

BY: Finance Committee

AMENDMENTS TO SENATE BILL NO. 311

(First Reading File Bill)

AMENDMENT NO. 1

In the sponsor line, strike “Hafer, Hoffman, Kasemeyer, Madden, McFadden, Middleton, Pinsky, and Sfikas” and substitute “Exum, Hafer, Hoffman, Kasemeyer, Kelley, Lawlah, Madden, McFadden, Middleton, Pinsky, Roesser, and Sfikas”.

AMENDMENT NO. 2

On page 1, in line 26, after “PARTICIPANT” insert “AT A FEDERALLY INSURED INSTITUTION”.

On page 2, in line 32, after “EXPENSES” insert “OTHER THAN TUITION”; in line 33, after “HOME;” insert “AND”; and strike beginning with “(3)” in line 34 down through “AND” in line 35.

AMENDMENT NO. 3

On page 3, in line 1, strike “(4)” and substitute “(3)”; in line 25, after “LOCATED” insert “FOR THE PURPOSE OF IMPLEMENTING OR ENHANCING THE BENEFITS OF THE PROGRAM”; in line 26, strike “A POOL FUND” and substitute “AN ACCOUNT AT A FEDERALLY INSURED INSTITUTION”; in the same line, after “FUNDS” insert “RECEIVED EACH FISCAL YEAR REPRESENTING THE MATCHED CONTRIBUTIONS FOR PROGRAM PARTICIPANTS UNDER THE SUPERVISION OF THE SERVICE PROVIDER”; in line 27, after “AND” insert “ANY”; in the same line after “DONATIONS” insert “RECEIVED BY THE SERVICE PROVIDER FOR THE PURPOSE OF IMPLEMENTING OR ENHANCING THE BENEFITS OF THE PROGRAM”; strike beginning with “HELP” in line 31, down through “PROGRAM” in line 32 and substitute “AT THE CONCLUSION OF AN INDIVIDUAL’S PARTICIPATION IN THE PROGRAM, PROVIDE THE INDIVIDUAL WITH THE APPROPRIATE LEVEL OF STATE MATCHING FUNDS HELD BY THE SERVICE PROVIDER ON BEHALF OF THE INDIVIDUAL, INCLUDING ANY INTEREST EARNED ON THE”.

(Over)

MATCHING FUNDS”.

AMENDMENT NO. 4

On page 4, in line 9, strike “A” and substitute “THE”; strike beginning with “MANAGE” in line 10 down through “PROVIDERS” in line 20 and substitute “MAINTAIN AN ACCOUNT AT A FEDERALLY INSURED INSTITUTION THAT INCLUDES:

(I) THE FUNDS PROVIDED BY THE DEPARTMENT FOR THE PROGRAM EACH FISCAL YEAR;

(II) PRIVATE DONATIONS RECEIVED BY THE TECHNICAL ASSISTANCE ORGANIZATION FOR THE PURPOSE OF IMPLEMENTING OR ENHANCING THE BENEFITS OF THE PROGRAM; AND

(III) STATE MATCHING FUNDS RETURNED BY A SERVICE PROVIDER AS A RESULT OF A PROGRAM PARTICIPANT’S WITHDRAWAL FROM THE PROGRAM, INCLUDING ANY INTEREST ON THE MATCHING FUNDS;

(2) TRANSMIT FUNDS EACH FISCAL YEAR TO SERVICE PROVIDERS IN AN AMOUNT THAT REPRESENTS THE LEVEL OF STATE MATCHING FUNDS FOR WHICH PROGRAM PARTICIPANTS UNDER THE SUPERVISION OF THE SERVICE PROVIDER HAVE QUALIFIED IN THE PRIOR FISCAL YEAR AND TRANSMIT PRIVATE DONATIONS RECEIVED BY THE TECHNICAL ASSISTANCE ORGANIZATION FOR THE PURPOSE OF IMPLEMENTING OR ENHANCING THE BENEFITS OF THE PROGRAM;

(3) TRANSMIT AN APPROPRIATE AMOUNT OF FUNDS EACH FISCAL YEAR TO SERVICE PROVIDERS FOR TRAINING AND EDUCATIONAL EXPENSES THAT MAY NOT EXCEED \$200 PER PROGRAM PARTICIPANT UNDER THE SUPERVISION OF THE SERVICE PROVIDER IN THE PRIOR FISCAL YEAR”;

and in lines 21, 23, 29, 31, and 32, strike “(2)”, “(3)”, “(4)”, “(5)”, and “(6)”, respectively, and substitute “(4)”, “(5)”, “(6)”, “(7)”, and “(8)”, respectively.

