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By: **Delegates Goldwater, Taylor, and Pitkin**  
Introduced and read first time: January 26, 2000  
Assigned to: Economic Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Cultural Arts Districts Authority**

3 FOR the purpose of establishing the Maryland Cultural Arts Districts Authority as an  
4 independent unit of State government to assist and enhance the development of  
5 the cultural arts in Maryland; defining certain terms; providing for the  
6 appointment, terms of office, and compensation of the members of the Authority;  
7 providing for the powers of the Authority; establishing the powers of the  
8 Authority; requiring the Authority to perform certain functions; authorizing the  
9 Authority to award certain grants and loans; establishing a Maryland Cultural  
10 Arts Districts Authority Financing Fund; authorizing the Authority to issue  
11 bonds to support a certified cultural arts district; establishing an appeals  
12 process for aggrieved persons under this Act; and generally relating to the  
13 Maryland Cultural Arts Districts Authority and cultural arts districts.

14 BY adding to  
15 Article - Financial Institutions  
16 Section 13-1201 through 13-1224, inclusive, to be under the new subtitle  
17 "Subtitle 12. Cultural Arts Districts"  
18 Annotated Code of Maryland  
19 (1998 Replacement Volume and 1999 Supplement)

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

22 **Article - Financial Institutions**

23 **SUBTITLE 12. CULTURAL ARTS DISTRICTS.**

24 **PART I. DEFINITIONS; GENERAL PROVISIONS.**

25 13-1201.

26 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
27 INDICATED.

1 (B) "AUTHORITY" MEANS THE MARYLAND CULTURAL ARTS DISTRICTS  
2 AUTHORITY ESTABLISHED UNDER § 13-1203 OF THIS SUBTITLE.

3 (C) "BONDS" MEANS REVENUE BONDS, INCLUDING REFUNDING BONDS OR  
4 REVENUE ANTICIPATION NOTES, ISSUED BY THE AUTHORITY.

5 (D) "CERTIFIED CULTURAL ARTS DISTRICT" MEANS A CULTURAL ARTS  
6 DISTRICT DESIGNATED IN ACCORDANCE WITH § 13-1211 OF THIS SUBTITLE.

7 (E) "FUND" MEANS THE MARYLAND CULTURAL ARTS DISTRICTS AUTHORITY  
8 FINANCING FUND ESTABLISHED UNDER § 13-1214 OF THIS SUBTITLE.

9 (F) "CULTURAL ARTS DISTRICT" MEANS A DEVELOPED DISTRICT OF PUBLIC  
10 AND PRIVATE USES THAT:

11 (1) RANGES IN SIZE FROM A PORTION OF A COUNTY OR MUNICIPAL  
12 CORPORATION TO A REGIONAL DISTRICT WITH A SPECIAL COHERENCE;

13 (2) IS DISTINGUISHED BY PHYSICAL AND CULTURAL RESOURCES  
14 WHICH HAVE PLAYED A VITAL ROLE IN THE LIFE AND DEVELOPMENT OF THE  
15 COMMUNITY AND CONTRIBUTE TO THE PUBLIC THROUGH INTERPRETIVE,  
16 EDUCATIONAL, AND RECREATIONAL USE; AND

17 (3) IS COMPOSED OF CONTIGUOUS OR NONCONTIGUOUS GEOGRAPHIC  
18 AREAS.

19 (G) (1) "LOCAL PLAN" MEANS THE POLICIES, STATEMENTS, GOALS, AND  
20 INTERRELATED PLANS FOR PRIVATE AND PUBLIC LAND USE, TRANSPORTATION, AND  
21 COMMUNITY FACILITIES DOCUMENTED IN TEXTS AND MAPS WHICH CONSTITUTE  
22 THE GUIDE FOR THE DISTRICT'S FUTURE DEVELOPMENT.

23 (2) "LOCAL PLAN" INCLUDES A GENERAL PLAN, MASTER PLAN,  
24 COMPREHENSIVE PLAN, COMMUNITY PLAN, AND THE LIKE AS ADOPTED IN  
25 ACCORDANCE WITH ARTICLE 66B, §§ 3.01 THROUGH 3.09.

26 (H) "MANAGEMENT PLAN" MEANS A DOCUMENT PREPARED IN ACCORDANCE  
27 WITH § 13-1211 OF THIS SUBTITLE THAT INCLUDES A COMPREHENSIVE STATEMENT  
28 IN WORDS, MAPS, ILLUSTRATIONS, OR OTHER MEDIA OF COMMUNICATION OF THE  
29 OBJECTIVES, POLICIES, AND STANDARDS TO GUIDE PUBLIC AND PRIVATE ACTION  
30 FOR THE DEVELOPMENT AND USE OF THE CULTURAL RESOURCES OF A CERTIFIED  
31 CULTURAL ARTS DISTRICT.

32 (I) "RECOGNIZED CULTURAL ARTS DISTRICT" MEANS A CULTURAL ARTS  
33 DISTRICT THAT:

34 (1) THE LOCAL JURISDICTIONS WITHIN THE CULTURAL ARTS DISTRICT  
35 HAVE NOMINATED FOR DESIGNATION AS A RECOGNIZED CULTURAL ARTS DISTRICT  
36 UNDER § 13-1210 OF THIS SUBTITLE; AND

1 (2) THE AUTHORITY HAS DESIGNATED AS ELIGIBLE TO APPLY FOR  
2 DESIGNATION AS A CERTIFIED CULTURAL ARTS DISTRICT UNDER § 13-1211 OF THIS  
3 SUBTITLE.

4 13-1202.

5 THIS SUBTITLE:

6 (1) SHALL BE LIBERALLY CONSTRUED TO EFFECT ITS PURPOSES; AND

7 (2) SHALL BE CONSTRUED CONSISTENTLY WITH ANY APPLICABLE  
8 FEDERAL LAW OR WITH THE AUTHORITY OF ANY FEDERAL AGENCY UNDER THAT  
9 LAW.

10 PART II. MARYLAND CULTURAL ARTS DISTRICTS AUTHORITY.

11 13-1203.

12 (A) THERE IS A MARYLAND CULTURAL ARTS DISTRICTS AUTHORITY,  
13 ESTABLISHED AS:

14 (1) A BODY CORPORATE AND POLITIC; AND

15 (2) AN INSTRUMENTALITY OF THE STATE.

16 (B) THE AUTHORITY IS AN INDEPENDENT UNIT OF GOVERNMENT IN THE  
17 EXECUTIVE BRANCH OF GOVERNMENT THAT OPERATES IN THE DEPARTMENT OF  
18 BUSINESS AND ECONOMIC DEVELOPMENT.

19 (C) THE EXERCISE BY THE AUTHORITY OF THE POWERS CONFERRED BY THIS  
20 SUBTITLE IS THE PERFORMANCE OF AN ESSENTIAL PUBLIC FUNCTION.

21 13-1204.

22 (A) THE AUTHORITY CONSISTS OF:

23 (1) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT, WHO  
24 SHALL SERVE AS CHAIRMAN OF THE AUTHORITY;

25 (2) THE SECRETARY OF HOUSING AND COMMUNITY DEVELOPMENT;

26 (3) THE SECRETARY OF HIGHER EDUCATION;

27 (4) THE DIRECTOR OF THE OFFICE OF PLANNING;

28 (5) THE EXECUTIVE DIRECTOR OF THE STATE ARTS COUNCIL; AND

29 (6) TEN MEMBERS APPOINTED BY THE GOVERNOR WITH THE ADVICE  
30 AND CONSENT OF THE SENATE:

1 (I) TWO OF WHOM SHALL BE ELECTED OFFICIALS OR  
2 REPRESENTATIVES OF LOCAL JURISDICTIONS;

3 (II) TWO OF WHOM SHALL BE APPOINTED FROM NAMES  
4 RECOMMENDED BY THE PRESIDENT OF THE SENATE OF MARYLAND;

5 (III) TWO OF WHOM SHALL BE APPOINTED FROM NAMES  
6 RECOMMENDED BY THE SPEAKER OF THE HOUSE OF DELEGATES;

7 (IV) ONE OF WHOM IS A PUBLIC MEMBER OF THE STATE ARTS  
8 COUNCIL;

9 (V) ONE OF WHOM IS A PUBLIC MEMBER OF THE MARYLAND  
10 TOURISM DEVELOPMENT BOARD;

11 (VI) ONE OF WHOM IS A MEMBER OF THE PUBLIC WHO HAS  
12 SIGNIFICANT EDUCATION OR EXPERIENCE IN THE CULTURAL ARTS; AND

13 (VII) ONE OF WHOM IS A MEMBER OF THE PUBLIC WHO HAS  
14 SIGNIFICANT EDUCATION OR EXPERIENCE IN CULTURAL ARTS TOURISM.

