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By: **Chair, Health and Government Operations Committee (By Request -  
Departmental - Health and Mental Hygiene)**

Introduced and read first time: January 19, 2006

Assigned to: Health and Government Operations

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Committee Report: Favorable

House action: Adopted

Read second time: February 22, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Children's Trust Fund**

3 FOR the purpose of establishing a Children's Trust Fund and requiring that  
4 allocations from the Fund be used for the Child Abuse and Neglect Centers of  
5 Excellence Initiative; and generally relating to the Children's Trust Fund.

6 BY repealing and reenacting, with amendments,  
7 Article - Health - General  
8 Section 4-217(a)(3)  
9 Annotated Code of Maryland  
10 (2005 Replacement Volume and 2005 Supplement)

11 BY adding to  
12 Article - Health - General  
13 Section 13-2207  
14 Annotated Code of Maryland  
15 (2005 Replacement Volume and 2005 Supplement)

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

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**Article - Health - General**

2 4-217.

3 (a) (3) (i) The Secretary shall provide on request, to any person  
4 authorized by regulation adopted under this subtitle, a commemorative birth  
5 certificate.

6 (ii) The Department shall set a fee for the commemorative birth  
7 certificate.

8 (iii) The commemorative birth certificate shall:

9 1. Be in a form consistent with the need to protect the  
10 integrity of vital records but suitable for display; and

11 2. Have the same status as evidence as the original birth  
12 certificate.

13 (iv) [Funds] A PORTION OF THE FUNDS COLLECTED UNDER THIS  
14 PARAGRAPH SHALL GO TO THE DEPARTMENT FOR THE PRODUCTION COSTS OF  
15 ISSUING THE COMMEMORATIVE BIRTH CERTIFICATES. THE REMAINDER OF THE  
16 FUNDS collected [under this paragraph] shall be paid into the Children's Trust Fund  
17 ESTABLISHED UNDER § 13-2207 OF THIS ARTICLE TO PROVIDE FUNDING FOR THE  
18 CHILD ABUSE AND NEGLECT CENTERS OF EXCELLENCE INITIATIVE.

19 (v) The Secretary shall adopt regulations to implement the  
20 provisions of this paragraph.

21 13-2207.

22 (A) IN THIS SECTION, "FUND" MEANS THE CHILDREN'S TRUST FUND.

23 (B) THERE IS A CHILDREN'S TRUST FUND.

24 (C) THE PURPOSE OF THE FUND IS TO PROVIDE FUNDING FOR THE CHILD  
25 ABUSE AND NEGLECT CENTERS OF EXCELLENCE INITIATIVE.

26 (D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

27 (E) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO §  
28 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

29 (F) THE FUND CONSISTS OF:

30 (1) FEES DISTRIBUTED TO THE FUND FROM THE ISSUANCE OF  
31 COMMEMORATIVE BIRTH CERTIFICATES UNDER § 4-217(A)(3) OF THIS ARTICLE;

32 (2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

1           (3)     ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE  
2 BENEFIT OF THE FUND.

3     (G)     THE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE  
4 COMPTROLLER SHALL ACCOUNT FOR THE FUND.

5     (H)     THE TREASURER SHALL INVEST AND REINVEST THE MONEY OF THE FUND  
6 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

7     (I)     (1)     THE COMPTROLLER SHALL PAY OUT MONEY FROM THE FUND AS  
8 DIRECTED BY THE SECRETARY.

9           (2)     NO PART OF THE FUND MAY REVERT OR BE CREDITED TO:

10           (I)     THE GENERAL FUND OF THE STATE; OR

11           (II)    ANY OTHER SPECIAL FUND OF THE STATE.

12     (J)     EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE  
13 WITH THE STATE BUDGET.

14     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
15 effect July 1, 2006.