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By: **Senators Hollinger, Britt, Brochin, Dyson, Garagiola, Gladden,  
Grosfeld, and Stone**

Introduced and read first time: January 30, 2006

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

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Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: March 22, 2006

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education - Maryland Infants and Toddlers Program - Grants - Funding**

3 FOR the purpose of ~~repealing a limitation that grants provided under the Maryland~~  
4 ~~Infants and Toddlers Program are subject to the availability of funds in the~~  
5 ~~State budget requiring the Governor to include a certain minimum~~  
6 ~~appropriation in the annual budget for the Maryland Infants and Toddlers~~  
7 Program; repealing certain obsolete provisions of law; correcting an obsolete  
8 reference; and generally relating to the funding of the Maryland Infants and  
9 Toddlers Program.

10 BY repealing and reenacting, with amendments,

11 Article - Education

12 Section 8-416

13 Annotated Code of Maryland

14 (2004 Replacement Volume and 2005 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Education**

18 8-416.

19 (a) (1) There is a Maryland Infants and Toddlers Program in the  
20 Department.

1           (2)       The purpose of the Program is to provide a statewide,  
2 community-based interagency system of comprehensive early intervention services to  
3 eligible infants and toddlers, birth through age 2, and their families.

4           (b)       The Department shall be the lead agency for supervising and monitoring  
5 the Program.

6           (c)       The Program shall include the early intervention services provided or  
7 supervised by the Department and the State Departments of Health and Mental  
8 Hygiene including the Program for Hearing-Impaired Infants established under Title  
9 13, Subtitle 6 of the Health - General Article and Human Resources, and the [Office  
10 for Children, Youth, and Families] GOVERNOR'S OFFICE FOR CHILDREN.

11          (d)       The Program shall be administered in accord with the applicable  
12 requirements of Part C of the Individuals with Disabilities Education Act and other  
13 applicable federal and State laws.

14          (e)       An interagency coordinating council shall be appointed by the Governor,  
15 with the advice and consent of the Senate, and shall:

16               (1)       Advise and assist the Department in the supervision and monitoring  
17 of the Program; and

18               (2)       Submit an annual report to the Governor and the federal  
19 government.

20          (f)       Local lead agencies shall be established or designated in each county and  
21 Baltimore City to administer the Program in their subdivision, under the direction of  
22 the Department.

23               (g)       (1)       In each county, the county executive or county commissioners, as  
24 appropriate, or in Baltimore City, the Mayor shall establish a local interagency  
25 coordinating council to advise and assist the local lead agency in the development and  
26 implementation of policies that constitute the local Program.

27               (2)       (i)       In each county, the county executive or county commissioners,  
28 as appropriate, or in Baltimore City, the Mayor may designate the local management  
29 board to serve as the local interagency coordinating council or establish the local  
30 interagency coordinating council as a part of that board.

31               (ii)       Where a local management board and a local interagency  
32 coordinating council coexist, they shall work cooperatively.

33               (h)       (1)       For fiscal year 2004, the annual per child cost of the Program is  
34 \$4,044.

35               (2)       For fiscal year 2005 and each succeeding fiscal year, the annual per  
36 child cost of the Program shall be the amount in paragraph (1) of this subsection  
37 increased by the same percentage as the increase in the implicit price deflator for

1 State and local government expenditures, as of July of the second fiscal year  
 2 preceding the year for which the amount is being calculated.

3 (3) FOR EACH FISCAL YEAR, IF SUFFICIENT FUNDS ARE NOT AVAILABLE  
 4 TO PROVIDE GRANTS IN ACCORDANCE WITH THE FORMULA UNDER PARAGRAPH (4)  
 5 OF THIS SUBSECTION, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET  
 6 BILL AN APPROPRIATION FOR THE MARYLAND INFANTS AND TODDLERS PROGRAM IN  
 7 AN AMOUNT NOT LESS THAN THE AMOUNT OF THE APPROPRIATION FOR THE  
 8 PROGRAM AS APPROVED IN THE STATE BUDGET AS ENACTED BY THE GENERAL  
 9 ASSEMBLY FOR THE PRIOR FISCAL YEAR.

10 ~~(3)~~ (4) {Subject to the availability of funding for the Program in the  
 11 State budget, the} THE Department shall distribute a grant to the local lead agency  
 12 for the Program in each county in an amount equal to the product of:

13 (i) The annual per child cost multiplied by the number of children  
 14 in the county who received services under the Program in the second fiscal year  
 15 preceding the year for which the amount is being calculated; and

16 (ii) 1- .05 for fiscal year 2004;

17 2- .10 for fiscal year 2005;

18 3- .15 for fiscal year 2006; and

19 4- .20 for fiscal year 2007 and each succeeding fiscal year.

20 (i) The Department shall adopt regulations necessary to carry out the  
 21 provisions of this section.

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