15 (B) OF THE ELECTED OFFICIALS OR REPRESENTATIVES FROM LOCAL  
16 JURISDICTIONS, THE GOVERNOR SHALL APPOINT:

17 (1) ONE ELECTED OFFICIAL OR REPRESENTATIVE FROM A LIST  
18 SUBMITTED BY THE MARYLAND ASSOCIATION OF COUNTIES; AND

19 (2) ONE ELECTED OFFICIAL OR REPRESENTATIVE FROM A LIST  
20 SUBMITTED BY THE MARYLAND MUNICIPAL LEAGUE.

21 (C) THE MEMBERS APPOINTED TO THE AUTHORITY SHALL REPRESENT THE  
22 GENDER, RACIAL, AND GEOGRAPHIC MAKEUP OF THE STATE.

23 (D) A CABINET MEMBER OF THE AUTHORITY MAY DESIGNATE A  
24 REPRESENTATIVE TO ACT IN THE ABSENCE OF THE CABINET MEMBER.

25 (E) (1) EXCEPT FOR STATE OFFICIALS, THE TERM OF A MEMBER OF THE  
26 AUTHORITY IS 4 YEARS.

27 (2) THE TERMS OF MEMBERS APPOINTED BY THE GOVERNOR ARE  
28 STAGGERED AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS ON OCTOBER 1,  
29 2000.

30 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A  
31 SUCCESSOR IS APPOINTED AND QUALIFIES.

32 (4) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN SERVES  
33 ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS APPOINTED AND  
34 QUALIFIES.

1 (5) AT THE END OF A TERM OF A MEMBER OR ON THE RESIGNATION OR  
2 REMOVAL OF A MEMBER, THE GOVERNOR SHALL APPOINT A MEMBER TO THE  
3 AUTHORITY WITH THE ADVICE AND CONSENT OF THE SENATE.

4 (F) THE GOVERNOR MAY REMOVE A MEMBER THAT THE GOVERNOR  
5 APPOINTED FOR INCOMPETENCE, MISCONDUCT, OR FAILURE TO PERFORM THE  
6 DUTIES OF THE POSITION.

7 13-1205.

8 (A) EIGHT VOTING MEMBERS OF THE AUTHORITY ARE A QUORUM.

9 (B) AN ACTION OF THE AUTHORITY MUST RECEIVE THE AFFIRMATIVE VOTE  
10 OF AT LEAST EIGHT OF THE VOTING MEMBERS OF THE AUTHORITY.

11 (C) THE AUTHORITY SHALL DETERMINE THE TIMES AND PLACES OF ITS  
12 MEETINGS.

13 (D) A MEMBER OF THE AUTHORITY:

14 (1) MAY NOT RECEIVE COMPENSATION; BUT

15 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE  
16 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

17 13-1206.

18 (A) IN ACCORDANCE WITH THE STATE BUDGET, THE DIVISION OF TOURISM  
19 DEVELOPMENT WITHIN THE DEPARTMENT OF BUSINESS AND ECONOMIC  
20 DEVELOPMENT SHALL DEDICATE ADMINISTRATIVE STAFF FOR THE AUTHORITY.

21 (B) (1) AS THE AUTHORITY CONSIDERS APPROPRIATE, THE AUTHORITY MAY  
22 REQUEST OTHER UNITS OF STATE GOVERNMENT TO DETAIL STAFF OR PROVIDE  
23 TECHNICAL ASSISTANCE TO RECOGNIZED AND CERTIFIED CULTURAL ARTS  
24 DISTRICTS.

25 (2) ON REQUEST OF THE AUTHORITY, OTHER UNITS OF STATE  
26 GOVERNMENT MAY DETAIL STAFF OR TECHNICAL ASSISTANCE TO SPECIFIC  
27 RECOGNIZED OR CERTIFIED CULTURAL ARTS DISTRICTS.

28 13-1207.

29 IN ADDITION TO THE POWERS SET FORTH ELSEWHERE IN THIS SUBTITLE, THE  
30 AUTHORITY MAY:

31 (1) RECOGNIZE CULTURAL ARTS DISTRICTS IN ACCORDANCE WITH §  
32 13-1210 OF THIS SUBTITLE AND CERTIFY RECOGNIZED CULTURAL ARTS DISTRICTS IN  
33 ACCORDANCE WITH § 13-1211 OF THIS SUBTITLE;

34 (2) APPROVE OR REJECT MANAGEMENT PLANS FOR CERTIFIED  
35 CULTURAL ARTS DISTRICTS IN ACCORDANCE WITH § 13-1211 OF THIS SUBTITLE;

1 (3) ADOPT AND ALTER AN OFFICIAL SEAL;

2 (4) SUE AND BE SUED AND PLEAD AND BE IMPEADED;

3 (5) ADOPT BYLAWS TO REGULATE ITS AFFAIRS AND THE CONDUCT OF  
4 ITS BUSINESS;

5 (6) IN ACCORDANCE WITH TITLE 10, SUBTITLE 1 OF THE STATE  
6 GOVERNMENT ARTICLE, ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF  
7 THIS SUBTITLE;

8 (7) EMPLOY, EITHER AS REGULAR EMPLOYEES OR AS INDEPENDENT  
9 CONTRACTORS, AND FIX THE COMPENSATION OF, ACCOUNTANTS, ARCHITECTS,  
10 ATTORNEYS, CONSTRUCTION EXPERTS, PERSONNEL CONSULTANTS, ENGINEERS,  
11 FINANCIAL EXPERTS, MANAGERS, SUPERINTENDENTS, AND OTHER PROFESSIONAL  
12 PERSONNEL AND AGENTS;

13 (8) APPOINT ADVISORY COMMITTEES COMPOSED OF LOCAL OFFICIALS,  
14 REPRESENTATIVES OF THE BUSINESS AND PRESERVATION COMMUNITIES, AND  
15 REPRESENTATIVES OF OTHER INTERESTS AS THE AUTHORITY DEEMS APPROPRIATE;

16 (9) SUBJECT TO ANNUAL APPROPRIATIONS, ACQUIRE IN ITS OWN NAME,  
17 BY GIFT OR PURCHASE, ANY PERSONAL PROPERTY OR INTERESTS IN PERSONAL  
18 PROPERTY NECESSARY OR CONVENIENT TO SUPPORT A CERTIFIED CULTURAL ARTS  
19 DISTRICT AND CARRY OUT THE RESPONSIBILITIES OF THE AUTHORITY UNDER THIS  
20 SUBTITLE;

21 (10) SUBJECT TO ANNUAL APPROPRIATION AND TO THE PRIOR APPROVAL  
22 OF THE BOARD OF PUBLIC WORKS, ACQUIRE IN ITS OWN NAME, BY GIFT OR  
23 PURCHASE, ANY REAL PROPERTY OR INTERESTS IN REAL PROPERTY NECESSARY OR  
24 CONVENIENT TO SUPPORT A CERTIFIED CULTURAL ARTS DISTRICT AND CARRY OUT  
25 THE RESPONSIBILITIES OF THE AUTHORITY UNDER THIS SUBTITLE;

26 (11) ENTER INTO CONTRACTS OF ANY KIND AND EXECUTE ALL  
27 INSTRUMENTS NECESSARY OR CONVENIENT TO CARRY OUT ITS POWERS UNDER  
28 THIS SUBTITLE;

29 (12) MAKE AND PARTICIPATE IN MAKING LOANS OR GRANTS, OR  
30 OTHERWISE PROVIDE FINANCIAL ASSISTANCE FOR ANY PROJECT THAT SERVES TO  
31 PRESERVE, DEVELOP, MAINTAIN, OR PROTECT A STATE DESIGNATED CULTURAL  
32 ARTS DISTRICT;

33 (13) (I) BORROW MONEY FROM ANY SOURCE FOR ANY PURPOSE OF  
34 THIS SUBTITLE, INCLUDING CAPITAL FOR ITS OPERATIONS, RESERVE FUNDS, OR  
35 INTEREST;

36 (II) MORTGAGE, PLEDGE, OR OTHERWISE ENCUMBER THE  
37 PROPERTY AND FUNDS OF THE AUTHORITY; AND

1 (III) CONTRACT WITH OR ENGAGE THE SERVICES OF ANY PERSON  
2 FOR ANY FINANCING, INCLUDING UNDERWRITERS, PLACEMENT AGENTS, FINANCIAL  
3 INSTITUTIONS, ISSUERS OF LETTERS OF CREDIT, OR INSURERS;

4 (14) SUBJECT TO PART IV OF THIS SUBTITLE, ISSUE BONDS;

5 (15) RECEIVE AND ACCEPT FROM ANY PUBLIC OR PRIVATE SOURCE  
6 CONTRIBUTIONS, GIFTS, OR GRANTS OF MONEY OR PROPERTY;

7 (16) EXERCISE ALL THE CORPORATE POWERS GRANTED MARYLAND  
8 CORPORATIONS UNDER THE MARYLAND GENERAL CORPORATION LAW; AND

9 (17) SUBJECT TO THE LIMITATIONS UNDER THIS SUBTITLE, DO ALL  
10 THINGS NECESSARY OR CONVENIENT TO CARRY OUT THE POWERS GRANTED BY THIS  
11 SUBTITLE.

