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**By: Senator Hollinger**

Introduced and read first time: January 30, 1996

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Nursing - Distribution of Fees**

3 FOR the purpose of altering a certain provision of law that provides for the distribution  
4 of certain fees received from the State Board of Nursing; clarifying certain  
5 language; providing for a delayed effective date; and generally relating to the  
6 distribution of fees received from the State Board of Nursing by the Comptroller of  
7 the State to the Board of Nursing Fund.

8 BY repealing and reenacting, with amendments,  
9 Article - Health Occupations  
10 Section 8-206  
11 Annotated Code of Maryland  
12 (1994 Replacement Volume and 1995 Supplement)

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

15 **Article - Health Occupations**

16 8-206.

17 (a) There is a Board of Nursing Fund.

18 (b) (1) The Board may set reasonable fees for the issuance and renewal of  
19 licenses and its other services.

20 (2) The fees charged shall be set so as to produce funds to approximate the  
21 cost of maintaining the Board [and contributing to the General Fund of the State] as  
22 provided in subsection [(d)] (E) of this section.

23 (c) The Board shall publish in its rules and regulations the fees that it sets.

24 (d) (1) The Board shall pay all fees collected under the provisions of this title to  
25 the Comptroller of the State.

26 (2) The Comptroller shall distribute[:

27 (i) 20 percent of the fees received from the Board to the General  
28 Fund of the State; and

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1 (ii) The balance of the fees] THE FEES RECEIVED FROM THE  
2 BOARD to the Board of Nursing FUND.

3 (e) (1) The BOARD OF NURSING Fund shall be used exclusively to cover the  
4 actual documented direct and indirect costs of fulfilling the statutory and regulatory  
5 duties of the Board as provided by the provisions of this title.

6 (2) (i) The BOARD OF NURSING Fund is a continuing, nonlapsing fund,  
7 not subject to § 7-302 of the State Finance and Procurement Article.

8 (ii) Any unspent portions of the BOARD OF NURSING Fund may not  
9 be transferred or revert to the General Fund of the State, but shall remain in the BOARD  
10 OF NURSING Fund to be used for the purposes specified in this title.

11 (3) No other State money may be used to support the BOARD OF NURSING  
12 Fund.

13 (f) (1) The Chairman of the Board or the designee of the Chairman shall  
14 administer the BOARD OF NURSING Fund.

15 (2) Moneys in the BOARD OF NURSING Fund may be expended only for any  
16 lawful purpose authorized by the provisions of this title.

17 (g) The Legislative Auditor shall audit the accounts and transactions of the  
18 BOARD OF NURSING Fund as provided in § 2-1215 of the State Government Article.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
20 October 1, 1997.