

BY: Delegate Krebs

AMENDMENTS TO HOUSE BILL NO. 1331
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 10, after “circumstances;” insert “repealing a certain requirement that the Governor include in the budget bill a certain appropriation to the Account under certain circumstances; repealing certain obsolete references;”; and after line 17, insert:

“BY repealing and reenacting, with amendments,

Article - Tax - Property

Section 13-209(g)

Annotated Code of Maryland

(2001 Replacement Volume and 2005 Supplement)”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 3 through 10, inclusive; and after line 10, insert:

“Article - Tax - Property

13-209.

(g) (1) [Notwithstanding § 7-311(j) of the State Finance and Procurement Article, subject] SUBJECT to paragraph [(3)] (2) of this subsection, for fiscal year 2012 and for each subsequent fiscal year, if the unappropriated General Fund surplus as of June 30 of the second preceding year exceeds \$10,000,000, the Governor shall include in the budget bill a General Fund appropriation to the special fund under subsection (a) of this section in an amount equal to at least the lesser of \$50,000,000 or the excess surplus over \$10,000,000.

[(2) For any fiscal year to which this subsection applies:

(Over)

(i) unless the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds the sum of \$10,000,000 and the amount required to be appropriated to the special fund under paragraph (1) of this subsection, the appropriation to the Revenue Stabilization Account under § 7-311(j) of the State Finance and Procurement Article is not required; and

(ii) if the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds the sum of \$10,000,000 and the amount required to be appropriated to the special fund under paragraph (1) of this subsection, the appropriation required to the Revenue Stabilization Account under § 7-311(j) of the State Finance and Procurement Article shall equal the amount by which that surplus exceeds the sum of \$10,000,000 and the amount appropriated to the special fund under paragraph (1) of this subsection.]

[~~(3)~~ (2) (i) The cumulative amount required to be appropriated to the special fund under paragraph (1) of this subsection for all fiscal years shall equal the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal year 2006 and for each subsequent fiscal year, reduced by:

1. the amount of any appropriation or transfer from the General Fund to the special fund for any fiscal year in excess of the amount required under paragraph (1) of this subsection for that fiscal year; and

2. the amount of any appropriation or transfer from the General Fund to the special fund for any fiscal year in which the appropriation under paragraph (1) of this subsection is not required.

(ii) This subsection does not apply to any fiscal year if a cumulative amount has been appropriated to the special fund for prior fiscal years under this subsection equal to the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal year 2006 and for each subsequent fiscal year, reduced by:

1. the amount of any appropriation or transfer from the General Fund to the special fund for any fiscal year in excess of the amount required under paragraph (1) of this subsection for that fiscal year; and

2. the amount of any appropriation or transfer from the General Fund to the special fund for any fiscal year in which the appropriation under paragraph (1) of this subsection is not required.

[(iii) 1. Except as provided in subsubparagraph 2 of this subparagraph, this subsection does not apply to any fiscal year for which the Governor is required under § 3-216(g) of the Transportation Article to include an appropriation to the Transportation Trust Fund.

2. This subsection applies in any fiscal year in which the cumulative amount required to be appropriated under § 3-216(g) of the Transportation Article has been paid and there is excess surplus under subsection (g)(1) of this section.1”.