

HOUSE BILL 1431

B1

9lr3126

By: **Delegates Boteler and Kach**

Introduced and read first time: February 25, 2009

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Professional Boards – Transfer of Funds – Repayment**

3 FOR the purpose of providing that the Governor may not transfer money from certain
4 professional funds to the General Fund of the State except under certain
5 circumstances; providing that the General Assembly may not authorize the
6 Governor to transfer money from certain professional funds to the General Fund
7 except under certain circumstances; allowing the General Assembly to authorize
8 the Governor to transfer money from certain professional funds to the General
9 Fund if the use of the money is restricted to certain purposes; requiring the
10 Governor, under certain circumstances, to include certain appropriations in the
11 State budget for certain fiscal years to repay certain transfers from certain
12 funds; defining a certain term; and generally relating to the transfer of money
13 from certain professional funds.

14 BY adding to
15 Article – State Finance and Procurement
16 Section 7–239
17 Annotated Code of Maryland
18 (2006 Replacement Volume and 2008 Supplement)

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

21 **Article – State Finance and Procurement**

22 **7–239.**

23 (A) IN THIS SECTION, “PROFESSIONAL FUND” MEANS A FUND OR
24 ACCOUNT ESTABLISHED TO RECEIVE FEES, DUES, OR OTHER PAYMENTS FROM
25 MEMBERS OF A PROFESSION AND DEDICATED FOR USE IN THE REGULATION OR
26 ACTIVITIES OF THE PROFESSION.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION:**

2 **(1) THE GOVERNOR MAY NOT TRANSFER MONEY IN A**
3 **PROFESSIONAL FUND TO THE GENERAL FUND OF THE STATE; AND**

4 **(2) THE GENERAL ASSEMBLY MAY NOT AUTHORIZE THE**
5 **GOVERNOR TO TRANSFER MONEY IN A PROFESSIONAL FUND TO THE GENERAL**
6 **FUND OF THE STATE.**

7 **(C) THE GENERAL ASSEMBLY MAY AUTHORIZE THE GOVERNOR TO**
8 **TRANSFER AND THE GOVERNOR MAY TRANSFER MONEY IN A PROFESSIONAL**
9 **FUND TO THE GENERAL FUND OF THE STATE IF THE MONEY TO BE**
10 **TRANSFERRED IS RESTRICTED BY LAW TO A PURPOSE RELATED TO THE**
11 **PROFESSION.**

12 **(D) IF DURING ANY FISCAL YEAR THE GOVERNOR TRANSFERS MONEY**
13 **FROM A PROFESSIONAL FUND TO THE GENERAL FUND OF THE STATE, THE**
14 **GOVERNOR SHALL INCLUDE AN APPROPRIATION TO REPAY THE MONEY IN THE**
15 **ANNUAL BUDGET BILL FOR THE FOLLOWING FISCAL YEAR.**

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