AMENDMENT NO. 5

On page 5, in lines 1, 2, and 4, strike “(7)”, “(8)”, and “(9)”, respectively, and substitute “(9)”, “(10)”, and “(11)”, respectively; in line 6, after “BECOMING” insert “THE”; in lines 7, 8, 28, and 32, in each instance, strike “ORGANIZATIONS” and substitute “ORGANIZATION”; in line 8, strike “ONE OR MORE” and substitute “A”; in line 13, strike “NO MORE THAN” and substitute

“PAYMENTS TO THE TECHNICAL ASSISTANCE ORGANIZATION TO IMPLEMENT THE REQUIREMENTS OF THIS SUBTITLE, WHICH MAY NOT EXCEED”; strike beginning with “IN” in line 13 down through “ORGANIZATIONS” in line 14; in line 21, strike “6” and substitute “12”; in line 25, strike “AND”; in line 27, after “PROVIDER” insert “; AND”

(3) RETURN THE STATE MATCHING FUNDS HELD ON BEHALF OF A PROGRAM PARTICIPANT PRIOR TO WITHDRAWAL FROM THE PROGRAM TO THE TECHNICAL ASSISTANCE ORGANIZATION, INCLUDING ANY INTEREST ON THE MATCHING FUNDS.

(C) THE CONTRACT BETWEEN A PROGRAM PARTICIPANT AND THE SERVICE PROVIDER SHALL PROVIDE THAT THE SERVICE PROVIDER MAY GRANT AN EXCEPTION TO THE REQUIRED MONTHLY DEPOSITS OF EARNED INCOME BASED ON A DEMONSTRATED HARDSHIP ENCOUNTERED BY THE PROGRAM PARTICIPANT”;

and in lines 28 and 32, strike “(C)” and “(D)”, respectively, and substitute “(D)” and “(E)”, respectively.

AMENDMENT NO. 6

On page 6, in line 3, strike “(E)” and substitute “(F)”; in line 11, strike “THE STATE SHALL PROVIDE MATCHING FUNDS” and substitute “(1) AS PROVIDED IN THE DEPARTMENT’S ANNUAL BUDGET, THE DEPARTMENT SHALL PROVIDE FUNDS TO THE TECHNICAL ASSISTANCE ORGANIZATION EACH FISCAL YEAR TO BE USED BY THE TECHNICAL ASSISTANCE ORGANIZATION TO PROVIDE MATCHING FUNDS TO SERVICE PROVIDERS ON BEHALF OF PROGRAM PARTICIPANTS”; in line 14, strike “(B) NOT MORE THAN” and substitute:

“(2) THE MATCHING FUNDS PROVIDED UNDER THIS SUBSECTION TO A SERVICE PROVIDER TO BE HELD ON BEHALF OF PROGRAM PARTICIPANTS MAY NOT EXCEED”;

in lines 14 and 15, strike “MAY BE ALLOCATED TO” and substitute “FOR”; after line 15, insert:

“(3) A PROGRAM PARTICIPANT SHALL BE ELIGIBLE TO PARTICIPATE

IN THE PROGRAM FOR NO MORE THAN 3 CONSECUTIVE YEARS FROM THE DATE THAT THE PROGRAM PARTICIPANT OPENED AN INDIVIDUAL DEVELOPMENT ACCOUNT.

(4) ON THE COMPLETION OF AN INDIVIDUAL'S PARTICIPATION IN THE PROGRAM, A SERVICE PROVIDER SHALL TRANSFER TO THE INDIVIDUAL'S INDIVIDUAL DEVELOPMENT ACCOUNT OR, AS PROVIDED IN THE INDIVIDUAL'S CONTRACT WITH THE SERVICE PROVIDER, AN AMOUNT EQUAL TO THE MATCHING FUNDS HELD ON BEHALF OF THE INDIVIDUAL DURING THE INDIVIDUAL'S PARTICIPATION IN THE PROGRAM, INCLUDING ANY INTEREST ON THE MATCHING FUNDS.

(B) AT THE CONCLUSION OF THE PROGRAM AS PROVIDED IN § 95 OF THIS SUBTITLE, ANY STATE MATCHING FUNDS AND INTEREST ON THE MATCHING FUNDS HELD IN AN ACCOUNT BY THE TECHNICAL ASSISTANCE ORGANIZATION OR A SERVICE PROVIDER IN EXCESS OF AMOUNTS TO BE TRANSFERRED TO PROGRAM PARTICIPANTS AS PROVIDED UNDER THIS SUBTITLE SHALL REVERT TO THE GENERAL FUND OF THE STATE.”;

in line 28, after “2006;” insert “AND”; and strike beginning with the semicolon in line 29 down through “\$3,280,000” in line 33.

On page 7, strike beginning with the first “THE” in line 1 down through “(C)” in line 4; in line 4, strike “ORGANIZATIONS” and substitute “ORGANIZATION”; in lines 13, 16, 21, and 23, strike “(D)”, “(E)”, “(F)”, and “(G)”, respectively, and substitute “(C)”, “(D)”, “(E)”, and “(F)”, respectively; in line 14, after “SENATE” insert “FINANCE AND”; in line 15, strike “AND” and substitute “COMMITTEES AND THE”; and in the same line, strike “COMMITTEES” and substitute “COMMITTEE”.