the fiscal year in which the money accumulates in the State Lottery Fund.

(c) The regulations of the Agency shall apportion the money in the State Lottery Fund in accordance with subsection (b) of this section.

Article – Transportation

2–802.

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

(2) “Bus rapid transit system” means a bus line that operates on at least some portion of roadway dedicated to buses and offers off-board fare collection or another form of high efficiency fare collection if a fare is charged.

(3) “Eligible grantee” means a county or municipal corporation that has:

(i) A bus rapid transit system that operates in the county or municipal corporation; and

(ii) No ongoing or completed facility, as that term is defined in § 10-601(s)(1), (4), (8), (9), or (10) of the Economic Development Article.

(b) (1) Subject to paragraph (2) of this subsection, ~~if~~ **WHEN** a deposit or payment is made in accordance with [~~§ 9-120(b)(1)(i)2 through 5~~] **§ 9-120(B)(1)(XI)** of the State Government Article into the ~~Maryland Stadium Authority Facilities~~ **BUS RAPID TRANSIT** Fund established under ~~§ 7-312 § 2-802.1~~ of the State Finance and Procurement Article **THIS SUBTITLE**, and there is only one eligible grantee, then the Department shall award a grant to the eligible grantee equal to the amount distributed to the Department under § 9-120(b)(1)(xi) of the State Government Article.

(2) (i) If there are two eligible grantees, and one eligible grantee is Montgomery County, the Department shall distribute \$20,000,000 to Montgomery County and the remaining amount of the deposit or payment under § 9-120(b)(1)(xi) of the State Government Article to the remaining eligible grantee.

(ii) If more than three counties or municipal corporations are eligible grantees, and one eligible grantee is Montgomery County, then the Department shall distribute:

1. Not less than \$20,000,000 to Montgomery County if Montgomery County remains an eligible county; and

2. The total remaining amount of the deposit or payment under § 9-120(b)(1)(xi) of the State Government Article to the remaining eligible grantees based on each eligible grantee’s pro rata share of the statewide population.

(iii) If Montgomery County is not an eligible grantee, and more than one county or municipal corporation are eligible grantees, then the Department shall distribute the total amount of the deposit payment under § 9-120(b)(1)(xi) of the State Government Article to the eligible grantees based on each eligible grantee’s pro rata share of the statewide population.

(3) (i) Eligible grantees receiving funds in accordance with this subsection and § 2-802.1 of this subtitle may use the grant funds for the:

1. Financing and refinancing of the costs related to the construction, acquisition, improvement, equipping, rehabilitation, and expansion of bus rapid transit system projects;
2. Payment of debt service on bonds issued to finance bus rapid transit system projects;
3. Payment of all reasonable expenses and charges related to bond issuance and borrowing; and
4. Payment of costs relating to the management and operation of bus rapid transit system projects.

(ii) If an eligible grantee uses funds under this section for the payment of debt service on bonds issued to finance bus rapid transit system projects, the eligible grantee shall issue bonds in accordance with an ordinance or resolution which may specify all matters relating to the advertisement, sale, issuance, delivery, and payment of the bonds, including:

1. The forms, dates, and denominations of the bonds;
2. The principal maturities;
3. The methods to be used in determining interest payable on the bonds; and
4. Any provisions for registration, redemption before stated maturity, or the use of facsimile signatures or seals.

(c) The Department:

- (1) Shall distribute grants under this section to eligible grantees in a timely manner; and
- (2) May not impose any additional conditions on an eligible grantee on receipt of a grant under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) On or before December 15, 2024, the Maryland Stadium Authority shall submit to the House Appropriations Committee and the Senate Budget and Taxation Committee, in accordance with § 2–1257 of the State Government Article, a report on:

(1) all public and private development activities currently under construction or in the development process in the Prince George’s County Blue Line Corridor for the next 30 years; and

(2) input from the representatives listed in subsection (b) of this section on the future of the Prince George's County Blue Line Corridor, including future projects and opportunities to leverage federal, State, and local funding.

(b) In completing the report under subsection (a) of this section, the Maryland Stadium Authority shall consult and meaningfully engage with:

- (1) the members of the 24th legislative district;
- (2) the Department of Housing and Community Development;
- (3) the Maryland Department of Transportation;
- (4) the Prince George's County Planning Commission;
- (5) the Prince George's County Chamber of Commerce;
- (6) the University of Maryland Capital Region Medical Center;
- (7) the Prince George's County government; and
- (8) the Blue Line Corridor Coalition.

SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2024.

Approved by the Governor, May 9, 2024.