12 13-1208.

13 THE AUTHORITY SHALL:

14 (1) MEET AT LEAST TWICE EACH YEAR;

15 (2) DEVELOP AND ADOPT STANDARDS, CRITERIA, AND GUIDANCE FOR  
16 ITS REVIEW AND APPROVAL OF RECOGNIZED AND CERTIFIED CULTURAL ARTS  
17 DISTRICTS DESIGNATIONS, MANAGEMENT PLANS, GRANTS AND LOANS, OR OTHER  
18 APPROVALS REQUIRED UNDER THIS SUBTITLE;

19 (3) ASSIST IN COORDINATING STATE ACTIONS WITH THE OBJECTIVES  
20 OF THE SYSTEM OF CULTURAL ARTS DISTRICTS AND ASSIST AND MAKE  
21 RECOMMENDATIONS NECESSARY TO CARRY OUT THE PURPOSES OF THIS SUBTITLE;

22 (4) (I) REVIEW COMPLAINTS MADE BY LOCAL GOVERNMENTS OR  
23 OTHER ENTITIES ESTABLISHED TO ADMINISTER CULTURAL ARTS DISTRICTS THAT  
24 RELATE ACTIVITIES UNDERTAKEN BY STATE AGENCIES WHICH MAY ADVERSELY  
25 AFFECT CULTURAL ARTS DISTRICT RESOURCES; AND

26 (II) RESOLVE ANY DISPUTES THAT MAY ARISE IN CONNECTION  
27 WITH THE EXERCISE OF ITS AUTHORITY UNDER THIS SUBTITLE; AND

28 (5) NOT LESS THAN ONCE A YEAR, SUBMIT REPORTS TO THE GOVERNOR  
29 AND THE GENERAL ASSEMBLY CONCERNING PROGRESS TOWARD IMPLEMENTING  
30 THE CULTURAL ARTS DISTRICTS SYSTEM, INCLUDING RECOMMENDATIONS FOR THE  
31 FUTURE.

32 PART III. MARYLAND SYSTEM OF RECOGNIZED CULTURAL ARTS DISTRICTS.

33 13-1209.

34 THERE IS A MARYLAND SYSTEM OF RECOGNIZED CULTURAL ARTS DISTRICTS  
35 AND CERTIFIED CULTURAL ARTS DISTRICTS THAT:

1 (1) REFLECTS THE THEMES OF THE STATE'S DIVERSE CULTURE;

2 (2) RECOGNIZES THE VALUABLE CONTRIBUTIONS THE CULTURAL ARTS  
3 MAKE TO THE STATE; AND

4 (3) PROVIDES EDUCATIONAL, INSPIRATIONAL, ECONOMIC, AND  
5 RECREATIONAL BENEFITS FOR PRESENT AND FUTURE GENERATIONS.

6 13-1210.

7 (A) (1) THE AUTHORITY MAY CONSIDER PROPOSALS SUBMITTED BY LOCAL  
8 JURISDICTIONS TO DESIGNATE A CULTURAL ARTS DISTRICT AS A RECOGNIZED  
9 CULTURAL ARTS DISTRICT.

10 (2) THE AUTHORITY SHALL ADOPT REGULATIONS THAT SPECIFY  
11 CRITERIA AND PROCEDURES FOR DESIGNATING RECOGNIZED CULTURAL ARTS  
12 DISTRICTS.

13 (B) A PROPOSAL FOR THE DESIGNATION OF A CULTURAL ARTS DISTRICT AS A  
14 RECOGNIZED CULTURAL ARTS DISTRICT SHALL:

15 (1) BE PREVIOUSLY APPROVED AND SUBMITTED BY THE GOVERNING  
16 BODIES OF ALL OF THE LOCAL JURISDICTIONS LOCATED WITHIN THE SPECIFIC  
17 BOUNDARIES PROPOSED FOR THE RECOGNIZED CULTURAL ARTS DISTRICT;

18 (2) TO THE MAXIMUM EXTENT PRACTICABLE, BE DEVELOPED IN  
19 CONSULTATION WITH AFFECTED STATE AGENCIES;

20 (3) SPECIFY THE BOUNDARIES FOR THE RECOGNIZED CULTURAL ARTS  
21 DISTRICT;

22 (4) IDENTIFY THE LOCAL ENTITY RESPONSIBLE FOR COORDINATING  
23 DEVELOPMENT OF THE MANAGEMENT PLAN REQUIRED UNDER § 13-1211 OF THIS  
24 SUBTITLE;

25 (5) DESCRIBE THE RESOURCES WHICH CONTRIBUTE TO THE SPECIAL  
26 CHARACTER OF THE CULTURAL ARTS DISTRICT;

27 (6) SPECIFY THE GENERAL GOALS AND OBJECTIVES FOR THE  
28 DEVELOPMENT AND MANAGEMENT OF THE CULTURAL ARTS DISTRICT;

29 (7) IDENTIFY THE TYPES OF PUBLIC AND PRIVATE USES TO BE  
30 ACCOMMODATED IN THE CULTURAL ARTS DISTRICT;

31 (8) DESCRIBE STRATEGIES FOR ENCOURAGING AND ACCOMMODATING  
32 VISITATION TO AND COMPATIBLE ECONOMIC DEVELOPMENT OF THE CULTURAL  
33 ARTS DISTRICT;

34 (9) PROVIDE AN ECONOMIC OVERVIEW OF THE LONG-TERM AND  
35 SHORT-TERM COSTS AND BENEFITS RELATED TO THE DEVELOPMENT OF THE  
36 CULTURAL ARTS DISTRICT; AND

1           (10)     DESCRIBE THE TECHNIQUES AND MEANS TO BE INSTITUTED BY THE  
2 LOCAL JURISDICTIONS TO ASSURE THE LONG-TERM DEVELOPMENT OF THE  
3 RESOURCES WITHIN THE CULTURAL ARTS DISTRICT, INCLUDING ZONING,  
4 SUBDIVISION CONTROLS, AND OTHER GROWTH MANAGEMENT TECHNIQUES.

5           (C)     THE AUTHORITY MAY NOT DESIGNATE A CULTURAL ARTS DISTRICT AS A  
6 RECOGNIZED CULTURAL ARTS DISTRICT UNLESS THE AUTHORITY FINDS THAT  
7 PUBLIC ASSISTANCE FOR THE CULTURAL ARTS DISTRICT IS REASONABLY EXPECTED  
8 TO PRODUCE ADDITIONAL PRIVATE INVESTMENTS, JOB CREATION, AND TOURISM  
9 REVENUES.

10          (D)     (1)     THE BOUNDARIES FOR EACH RECOGNIZED CULTURAL ARTS  
11 DISTRICT ARE THE BOUNDARIES DEPICTED ON THE MAP ACCOMPANYING EACH  
12 PROPOSAL AS APPROVED BY THE AUTHORITY.

13                 (2)     AFTER INITIAL APPROVAL BY THE AUTHORITY OF THE BOUNDARIES  
14 OF A RECOGNIZED CULTURAL ARTS DISTRICT, THE AUTHORITY MAY AMEND OR  
15 REVISE THE BOUNDARIES:

16                     (I)     WITH THE APPROVAL OF ALL OF THE LOCAL JURISDICTIONS  
17 WHERE THE PROPERTY TO BE ADDED OR REMOVED IS LOCATED; AND

18                     (II)    ON PUBLICATION OF A REVISED DRAWING OR BOUNDARY  
19 DESCRIPTION IN THE MARYLAND REGISTER.

