

# HOUSE BILL 957

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CF SB 796

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By: **Delegate Hubbard**

Introduced and read first time: February 13, 2009

Assigned to: Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Office of the Treasurer - Community Services Trust Fund - Restructuring**

3 FOR the purpose of altering the purpose of the Community Services Trust Fund in the  
4 Office of the Treasurer; repealing an account holding certain proceeds from the  
5 sale or long-term lease of property and equipment resulting from the sale or  
6 long-term lease of Mental Hygiene Administration facilities and certain  
7 provisions of law relating to the transfer of funds from the account; and  
8 generally relating to the repeal of the Mental Hygiene Administration account  
9 of the Community Services Trust Fund.

10 BY repealing and reenacting, without amendments,  
11 Article - Health - General  
12 Section 24-1101  
13 Annotated Code of Maryland  
14 (2005 Replacement Volume and 2008 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article - Health - General  
17 Section 24-1102, 24-1103, 24-1104, and 24-1105  
18 Annotated Code of Maryland  
19 (2005 Replacement Volume and 2008 Supplement)

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

22 **Article - Health - General**

23 24-1101.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) In this subtitle the following words have the meanings indicated.

2 (b) “Trust Fund” means the Community Services Trust Fund.

3 (c) “Proceeds” means the gross proceeds minus the costs associated with the  
4 sale, lease, or disposition of property and equipment, as determined by the  
5 Department of General Services.

6 24–1102.

7 (a) There is a Community Services Trust Fund in the Office of the Treasurer.

8 (b) The purpose of the Trust Fund is to receive and hold the proceeds from  
9 the sale or long–term lease of property and equipment of a Developmental Disabilities  
10 Administration facility [or a Mental Hygiene Administration facility].

11 24–1103.

12 (a) The Trust Fund is a continuing, nonlapsing fund that is not subject to §  
13 7–302 of the State Finance and Procurement Article.

14 (b) (1) The Treasurer shall hold the Trust Fund and the Comptroller shall  
15 account for the Trust Fund.

16 (2) (i) The Trust Fund shall be invested and reinvested in the  
17 same manner as other State funds.

18 (ii) Any investment earnings of the Trust Fund shall be paid  
19 into the Trust Fund.

20 (3) The Treasurer shall deposit funds into the [two accounts]  
21 **ACCOUNT** of the Trust Fund in accordance with § 24–1104 of this subtitle.

22 24–1104.

23 (a) The Trust Fund consists of [two accounts] **ONE ACCOUNT**.

24 (b) [(1) One] **THE** account holds the proceeds from the sale or long–term  
25 lease of property and equipment resulting from the sale or long–term lease of  
26 Developmental Disabilities Administration facilities.

27 [(2) One account holds the proceeds from the sale or long–term lease of  
28 property and equipment resulting from the sale or long–term lease of Mental Hygiene  
29 Administration facilities.]

30 24–1105.

1           (a)    The Trust Fund may only be used in accordance with this section.

2           (b)    In accordance with an appropriation approved by the General Assembly  
3 in the State budget, the Comptroller shall transfer the investment earnings of[:

4                   (1)    The] **THE** Developmental Disabilities Administration account of  
5 the Trust Fund into the Waiting List Equity Fund established under § 7–206 of this  
6 article[; and

7                   (2)    The Mental Hygiene Administration account of the Trust Fund  
8 into the Mental Hygiene Community–Based Services Fund established under § 10–208  
9 of this article].

10           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2009.