

SENATE BILL 291

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2004 Regular Session
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CF 4lr2132

By: ~~Senators Lawlah, Forehand, Haines, and McFadden~~ Senator Lawlah
(Joint Committee on the Management of Public Funds)

Introduced and read first time: January 30, 2004
Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 16, 2004

CHAPTER _____

1 AN ACT concerning

2 **State Treasury - Deposits by Units of State Government**

3 FOR the purpose of removing a requirement that units of State government deposit
4 certain revenue into the State Treasury monthly; providing that units of State
5 government must deposit certain revenue into certain depositories in
6 accordance with certain regulations and policies; and generally relating to
7 deposits of revenue by units of State government.

8 BY repealing and reenacting, with amendments,
9 Article - State Finance and Procurement
10 Section 6-213
11 Annotated Code of Maryland
12 (2001 Replacement Volume and 2003 Supplement)

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

15 **Article - State Finance and Procurement**

16 6-213.

17 (a) Except as otherwise provided by law, IN ACCORDANCE WITH
18 REGULATIONS AND POLICIES ADOPTED BY THE TREASURER AND THE
19 COMPTROLLER, each unit of the State government [monthly] shall:

1 (1) pay into DEPOSITARIES DESIGNATED BY THE TREASURER FOR THE
2 ACCOUNT OF the State Treasury all collections, fees, income, and other revenues that
3 are received by the unit; and

4 (2) account to the Comptroller for those revenues.

5 (b) The Comptroller shall credit the revenues that a unit pays into
6 DEPOSITARIES DESIGNATED BY THE TREASURER FOR THE ACCOUNT OF the State
7 Treasury:

8 (1) to the account that the law specifies; or

9 (2) if the law does not specify an account, to an account that the
10 Comptroller designates for the use of the unit.

11 (c) (1) With the approval of the Governor, the Comptroller:

12 (i) shall exempt revenues from the requirements of subsection (a)
13 of this section if the Comptroller determines that the exemption would be in the
14 public interest; and

15 (ii) may rescind an exemption.

16 (2) The Comptroller shall keep a record that shows each exemption and
17 the reasons for it.

18 (3) The records shall be kept in the Office of the Comptroller and shall be
19 open to public inspection.

20 (d) (1) In this subsection, "State institution" includes a hospital or center
21 that the State operates.

22 (2) The Treasurer may exclude from the State Treasury the personal
23 funds that a State institution holds for its residents or clients.

24 (3) A State institution shall use, as a depository for these funds, a
25 financial institution that the Treasurer approves.

26 (4) The Treasurer may require the submission of a proposed agreement
27 between the State institution and the financial institution and may approve or
28 disapprove the agreement.

29 (5) The accounts established by a State institution shall be interest
30 bearing accounts.

31 (6) All interest on money of a resident or client of a State institution
32 shall be credited to the resident or client.

33 (7) A State institution shall:

1 (i) keep records of all transactions that involve money of a resident
2 or client; and

3 (ii) provide the resident or client with a statement of those
4 transactions at least each 6 months and on discharge.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2004.