20                 (3)     BOUNDARY MAPS FOR EACH RECOGNIZED CULTURAL ARTS DISTRICT  
21 SHALL BE KEPT ON FILE AT THE DEPARTMENT OF BUSINESS AND ECONOMIC  
22 DEVELOPMENT AND AT THE OFFICE OF THE COUNTY CLERK WHERE THE  
23 RECOGNIZED CULTURAL ARTS DISTRICT IS LOCATED.

24           (E)     DESIGNATION OF A CULTURAL ARTS DISTRICT BY THE AUTHORITY AS A  
25 RECOGNIZED CULTURAL ARTS DISTRICT ESTABLISHES ELIGIBILITY FOR MATCHING  
26 GRANT ASSISTANCE FOR THE DEVELOPMENT OF MANAGEMENT PLANS.

27 13-1211.

28          (A)     (1)     THE AUTHORITY MAY CONSIDER PROPOSALS SUBMITTED BY THE  
29 LOCAL JURISDICTIONS WITHIN A RECOGNIZED CULTURAL ARTS DISTRICT TO  
30 DESIGNATE RECOGNIZED CULTURAL ARTS DISTRICTS AS CERTIFIED CULTURAL  
31 ARTS DISTRICTS.

32                 (2)     THE SPONSORING LOCAL JURISDICTIONS SHALL PREPARE A  
33 PROPOSAL THAT INCLUDES A MANAGEMENT PLAN FOR THE RECOGNIZED CULTURAL  
34 ARTS DISTRICT.

35                 (3)     THE LOCAL JURISDICTIONS SHALL DEVELOP THE MANAGEMENT  
36 PLAN IN COOPERATION AND CONSULTATION WITH THE AUTHORITY AND RELEVANT  
37 PRIVATE INTERESTS.

1 (4) ON APPROVAL OF THE MANAGEMENT PLAN BY THE AUTHORITY AND  
2 ALL LOCAL JURISDICTIONS WITHIN THE RECOGNIZED CULTURAL ARTS DISTRICT:

3 (I) THE AUTHORITY SHALL DESIGNATE THE RECOGNIZED  
4 CULTURAL ARTS DISTRICT AS A CERTIFIED CULTURAL ARTS DISTRICT; AND

5 (II) THE MANAGEMENT PLAN SHALL BE THE PLAN FOR PURPOSES  
6 OF IMPLEMENTING THE CERTIFIED CULTURAL ARTS DISTRICT FOR BOTH THE STATE  
7 AND LOCAL JURISDICTIONS.

8 (B) THE AUTHORITY SHALL ADOPT REGULATIONS THAT SPECIFY THE  
9 CRITERIA AND PROCEDURES FOR THE CONSIDERATION AND ADOPTION OF A  
10 PROPOSED MANAGEMENT PLAN.

11 (C) THE AUTHORITY MAY NOT DESIGNATE MORE THAN FOUR RECOGNIZED  
12 CULTURAL ARTS DISTRICTS AS CERTIFIED CULTURAL ARTS DISTRICTS FOR EACH  
13 FISCAL YEAR.

14 (D) THE AUTHORITY SHALL HOLD AT LEAST ONE PUBLIC HEARING  
15 CONCERNING THE PROPOSED MANAGEMENT PLAN FOR A RECOGNIZED CULTURAL  
16 ARTS DISTRICT IN EACH RECOGNIZED CULTURAL ARTS DISTRICT PROPOSED FOR  
17 DESIGNATION AS A CERTIFIED CULTURAL ARTS DISTRICT.

18 (E) BEFORE SUBMISSION OF A MANAGEMENT PLAN TO THE AUTHORITY FOR  
19 APPROVAL, THE MANAGEMENT PLAN MUST BE SUBMITTED FOR APPROVAL TO THE  
20 LOCAL GOVERNING BODY OF EACH JURISDICTION WITHIN THE RECOGNIZED  
21 CULTURAL ARTS DISTRICT IN THE FORM OF AN AMENDMENT TO THE LOCAL PLAN.

22 (F) THE MANAGEMENT PLAN SHALL BE SUBMITTED TO THE AUTHORITY  
23 WITHIN 45 DAYS AFTER PRELIMINARY APPROVAL BY ALL LOCAL JURISDICTIONS  
24 WITHIN THE RECOGNIZED CULTURAL ARTS DISTRICT.

25 (G) A MANAGEMENT PLAN FOR A CERTIFIED CULTURAL ARTS DISTRICT  
26 SHALL INCLUDE:

27 (1) AN IDENTIFICATION OF:

28 (I) THE BOUNDARIES OF THE RECOGNIZED CULTURAL ARTS  
29 DISTRICT AS SET FORTH IN THE ORIGINAL DESIGNATION OR AS PROPOSED FOR  
30 REVISION BY THE MANAGEMENT PLAN;

31 (II) THE LAND USE RECOMMENDATIONS OF THE LOCAL PLANS OF  
32 ALL OF THE LOCAL JURISDICTIONS WITHIN THE RECOGNIZED CULTURAL ARTS  
33 DISTRICT; AND

34 (III) THE ZONES WITHIN THE RECOGNIZED CULTURAL ARTS  
35 DISTRICT FOR A PARTICULAR NATURE AND INTENSITY OF USE, INCLUDING ZONES  
36 MOST APPROPRIATELY DEVOTED TO PUBLIC USE AND DEVELOPMENT BY STATE OR  
37 LOCAL GOVERNMENT, AND FOR PRIVATE USE;

1           (2)     AN INVENTORY AND EVALUATION OF THE SIGNIFICANT CULTURAL  
2 RESOURCES WITHIN THE RECOGNIZED CULTURAL ARTS DISTRICT;

3           (3)     AN IDENTIFICATION OF THE TYPES OF PUBLIC AND PRIVATE USES  
4 TO BE ENCOURAGED WITHIN THE RECOGNIZED CULTURAL ARTS DISTRICT;

5           (4)     AN IDENTIFICATION OF PROPERTIES, IF ANY, TO BE ACQUIRED, IN  
6 WHOLE OR IN PART;

7           (5)     A DESCRIPTION OF THE EDUCATIONAL, INTERPRETIVE, AND  
8 RECREATIONAL PROGRAMS AND PROJECTS TO BE UNDERTAKEN IN THE  
9 RECOGNIZED CULTURAL ARTS DISTRICT;

10          (6)     A DESCRIPTION OF PLANS FOR ENCOURAGING AND  
11 ACCOMMODATING VISITATION TO AND COMPATIBLE ECONOMIC DEVELOPMENT OF  
12 THE RECOGNIZED CULTURAL ARTS DISTRICT;

13          (7)     AN ECONOMIC ASSESSMENT OF THE LONG-TERM AND SHORT-TERM  
14 COSTS AND BENEFITS RELATED TO THE IMPLEMENTATION OF THE MANAGEMENT  
15 PLAN, INCLUDING AN IDENTIFICATION OF EXPECTED SOURCES OF FUNDING;

16          (8)     A DESCRIPTION OF THE TECHNIQUES OR MEANS FOR THE  
17 DEVELOPMENT AND ENHANCEMENT OF THE CULTURAL RESOURCES WITHIN THE  
18 RECOGNIZED CULTURAL ARTS DISTRICT, INCLUDING APPROPRIATE EXISTING OR  
19 PROPOSED LOCAL LEGISLATION FOR THE DESIGNATION AND PROTECTION OF  
20 CULTURAL RESOURCES TO ASSURE THAT FUTURE LOCAL ACTIONS AND  
21 DEVELOPMENT WILL BE CONSISTENT WITH THE GOALS AND OBJECTIVES FOR THE  
22 RECOGNIZED CULTURAL ARTS DISTRICT;

23          (9)     A DESCRIPTION OF THE ORGANIZATIONAL STRUCTURE TO BE  
24 UTILIZED FOR PLANNING, DEVELOPMENT, AND MANAGEMENT OF THE CULTURAL  
25 ARTS DISTRICT, INCLUDING THE RESPONSIBILITIES AND INTERRELATIONSHIPS OF  
26 LOCAL AND STATE AGENCIES; AND

27          (10)    A SCHEDULE FOR THE PLANNING, DEVELOPMENT, AND  
28 MANAGEMENT OF THE RECOGNIZED CULTURAL ARTS DISTRICT.

