

HOUSE BILL 342

B1, F5, C7

9lr1305

By: **Delegates Taylor, Rice, Hixson, and Hucker**

Introduced and read first time: January 30, 2009

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Education – Education Trust Fund – Use of Funds**

3 FOR the purpose of requiring that expenditures from the Education Trust Fund be
4 additional funding for public elementary and secondary education, community
5 colleges, and public senior higher education institutions and not supplant any
6 existing funding; and generally relating to the use of the Education Trust Fund.

7 BY repealing and reenacting, with amendments,
8 Article – State Government
9 Section 9–1A–30
10 Annotated Code of Maryland
11 (2004 Replacement Volume and 2008 Supplement)

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

14 **Article – State Government**

15 9–1A–30.

16 (a) There is an Education Trust Fund which is a special, nonlapsing fund
17 that is not subject to § 7–302 of the State Finance and Procurement Article.

18 (b) (1) There shall be credited to the Education Trust Fund all proceeds
19 allocated to the Fund under § 9–1A–27 of this subtitle.

20 (2) Money in the Education Trust Fund shall be invested and
21 reinvested by the Treasurer, and interest and earnings shall accrue to the Fund.

22 (c) Money in the Education Trust Fund shall be used to:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) provide funding for public elementary and secondary education,
2 through continuation of the funding and formulas established under the programs
3 commonly known as the Bridge to Excellence in Public Schools Act, first enacted by
4 Chapter 288 of the Acts of the General Assembly of 2002, including the funding for
5 regional differences in the cost of education under § 5–202(f) of the Education Article;

6 (2) provide funds to construct public school buildings and provide
7 public school capital improvements in accordance with §§ 5–301 through 5–303 of the
8 Education Article; and

9 (3) provide funds for capital projects at community colleges and public
10 senior higher education institutions.

11 (d) (1) Expenditures from the Education Trust Fund shall be made each
12 fiscal year in accordance with the State budget.

13 (2) **EXPENDITURES FROM THE EDUCATION TRUST FUND SHALL**
14 **BE ADDITIONAL FUNDING FOR PUBLIC ELEMENTARY AND SECONDARY**
15 **EDUCATION, COMMUNITY COLLEGES, AND PUBLIC SENIOR HIGHER EDUCATION**
16 **INSTITUTIONS AND MAY NOT SUPPLANT EXISTING FUNDING FROM ANY SOURCE.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2009.