
By: **Delegates Hubbard, Hurson, Barve, Rosenberg, Bobo, Conroy, Costa, Gilleland, Kullen, Leopold, Love, Marriott, Menes, Montgomery, Oaks, and Taylor**

Introduced and read first time: February 11, 2005
Assigned to: Health and Government Operations and Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Developmental Disabilities Administration - Waiting List Equity Fund -**
3 **Appropriation**

4 FOR the purpose of requiring the appropriation of certain funds from the Cigarette
5 Restitution Fund to the Waiting List Equity Fund; providing that the
6 Department of Health and Mental Hygiene may transfer a certain percentage of
7 the funds in the Waiting List Equity Fund allocated from the Cigarette
8 Restitution Fund to rural, underserved areas of the State to provide certain
9 community-based services; and generally relating to the appropriation of
10 certain funds for the Waiting List Equity Fund from the Cigarette Restitution
11 Fund.

12 BY repealing and reenacting, with amendments,
13 Article - Health - General
14 Section 7-206(b)
15 Annotated Code of Maryland
16 (2000 Replacement Volume and 2004 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article - State Finance and Procurement
19 Section 7-317(g)
20 Annotated Code of Maryland
21 (2001 Replacement Volume and 2004 Supplement)

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

1

Article - Health - General

2 7-206.

3 (b) (1) Subject to the appropriation process in the annual operating budget,
4 the Department shall use the Waiting List Equity Fund for providing
5 community-based services to individuals eligible for, but not receiving, services from
6 the Developmental Disabilities Administration.

7 (2) THE DEPARTMENT MAY TRANSFER A MAXIMUM OF 10% OF THE
8 FUNDS ALLOCATED FROM THE CIGARETTE RESTITUTION FUND TO RURAL,
9 UNDERSERVED AREAS OF THE STATE TO PROVIDE COMMUNITY-BASED SERVICES
10 NECESSARY TO SUSTAIN INDIVIDUALS IN THEIR OWN HOMES OR IN
11 COMMUNITY-BASED LIVING OPTIONS.

12

Article - State Finance and Procurement

13 7-317.

14 (g) (1) Amounts may only be expended from the Fund through
15 appropriations in the State budget bill as provided in this subsection.

16 (2) The Governor shall include in the annual budget bill appropriations
17 from the Fund equivalent to the lesser of \$100,000,000 or 90% of the funds estimated
18 to be available to the Fund in the fiscal year for which the appropriations are made.

19 (3) For each fiscal year for which appropriations are made, at least 50%
20 of the appropriations shall be made for those purposes enumerated in subsection
21 (f)(1)(i), (ii), and (iii)1 through 9 of this section subject to the requirement of
22 subsection (e)(2) of this section.

23 (4) For each of fiscal years 2003 through 2006, at least 25% of the
24 appropriations shall be made for the purposes of the Maryland Medical Assistance
25 Program.

26 (5) For each fiscal year for which appropriations are made, 0.15% of the
27 Fund shall be appropriated for the purposes of enforcement of Title 16, Subtitle 5 of
28 the Business Regulation Article.

29 (6) FOR EACH OF FISCAL YEARS 2007 THROUGH 2017, \$5,000,000 OF THE
30 FUND SHALL BE APPROPRIATED FOR THE PURPOSES OF THE WAITING LIST EQUITY
31 FUND ESTABLISHED UNDER TITLE 7, SUBTITLE 2 OF THE HEALTH - GENERAL
32 ARTICLE.

33 [(6)] (7) Any additional appropriations, not subject to paragraph (3),
34 paragraph (4), [or] paragraph (5), OR PARAGRAPH (6) of this subsection, may be made
35 for any lawful purpose.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
37 October 1, 2005.

