

HOUSE BILL 939

P1, P5

0lr1823
CF 0lr3104

By: **Delegates Levi, Ali, Barnes, Benson, Bobo, Feldman, Frick, Gutierrez, Holmes, Howard, Nathan–Pulliam, Oaks, Ramirez, Riley, Robinson, Stukes, Tarrant, Taylor, Valderrama, and Vaughn**

Introduced and read first time: February 12, 2010

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly Members – Use of Funds – Grant Writers**

3 FOR the purpose of authorizing a member of the General Assembly to use certain
4 funds, up to a certain amount, to finance grant writers for nonprofit
5 organizations under certain circumstances; authorizing two or more members to
6 combine certain funds to finance a grant writer under certain circumstances;
7 and generally relating to the use of funds by members of the General Assembly.

8 BY repealing and reenacting, with amendments,
9 Article – State Government
10 Section 2–108
11 Annotated Code of Maryland
12 (2009 Replacement Volume)

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

15 **Article – State Government**

16 2–108.

17 (a) [Public] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**
18 **PUBLIC** resources may be used by members of the General Assembly only for public
19 purposes.

20 **(B) (1) IF FUNDS ALLOCATED TO A MEMBER FOR THE PURPOSE OF**
21 **MAINTAINING A DISTRICT OFFICE REMAIN AT THE END OF ANY FISCAL YEAR,**
22 **THE MEMBER MAY USE NO MORE THAN \$3,000 OF THE REMAINING FUNDS TO**
23 **FINANCE A GRANT WRITER FOR A NONPROFIT ORGANIZATION IF:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(I) THE NONPROFIT ORGANIZATION:**

2 **1. IS LOCATED IN THE STATE;**

3 **2. HAS AN ANNUAL BUDGET OF NO MORE THAN**
4 **\$500,000; AND**

5 **3. IS QUALIFIED TO RECEIVE TAX DEDUCTIBLE**
6 **CONTRIBUTIONS UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE; AND**

7 **(II) THE GRANT WRITER IS:**

8 **1. WRITING THE GRANT ON BEHALF OF A**
9 **COLLABORATION OF TWO OR MORE NONPROFIT ORGANIZATIONS; AND**

10 **2. CERTIFIED BY THE GRANT PROFESSIONALS**
11 **CERTIFICATION INSTITUTE OR THE CERTIFIED FUNDRAISING EXECUTIVE**
12 **PROGRAM.**

13 **(2) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,**
14 **TWO OR MORE MEMBERS MAY COMBINE FUNDS TO FINANCE A GRANT WRITER**
15 **UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

16 **(II) THE AMOUNT OF THE FUNDS COMBINED UNDER**
17 **SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT EXCEED \$10,000.**

18 **[(b)] (C)** This section does not prohibit incidental use of public resources for
19 nonpublic purposes.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2010.