

SENATE BILL 123

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2004 Regular Session
4r0798

By: **Senators Dyson, Astle, Brinkley, Greenip, Haines, Hooper, Kittleman,
Mooney, and Stoltzfus**

Introduced and read first time: January 21, 2004

Assigned to: Budget and Taxation and Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Full-Day Kindergarten Programs - County Board Decision Not**
3 **to Implement**

4 FOR the purpose of authorizing a county board of education to decide not to provide
5 full-day kindergarten programs for all kindergarten students in that county;
6 exempting a certain county board from a certain requirement to include certain
7 information in a certain plan; exempting certain kindergarten programs from
8 certain requirements regarding certain days and certain hours of operation;
9 altering the effective date of a provision that would have repealed the provision
10 of law that exempts kindergarten programs from certain requirements relating
11 to minimum days or hours of operation; making this Act subject to a certain
12 contingency; and generally relating to the provision of full-day kindergarten
13 programs.

14 BY repealing and reenacting, with amendments,
15 Article - Education
16 Section 7-101(e)
17 Annotated Code of Maryland
18 (2001 Replacement Volume and 2003 Supplement)

19 BY adding to
20 Article - Education
21 Section 7-301(g)
22 Annotated Code of Maryland
23 (2001 Replacement Volume and 2003 Supplement)
24 (As enacted by Chapter 288 of the Acts of the General Assembly of 2002)

25 BY repealing and reenacting, without amendments,
26 Chapter 288 of the Acts of the General Assembly of 2002
27 Section 20(d)(1)

28 BY repealing and reenacting, with amendments,

1 Chapter 288 of the Acts of the General Assembly of 2002
2 Section 25

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

5 **Article - Education**

6 7-101.

7 (e) (1) [By the 2007-2008 school year, each] BY A MAJORITY VOTE, A county
8 board [shall] MAY DECIDE NOT TO provide full-day kindergarten programs for all
9 kindergarten students in that county.

10 (2) [In] EXCEPT FOR A COUNTY BOARD THAT DECIDES NOT TO PROVIDE
11 FULL-DAY KINDERGARTEN PROGRAMS FOR ALL KINDERGARTEN STUDENTS IN THAT
12 COUNTY UNDER PARAGRAPH (1) OF THIS SUBSECTION, IN the comprehensive master
13 plan that is submitted under § 5-401 of this article, a county board shall identify the
14 strategies that will be used in that county to ensure that full-day kindergarten
15 programs are provided to all kindergarten students in that county by the 2007-2008
16 school year.

17 7-301.

18 (G) KINDERGARTEN PROGRAMS IN A COUNTY IN WHICH THE COUNTY BOARD
19 DECIDES NOT TO PROVIDE FULL-DAY KINDERGARTEN PROGRAMS FOR ALL
20 KINDERGARTEN STUDENTS IN THAT COUNTY UNDER § 7-101(E) OF THIS TITLE ARE
21 NOT SUBJECT TO THE REQUIREMENTS OF § 7-103(A) OF THIS TITLE RELATING TO
22 MINIMUM DAYS OR HOURS OF OPERATION.

23 **Chapter 288 of the Acts of 2002**

24 SECTION 20. AND BE IT FURTHER ENACTED, That:

25 (d) (1) For the additional State aid for education as enacted by Section 2 of
26 this Act to be implemented in fiscal 2005, the General Assembly at the 2004 regular
27 session shall affirm by joint resolution adopted no later than the fiftieth day of the
28 session that the additional State aid for education is within the State's fiscal
29 resources for fiscal 2005.

30 SECTION 25. AND BE IT FURTHER ENACTED, That Section 3 of this Act
31 shall take effect July 1, [2007] 2004.

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 July 1, 2004, contingent on the failure of the joint resolution described in Section
34 20(d)(1) of Chapter 288 of the Acts of the General Assembly of 2002 to take effect, and
35 if the joint resolution in Section 20(d)(1) of Chapter 288 does become effective, this Act
36 shall be null and void without the necessity of further action by the General Assembly.