

HOUSE BILL 1357

B1
HB 1431/09 – APP

0lr1924

By: **Delegates Boteler, Aumann, Eckardt, Elliott, Elmore, Frank, Haddaway, Kach, Krebs, Smigiel, Sossi, Stocksdale, and Wood**
Introduced and read first time: February 18, 2010
Assigned to: Appropriations

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 (2009 Replacement Volume)

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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 MEMBERS OF A PROFESSION AND DEDICATED FOR USE IN THE REGULATION OR
2 ACTIVITIES OF THE PROFESSION.

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

4 (1) THE GOVERNOR MAY NOT TRANSFER MONEY IN A
5 PROFESSIONAL FUND TO THE GENERAL FUND OF THE STATE; AND

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

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

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

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 June 1, 2010.