29       (H)     EACH MANAGEMENT PLAN MUST DEMONSTRATE THAT THE CAPABILITY  
30 EXISTS TO IMPLEMENT AND MANAGE THE RECOGNIZED CULTURAL ARTS DISTRICT,  
31 INCLUDING THE CAPABILITY:

32               (1)     TO ACCEPT AND DISBURSE FUNDS;

33               (2)     TO ACQUIRE, IMPROVE, AND DISPOSE OF PROPERTY;

34               (3)     TO MANAGE, OPERATE, AND MAINTAIN APPROPRIATE PUBLIC  
35 FACILITIES; AND

36               (4)     TO ADOPT AND ENFORCE LAND USE STANDARDS AS REQUIRED TO  
37 PROTECT THE RESOURCES WITHIN THE CULTURAL ARTS DISTRICT.

1 (I) IF THE AUTHORITY DETERMINES THAT INFORMATION IN A PREVIOUSLY  
2 SUBMITTED MANAGEMENT PLAN CONTAINS SUFFICIENT INFORMATION TO FULFILL  
3 THE PURPOSE OF THE MANAGEMENT PLAN, THE AUTHORITY MAY WAIVE IN WHOLE  
4 OR IN PART SELECTED INDIVIDUAL REQUIREMENTS REGARDING THE SUBMISSION  
5 OF THE MANAGEMENT PLAN.

6 (J) THE AUTHORITY SHALL APPROVE OR DISAPPROVE THE MANAGEMENT  
7 PLAN WITHIN 90 DAYS AFTER THE AUTHORITY RECEIVES A MANAGEMENT PLAN  
8 FROM THE LOCAL JURISDICTIONS.

9 (K) THE AUTHORITY MAY NOT APPROVE A MANAGEMENT PLAN UNLESS THE  
10 AUTHORITY DETERMINES THAT A MANAGEMENT PLAN WOULD ADEQUATELY CARRY  
11 OUT THE PURPOSES OF THIS SUBTITLE.

12 (L) IF THE AUTHORITY DISAPPROVES A MANAGEMENT PLAN, THE AUTHORITY  
13 SHALL ADVISE THE LOCAL JURISDICTIONS IN WRITING OF THE REASON FOR THE  
14 DISAPPROVAL AND PROVIDE RECOMMENDATIONS FOR A REVISION OF THE PLAN.

15 (M) THE AUTHORITY SHALL APPROVE OR DISAPPROVE ANY REVISIONS TO AN  
16 EXISTING MANAGEMENT PLAN IN THE SAME MANNER AS SPECIFIED IN  
17 SUBSECTIONS (J) THROUGH (L) OF THIS SECTION.

18 (N) APPROVAL OF A MANAGEMENT PLAN BY THE AUTHORITY AND FINAL  
19 APPROVAL OF THE PLAN BY ALL LOCAL JURISDICTIONS WITHIN A RECOGNIZED  
20 CULTURAL ARTS DISTRICT SHALL:

21 (1) ESTABLISH THE DESIGNATION OF A RECOGNIZED CULTURAL ARTS  
22 DISTRICT AS A CERTIFIED CULTURAL ARTS DISTRICT;

23 (2) ESTABLISH ELIGIBILITY FOR THE RECEIPT OF ACQUISITION,  
24 DEVELOPMENT, AND PROGRAMMING ASSISTANCE FROM THE STATE WITHIN THE  
25 CERTIFIED CULTURAL ARTS DISTRICT BOUNDARIES;

26 (3) ESTABLISH ELIGIBILITY FOR QUALIFYING PROPERTIES AND  
27 PERSONS FOR CERTAIN TAX INCENTIVES FOR ACTIVITIES WITHIN THE DEFINED  
28 CULTURAL ARTS DISTRICT BOUNDARIES; AND

29 (4) FOR CONTINUANCE OF THE CERTIFIED CULTURAL ARTS DISTRICT,  
30 REQUIRE APPROPRIATE LOCAL ACTION TO PROTECT AND ENHANCE THE  
31 SIGNIFICANT RESOURCES IN THE CERTIFIED CULTURAL ARTS DISTRICT.

32 (O) AFTER HOLDING A PUBLIC HEARING IN THE CERTIFIED CULTURAL ARTS  
33 DISTRICT THAT IS THE SUBJECT OF THE AUTHORITY'S REVIEW, THE AUTHORITY MAY  
34 WITHDRAW ITS APPROVAL OF A MANAGEMENT PLAN IF THE AUTHORITY FINDS THAT  
35 A LOCAL JURISDICTION RESPONSIBLE FOR THE CERTIFIED CULTURAL ARTS  
36 DISTRICT:

37 (1) HAS TAKEN ACTIONS WHICH HAVE HAD SIGNIFICANT ADVERSE  
38 IMPACT UPON SIGNIFICANT CERTIFIED CULTURAL ARTS DISTRICT RESOURCES; OR

1 (2) HAS FAILED TO IMPLEMENT IT ROLE UNDER A MANAGEMENT PLAN.

2 (P) IF THE AUTHORITY WITHDRAWS ITS APPROVAL OF A MANAGEMENT PLAN:

3 (1) THE CULTURAL ARTS DISTRICT MAY NO LONGER BE DESIGNATED AS  
4 A CERTIFIED CULTURAL ARTS DISTRICT; AND

5 (2) THE AUTHORITY SHALL REPORT ITS WITHDRAWAL OF APPROVAL TO  
6 THE GOVERNOR AND THE GENERAL ASSEMBLY STATING THE REASONS FOR THE  
7 ACTION OF THE AUTHORITY.

8 13-1212.

9 (A) (1) THE STATE OFFICIALS UNDER ITEMS (I) THROUGH (V) OF THIS  
10 SUBSECTION WHO HAVE PROGRAM RESPONSIBILITIES THAT AFFECT ASPECTS OF  
11 THE DEVELOPMENT AND USE OF CULTURAL ARTS DISTRICTS RESOURCES SHALL  
12 PREPARE A PROGRAM STATEMENT DETAILING ACTIONS IN THE DISTRICTS OF  
13 PLANNING, DEVELOPMENT, USE, ASSISTANCE, AND REGULATION THAT SUPPORT  
14 AND ASSIST THE ESTABLISHMENT AND MANAGEMENT OF CERTIFIED CULTURAL  
15 ARTS DISTRICTS, AS FOLLOWS:

16 (I) THE SECRETARY OF BUSINESS AND ECONOMIC DEVELOPMENT,  
17 REGARDING THE STATE'S ARTS PROGRAM, TOURISM DEVELOPMENT PROGRAMS, AND  
18 ECONOMIC DEVELOPMENT AND JOB CREATION ACTIVITIES;

19 (II) THE SECRETARY OF HOUSING AND COMMUNITY  
20 DEVELOPMENT, REGARDING HOUSING, NEIGHBORHOOD REVITALIZATION, HISTORIC  
21 PRESERVATION, AND MUSEUM PROGRAMS;

22 (III) THE SECRETARY OF HIGHER EDUCATION, REGARDING  
23 EDUCATIONAL RESOURCES AND THEIR INTERPRETATION AND USE;

24 (IV) THE SECRETARY OF TRANSPORTATION, REGARDING ACCESS TO  
25 AND TRANSPORTATION WITHIN CERTIFIED CULTURAL ARTS DISTRICTS, INCLUDING  
26 PROGRAMS FOR SPECIAL SIGNAGE; AND

27 (V) THE SECRETARY OF GENERAL SERVICES, REGARDING THE  
28 MANAGEMENT AND DISPOSITION OF STATE PROPERTY.

29 (2) THE STATE OFFICIALS UNDER PARAGRAPH (1) OF THIS SUBSECTION  
30 SHALL SUBMIT THE REQUIRED PROGRAM STATEMENTS, AND ANY REVISIONS OF THE  
31 STATEMENTS, TO THE AUTHORITY.

32 (B) UNITS OF STATE GOVERNMENT THAT CONDUCT OR SUPPORT ACTIVITIES  
33 AFFECTING A CERTIFIED CULTURAL ARTS DISTRICT SHALL:

34 (1) CONSULT, COOPERATE, AND TO THE MAXIMUM EXTENT FEASIBLE,  
35 COORDINATE THEIR ACTIVITIES WITH THE UNIT OR ENTITY RESPONSIBLE FOR THE  
36 MANAGEMENT OF EACH CERTIFIED CULTURAL ARTS DISTRICT; AND

1 (2) TO THE MAXIMUM EXTENT PRACTICABLE, CARRY OUT THE  
2 ACTIVITIES OF THE UNIT IN A MANNER THAT IS CONSISTENT WITH THE APPROVED  
3 MANAGEMENT PLAN FOR THE CERTIFIED CULTURAL ARTS DISTRICT.

4 13-1213.

