
By: **Delegate Rosenberg**

Introduced and read first time: February 9, 2001

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **State Government - Expenditure Control Program - Use of Unspent**
3 **Appropriations**

4 FOR the purpose of establishing an expenditure control program in State government
5 under which, with the approval of the Department of Budget and Management,
6 up to a certain percentage of the unspent or unencumbered balance of
7 appropriations authorized for a fiscal year for use by a unit of State government
8 may not revert to the General Fund but remain available for expenditure within
9 the unit in the succeeding fiscal year; requiring certain reports on the amount of
10 funds carried over under the program and how those funds were expended;
11 requiring certification by the Department of Budget and Management that the
12 proposed use of certain balances will be consistent with certain goals; providing
13 for the termination of this Act; and generally relating to expenditures by units of
14 State government.

15 BY repealing and reenacting, with amendments,
16 Article - State Finance and Procurement
17 Section 7-302
18 Annotated Code of Maryland
19 (1995 Replacement Volume and 2000 Supplement)

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

22 **Article - State Finance and Procurement**

23 7-302.

24 (A) IN THIS SECTION, "UNIT" MEANS AN OFFICER, UNIT, OR INSTITUTION OF
25 STATE GOVERNMENT.

26 (B) Except as otherwise provided by law AND AS PROVIDED IN SUBSECTION (C)
27 OF THIS SECTION, at the end of a fiscal [year] YEAR, the unspent balance of each
28 appropriation that was made for that fiscal year to [an officer or unit of the State

1 government or to an institution reverts] A UNIT SHALL REVERT to the General Fund
2 of the State.

3 (C) (1) (I) WITH THE APPROVAL OF THE DEPARTMENT OF BUDGET AND
4 MANAGEMENT, UP TO 50% OF THE UNSPENT OR UNENCUMBERED BALANCE OF THE
5 APPROPRIATION AUTHORIZED FOR A FISCAL YEAR FOR USE BY A UNIT MAY NOT
6 REVERT TO THE GENERAL FUND, BUT SHALL REMAIN AVAILABLE FOR EXPENDITURE
7 WITHIN THE UNIT IN THE SUCCEEDING FISCAL YEAR.

8 (II) THE DEPARTMENT OF BUDGET AND MANAGEMENT SHALL
9 CERTIFY THAT THE PROPOSED USE OF THE UNSPENT OR UNENCUMBERED BALANCE
10 IS CONSISTENT WITH THE MANAGING-FOR-RESULTS GOALS OF THE UNIT.

11 (2) THE UNIT SHALL REPORT TO THE DEPARTMENT OF BUDGET AND
12 MANAGEMENT AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT
13 ARTICLE, TO THE GENERAL ASSEMBLY BEFORE THE END OF THE NEXT FISCAL YEAR
14 ON THE AMOUNT OF FUNDS CARRIED OVER BY THE UNIT UNDER THIS SUBSECTION
15 AND HOW THOSE FUNDS WERE EXPENDED.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 July 1, 2001. It shall remain effective for a period of 3 years and, at the end of June
18 30, 2004, with no further action required by the General Assembly, this Act shall be
19 abrogated and of no further force and effect.