5 (A) AS PROVIDED IN THE STATE BUDGET, THE AUTHORITY MAY AWARD:

6 (1) GRANTS AND LOANS TO LOCAL JURISDICTIONS OR OTHER  
7 APPROPRIATE ENTITIES FOR PLANNING, DESIGN, ACQUISITION, DEVELOPMENT,  
8 PRESERVATION, RESTORATION, INTERPRETATION, MARKETING, AND PROGRAMMING  
9 OF CERTIFIED CULTURAL ARTS DISTRICTS; AND

10 (2) GRANTS TO LOCAL JURISDICTIONS OR OTHER APPROPRIATE  
11 ENTITIES TO DEVELOP MANAGEMENT PLANS IN RECOGNIZED CULTURAL ARTS  
12 DISTRICTS.

13 (B) A GRANT TO DEVELOP A MANAGEMENT PLAN MAY NOT EXCEED 50% OF  
14 THE COST OF THE MANAGEMENT PLAN.

15 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE  
16 AUTHORITY MAY MAKE ACQUISITION AND DEVELOPMENT GRANTS TO A LOCAL  
17 JURISDICTION OR OTHER APPROPRIATE ENTITY UNDER SUBSECTION (A) OF THIS  
18 SECTION FOR A PERIOD OF UP TO 5 YEARS AFTER THE DAY ON WHICH THE  
19 AUTHORITY APPROVES THE MANAGEMENT PLAN FOR THE CERTIFIED CULTURAL  
20 ARTS DISTRICT WITHIN THE LOCAL JURISDICTION.

21 (2) THE AUTHORITY MAY TAKE ACQUISITION OR DEVELOPMENT  
22 GRANTS FOR A PROJECT AFTER THE 5-YEAR PERIOD IF THE AUTHORITY  
23 DETERMINES THAT THE PROJECT IS ESSENTIAL FOR THE SUCCESS OF THE  
24 MANAGEMENT PLAN FOR THE CERTIFIED CULTURAL ARTS DISTRICT.

25 (3) AN ACQUISITION OR DEVELOPMENT GRANT:

26 (I) MAY NOT BE USED FOR ANY PURPOSE OTHER THAN  
27 IMPLEMENTATION OF THE CERTIFIED CULTURAL ARTS DISTRICT IN CONFORMITY  
28 WITH THE APPROVED MANAGEMENT PLAN; AND

29 (II) MAY NOT EXCEED 50% OF THE TOTAL PROJECT COST FOR  
30 WHICH THE GRANT IS AWARDED.

31 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE AUTHORITY  
32 MAY MAKE PROGRAM GRANTS TO LOCAL JURISDICTIONS AND OTHER APPROPRIATE  
33 ENTITIES:

34 (I) TO DEVELOP AND PRESENT INTERPRETIVE EXHIBITS,  
35 MATERIALS, OR OTHER APPROPRIATE PRODUCTS TO FURTHER THE OBJECTIVES OF  
36 THE CERTIFIED CULTURAL ARTS DISTRICTS PROGRAM; AND

1 (II) TO ENCOURAGE REVITALIZATION OF, AND INVESTMENT IN,  
2 CERTIFIED CULTURAL ARTS DISTRICT RESOURCES.

3 (2) A PROGRAM GRANT MADE BY THE AUTHORITY UNDER PARAGRAPH  
4 (1) OF THIS SUBSECTION MAY NOT EXCEED 50% OF THE ESTIMATED PROJECT COST.

5 (E) THROUGH THE RESOURCES OF THE MEMBERS OF THE AUTHORITY AND IN  
6 COOPERATION WITH OTHER STATE AGENCIES, THE AUTHORITY SHALL PROVIDE  
7 TECHNICAL ASSISTANCE TO MANAGEMENT ENTITIES IMPLEMENTING A  
8 MANAGEMENT PLAN.

9 13-1214.

10 (A) THERE IS A MARYLAND CULTURAL ARTS DISTRICTS AUTHORITY  
11 FINANCING FUND.

12 (B) (1) THE AUTHORITY SHALL USE THE FUND AS A CONTINUING,  
13 NONLAPSING, REVOLVING FUND FOR CARRYING OUT THE PURPOSES OF THIS  
14 SUBTITLE.

15 (2) NO PART OF THE FUND MAY REVERT OR BE CREDITED TO THE  
16 GENERAL FUND OR TO ANY OTHER SPECIAL FUND OF THE STATE.

17 (C) THE AUTHORITY SHALL PLACE ALL OF THE FOLLOWING RECEIPTS IN THE  
18 FUND:

19 (1) PROCEEDS FROM THE SALE OF BONDS;

20 (2) REVENUES THAT THE AUTHORITY COLLECTS OR RECEIVES FROM  
21 ANY SOURCE UNDER THIS SUBTITLE; AND

22 (3) ANY ADDITIONAL REVENUES, GIFTS, DONATIONS, OR MONEYS  
23 RECEIVED OR PAID TO IT FROM ANY OTHER SOURCE AUTHORIZED BY LAW.

24 (D) THE AUTHORITY SHALL PAY ALL EXPENSES AND MAKE ALL  
25 EXPENDITURES FROM THE FUND.

26 (E) (1) THE AUTHORITY MAY PLEDGE AND CHARGE ALL OR A PORTION OF  
27 THE RECEIPTS OF THE FUND FOR THE PAYMENT OF:

28 (I) DEBT SERVICE ON BONDS OF THE AUTHORITY; AND

29 (II) ALL REASONABLE CHARGES AND EXPENSES RELATED TO  
30 BORROWING BY THE AUTHORITY AND MANAGEMENT OF THE OBLIGATIONS OF THE  
31 AUTHORITY.

32 (2) A PLEDGE MADE UNDER PARAGRAPH (1) OF THIS SUBSECTION IS  
33 EFFECTIVE AS PROVIDED IN § 13-1219 OF THIS SUBTITLE AND ANY APPLICABLE  
34 RESOLUTION OF THE AUTHORITY.

35 (F) THE STATE TREASURER SHALL:

1 (1) INVEST AND REINVEST THE FUND IN THE SAME MANNER AS STATE  
2 FUNDS; AND

3 (2) TRANSFER ANY INVESTMENT EARNINGS TO THE CREDIT OF THE  
4 FUND.

5 PART IV. BONDS.

6 13-1215.

7 (A) (1) SUBJECT TO THIS PART, THE AUTHORITY MAY AT ANY TIME AND  
8 FROM TIME TO TIME ISSUE BONDS FOR THE PURPOSES OF THIS SUBTITLE TO OBTAIN  
9 FUNDS TO PROVIDE FINANCIAL ASSISTANCE FOR OR OTHERWISE SUPPORT A  
10 CERTIFIED CULTURAL ARTS DISTRICT.

11 (2) THE AUTHORITY MAY ISSUE THE BONDS ONLY IF IT DETERMINES  
12 THAT THE ISSUANCE IS NECESSARY TO ACHIEVE THE PURPOSES OF THIS SUBTITLE.

13 (3) THE AUTHORITY MAY NOT ISSUE TAX-EXEMPT PRIVATE ACTIVITY  
14 BONDS THAT ARE SUBJECT TO THE VOLUME CAP UNDER § 146 OF THE FEDERAL  
15 INTERNAL REVENUE CODE.

16 (4) THE BOARD OF PUBLIC WORKS MAY NOT APPROVE THE ISSUANCE OF  
17 BONDS BY THE AUTHORITY THAT WILL RESULT IN MORE THAN \$15,000,000 IN AN  
18 AGGREGATE OUTSTANDING AND UNPAID PRINCIPAL BALANCE OF BONDS FOR THE  
19 AUTHORITY AT ANY TIME.

20 (B) (1) THE AUTHORITY SHALL SUBMIT EACH PROPOSED ISSUE OF BONDS  
21 TO THE BOARD OF PUBLIC WORKS AND SHALL OBTAIN THE APPROVAL OF THE BOARD  
22 OF PUBLIC WORKS FOR THE PROPOSED ISSUE PRIOR TO SALE OF THE BONDS.

23 (2) IN SUBMITTING A PROPOSAL TO ISSUE BONDS TO THE BOARD OF  
24 PUBLIC WORKS, THE AUTHORITY SHALL IDENTIFY THE SOURCE OF REVENUE THAT  
25 SUPPORTS THE DEBT SERVICE ON THE BONDS.

26 (C) THE AUTHORITY:

27 (1) SHALL, BY RESOLUTION, AUTHORIZE ANY BONDS THAT IT ISSUES;  
28 AND

29 (2) MAY SECURE THE BONDS BY A TRUST AGREEMENT BETWEEN THE  
30 AUTHORITY AND A CORPORATE TRUSTEE OR TRUSTEES, WHICH MAY BE ANY TRUST  
31 COMPANY OR BANK THAT HAS THE POWERS OF A TRUST COMPANY WITHIN OR  
32 WITHOUT THE STATE.

33 (D) EXCEPT AS OTHERWISE EXPRESSLY REQUIRED BY THIS SUBTITLE, THE  
34 AUTHORITY MAY ISSUE THE BONDS OR NOTES WITHOUT:

35 (1) OBTAINING THE CONSENT OF ANY OTHER UNIT OF STATE  
36 GOVERNMENT;

- 1 (2) ANY PROCEEDINGS; OR
- 2 (3) THE OCCURRENCE OF ANY CONDITIONS.

3 13-1216.

4 (A) THE BONDS OF ANY ISSUE SHALL BE PAYABLE SOLELY FROM THE  
5 PROPERTY OR RECEIPTS OF THE AUTHORITY, INCLUDING WITHOUT LIMITATION:

6 (1) FEES, CHARGES, OR OTHER REVENUES PAYABLE TO THE  
7 AUTHORITY;

8 (2) PAYMENTS BY FINANCIAL INSTITUTIONS, INSURANCE COMPANIES,  
9 OR OTHERS PURSUANT TO LETTERS OR LINES OF CREDIT, POLICIES OF INSURANCE,  
10 OR PURCHASE AGREEMENTS;

11 (3) INVESTMENT EARNINGS FROM FUNDS OR ACCOUNTS MAINTAINED  
12 UNDER A BOND RESOLUTION OR TRUST AGREEMENT;

13 (4) PROCEEDS OF REFUNDING BONDS; AND

14 (5) ANY OTHER SOURCE AUTHORIZED BY LAW.

15 (B) THE BONDS DO NOT CONSTITUTE A DEBT, LIABILITY, OR PLEDGE OF FULL  
16 FAITH AND CREDIT OF THE STATE AND MAY NOT BE DEEMED TO CONSTITUTE A  
17 DEBT, LIABILITY, OR PLEDGE OF THE FULL FAITH AND CREDIT OF THE STATE.

18 13-1217.

19 THE BONDS THAT THE AUTHORITY ISSUES SHALL:

20 (1) BE ISSUED AT, ABOVE, OR BELOW PAR VALUE, FOR CASH OR OTHER  
21 VALUABLE CONSIDERATION, AND MATURE AT A TIME OR TIMES, WHETHER AS  
22 SERIAL BONDS OR AS TERM BONDS OR BOTH, NOT EXCEEDING THE MATURITY DATE  
23 ESTABLISHED BY THE AUTHORITY;

24 (2) BEAR INTEREST AT THE FIXED OR VARIABLE RATE OR RATES  
25 DETERMINED BY THE METHOD PROVIDED IN THE RESOLUTION OR TRUST  
26 AGREEMENT;

27 (3) BE PAYABLE AT A TIME OR TIMES, IN THE DENOMINATIONS AND  
28 FORM, EITHER COUPON OR REGISTERED OR BOTH, REGISTRABLE AS TO PRINCIPAL  
29 AND INTEREST ALONE OR AS TO BOTH AND CARRY THE REGISTRATION AND  
30 PRIVILEGES AS TO CONVERSION AND FOR THE REPLACEMENT OF MUTILATED, LOST,  
31 OR DESTROYED BONDS AS THE RESOLUTION OR TRUST AGREEMENT MAY PROVIDE;

32 (4) NOTWITHSTANDING ANY OTHER LAW, BE DEEMED SECURITIES  
33 WITHIN THE MEANING OF § 8-102 OF THE COMMERCIAL LAW ARTICLE, WHETHER OR  
34 NOT THEY ARE EITHER ONE OF A CLASS OR A SERIES OR BY THEIR TERMS ARE  
35 DIVISIBLE INTO A CLASS OR SERIES OF INSTRUMENTS AND NEGOTIABLE FOR ALL  
36 PURPOSES ALTHOUGH PAYABLE FROM A LIMITED SOURCE;

1 (5) BE PAYABLE IN LAWFUL MONEY OF THE UNITED STATES AT A  
2 DESIGNATED PLACE, INCLUDING ONE OR MORE BANKS OR TRUST COMPANIES;

3 (6) BE SUBJECT TO THE TERMS OF PURCHASE, PAYMENT, REDEMPTION,  
4 REFUNDING, OR REFINANCING THAT THE RESOLUTION OR TRUST AGREEMENT  
5 PROVIDES;

6 (7) BE EXECUTED BY THE MANUAL OR FACSIMILE SIGNATURES OF THE  
7 OFFICERS OF THE AUTHORITY DESIGNATED BY THE AUTHORITY, WHICH  
8 SIGNATURES SHALL BE VALID FOR ALL PURPOSES AT DELIVERY EVEN FOR AN  
9 OFFICER WHO HAS CEASED TO HOLD OFFICE;

10 (8) BE SOLD IN THE MANNER AND ON THE TERMS DETERMINED BY THE  
11 AUTHORITY, INCLUDING BY PRIVATE NEGOTIATED SALE; AND

12 (9) BE EXEMPT FROM §§ 8-206, 8-208, AND 8-209 OF THE STATE FINANCE  
13 AND PROCUREMENT ARTICLE.

14 13-1218.

15 (A) ANY RESOLUTION OR TRUST AGREEMENT THE AUTHORITY ADOPTS OR  
16 ENTERS INTO UNDER § 13-1215 OF THIS SUBTITLE MAY CONTAIN PROVISIONS THAT:

17 (1) PLEDGE, ASSIGN, OR DIRECT THE USE, INVESTMENT, OR  
18 DISPOSITION OF ALL OR A PORTION OF THE RECEIPTS OF THE AUTHORITY OR ALL OR  
19 A PORTION OF THE PROCEEDS OR BENEFITS OF ANY CONTRACT AND CONVEY OR  
20 OTHERWISE SECURE ANY PROPERTY OR PROPERTY RIGHTS;

21 (2) SET ASIDE LOAN FUNDING DEPOSITS, DEBT SERVICE RESERVES,  
22 CAPITALIZED INTEREST ACCOUNTS, COST OF ISSUANCE ACCOUNTS, AND SINKING  
23 FUNDS, AND REGULATE, INVEST, AND DISPOSE OF THESE DEPOSITS, RESERVES,  
24 ACCOUNTS, AND FUNDS;

25 (3) LIMIT THE PURPOSE TO WHICH OR THE INVESTMENTS IN WHICH  
26 THE PROCEEDS OF SALE OF ANY ISSUE OF BONDS MAY BE APPLIED AND RESTRICT  
27 THE INVESTMENT OF REVENUES OR BOND PROCEEDS AS CONSIDERED NECESSARY,  
28 WHICH MAY INCLUDE LIMITING INVESTMENTS TO GOVERNMENT OBLIGATIONS FOR  
29 WHICH PRINCIPAL AND INTEREST ARE UNCONDITIONALLY GUARANTEED BY THE  
30 UNITED STATES;

31 (4) LIMIT THE ISSUANCE OF ADDITIONAL BONDS AND SPECIFY THE  
32 TERMS ON WHICH ADDITIONAL BONDS MAY BE ISSUED, SECURED, AND RANK ON  
33 PARITY WITH, OR BE SUBORDINATE OR SUPERIOR TO OTHER BONDS;

34 (5) REFUND OR REFINANCE OUTSTANDING BONDS;

35 (6) ESTABLISH ANY PROCEDURE CONCERNING THE MANNER IN WHICH  
36 THE TERMS OF ANY CONTRACT WITH BONDHOLDERS MAY BE ALTERED OR  
37 AMENDED, THE AMOUNT OF BONDS TO WHICH THE HOLDERS MUST CONSENT, AND  
38 THE MANNER IN WHICH THE HOLDERS MUST CONSENT;

1 (7) DEFINE THE ACTS OR OMISSIONS THAT CONSTITUTE A DEFAULT IN  
2 THE DUTIES OF THE AUTHORITY TO HOLDERS OF BONDS AND PROVIDE THE RIGHTS  
3 AND REMEDIES OF THE HOLDERS IN THE EVENT OF A DEFAULT, WHICH MAY  
4 INCLUDE PROVISIONS THAT RESTRICT INDIVIDUAL RIGHT OF ACTION BY  
5 BONDHOLDERS;

6 (8) PROVIDE FOR GUARANTEES, PLEDGES OF PROPERTY, LETTERS OF  
7 CREDIT, OR OTHER SECURITY, OR INSURANCE FOR THE BENEFIT OF BONDHOLDERS;  
8 AND

9 (9) PROVIDE FOR ANY OTHER MATTER RELATING TO THE BONDS THAT  
10 THE AUTHORITY DEEMS APPROPRIATE.

11 (B) ANY PROVISIONS UNDER SUBSECTION (A) OF THIS SECTION THAT THE  
12 AUTHORITY INCLUDES IN A RESOLUTION OR TRUST AGREEMENT MAY BE MADE PART  
13 OF THE CONTRACT WITH THE HOLDERS OF THE BONDS.

14 13-1219.

15 (A) A PLEDGE BY THE AUTHORITY OF REVENUES AS SECURITY FOR AN ISSUE  
16 OF BONDS SHALL BE VALID AND BINDING ON AND AFTER THE DATE WHEN THE  
17 DOCUMENTS EVIDENCING THE PLEDGE ARE EXECUTED BY THE AUTHORITY.

18 (B) (1) THE REVENUES THAT THE AUTHORITY PLEDGES MAY BE MADE  
19 IMMEDIATELY SUBJECT TO THE LIEN OF THE PLEDGE WITHOUT ANY PHYSICAL  
20 DELIVERY OR FURTHER ACT.

21 (2) THE LIEN OF ANY PLEDGE OF REVENUE IS VALID AND BINDING  
22 AGAINST ANY PERSON WHO HAS ANY CLAIM IN TORT, CONTRACT, OR OTHERWISE  
23 AGAINST THE AUTHORITY, WHETHER OR NOT THE PERSON HAS NOTICE.

24 (C) IN ORDER TO PERFECT THE LIEN ON THE REVENUE PLEDGED BY THE  
25 AUTHORITY AGAINST THIRD PERSONS, A RESOLUTION, TRUST AGREEMENT,  
26 FINANCING STATEMENT, CONTINUATION STATEMENT, OR OTHER INSTRUMENT  
27 THAT THE AUTHORITY ADOPTS OR ENTERS INTO NEED NOT BE FILED OR RECORDED  
28 IN ANY PUBLIC RECORD OTHER THAN THE RECORDS OF THE AUTHORITY.

29 13-1220.

30 A MEMBER OF THE AUTHORITY OR ANY PERSON EXECUTING THE BONDS OF  
31 THE AUTHORITY MAY NOT BE HELD LIABLE PERSONALLY ON THE BONDS OR BE  
32 SUBJECT TO ANY PERSONAL LIABILITY BECAUSE OF THE ISSUANCE OF THE BONDS.

33 13-1221.

34 (A) THE AUTHORITY MAY ISSUE BONDS TO REFUND ANY OF ITS BONDS THEN  
35 OUTSTANDING, INCLUDING THE PAYMENT OF ANY REDEMPTION PREMIUM AND ANY  
36 INTEREST ACCRUED OR TO ACCRUE TO THE EARLIEST OR ANY SUBSEQUENT DATE  
37 OF REDEMPTION, PURCHASE, OR MATURITY OF THE BONDS.

1 (B) REFUNDING BONDS MAY BE ISSUED IN THE DISCRETION OF THE  
2 AUTHORITY AND FOR ANY PURPOSE AUTHORIZED BY THIS SUBTITLE, INCLUDING:

3 (1) (I) THE PUBLIC PURPOSES OF REALIZING SAVINGS IN THE  
4 EFFECTIVE COSTS OF DEBT SERVICE, DIRECTLY OR THROUGH A DEBT  
5 RESTRUCTURING;

6 (II) ALLEVIATING IMPENDING OR ACTUAL DEFAULT; OR

7 (III) ANY OTHER PUBLIC PURPOSE THAT THE AUTHORITY  
8 DETERMINES IS IN THE BEST INTERESTS OF AND CONSISTENT WITH THE  
9 AUTHORITY'S LONG-TERM FINANCING PLAN;

10 (2) IN ONE OR MORE SERIES; AND

11 (3) IN AN AMOUNT IN EXCESS OF THAT OF THE BONDS TO BE  
12 REFUNDED.

13 13-1222.

14 (A) THE AUTHORITY MAY ENTER INTO AGREEMENTS WITH AGENTS, BANKS,  
15 INSURERS, OR OTHERS FOR THE PURPOSE OF ENHANCING THE MARKETABILITY OF,  
16 OR AS A SECURITY FOR, ITS BONDS.

17 (B) ANY FINANCIAL INSTITUTION, INVESTMENT COMPANY, INSURANCE  
18 COMPANY OR ASSOCIATION, ANY PERSONAL REPRESENTATIVE, GUARDIAN,  
19 TRUSTEE, OR OTHER FIDUCIARY, AND ANY OTHER PUBLIC OFFICER OR UNIT OF THE  
20 STATE OR A SUBDIVISION OF THE STATE MAY LEGALLY INVEST ANY MONEYS  
21 BELONGING TO THEM OR WITHIN THEIR CONTROL IN ANY BONDS ISSUED BY THE  
22 AUTHORITY.

23 13-1223.

24 THE BONDS OF THE AUTHORITY, THEIR TRANSFER, THE INTEREST PAYABLE ON  
25 THEM, AND ANY INCOME DERIVED FROM THEM, INCLUDING ANY PROFIT REALIZED  
26 IN THEIR SALE OR EXCHANGE, ARE EXEMPT AT ALL TIMES FROM EVERY KIND OF  
27 TAXATION BY THIS STATE OR BY ANY OF ITS POLITICAL SUBDIVISIONS, MUNICIPAL  
28 CORPORATIONS, OR PUBLIC AGENCIES.

29 PART V. MISCELLANEOUS.

30 13-1224.

31 (A) IN THIS SECTION, "AGGRIEVED PERSON" MEANS:

32 (1) A PERSON THAT:

33 (I) IS A PARTY TO A DISPUTE THAT THE AUTHORITY RESOLVES  
34 UNDER § 13-1208(4)(II) OF THIS SUBTITLE; AND

1 (II) IS AGGRIEVED BY THE AUTHORITY'S FINAL ACTION IN  
2 RESOLVING THE DISPUTE UNDER § 13-1208(4)(II) OF THIS SUBTITLE; OR

3 (2) THE LOCAL JURISDICTIONS WITHIN A CERTIFIED CULTURAL ARTS  
4 DISTRICT FROM WHICH THE AUTHORITY HAS WITHDRAWN APPROVAL OF A  
5 MANAGEMENT PLAN UNDER § 13-1211(P) OF THIS SUBTITLE.

6 (B) THIS SECTION DOES NOT APPLY TO:

7 (1) THE FAILURE OF THE AUTHORITY TO DESIGNATE:

8 (I) A CULTURAL ARTS DISTRICT AS A RECOGNIZED CULTURAL  
9 ARTS DISTRICT; OR

10 (II) A RECOGNIZED CULTURAL ARTS DISTRICT AS A CERTIFIED  
11 CULTURAL ARTS DISTRICT THROUGH THE APPROVAL OF A MANAGEMENT PLAN;

12 (2) ACTIONS TAKEN BY THE AUTHORITY UNDER ITS POWERS TO ISSUE  
13 BONDS UNDER PART IV OF THIS SUBTITLE; OR

14 (3) THE FAILURE OF THE AUTHORITY TO AWARD OR ENFORCE THE  
15 TERMS OF GRANTS, LOANS, OR OTHER FINANCING.

16 (C) AN AGGRIEVED PERSON MAY APPEAL TO THE OFFICE OF  
17 ADMINISTRATIVE HEARINGS FOR A HEARING IN ACCORDANCE WITH TITLE 10,  
18 SUBTITLE 2 OF THE STATE GOVERNMENT ARTICLE.

19 (D) THE DECISION OF THE OFFICE OF ADMINISTRATIVE HEARINGS IS THE  
20 FINAL ADMINISTRATIVE DECISION.

21 (E) THE OFFICE OF ADMINISTRATIVE HEARINGS MAY NOT MODIFY THE  
22 AUTHORITY'S RESOLUTION OF A DISPUTE UNLESS THE AGGRIEVED PERSON SHOWS  
23 BY A PREPONDERANCE OF THE EVIDENCE THAT:

24 (1) THE FINAL ACTION OF THE AUTHORITY WAS ARBITRARY OR  
25 CAPRICIOUS; OR

26 (2) THE AUTHORITY FAILED TO FOLLOW ITS OWN PROCEDURES OR  
27 REGULATIONS FOR RESOLVING A DISPUTE UNDER § 13-1208(4)(II) OF THIS SUBTITLE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
29 effect October 1, 2000.