

SENATE BILL 611

F1

EMERGENCY BILL

8lr2133
CF 8lr3929

By: ~~Senators Conway, McFadden, Ferguson, Madaleno, Manno, McFadden,~~
~~Nathan-Pulliam, Rosapepe, Young, and Zucker~~

Introduced and read first time: January 31, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 16, 2018

CHAPTER _____

1 AN ACT concerning

2 **Education – Healthy School Facility Fund – Established**

3 FOR the purpose of establishing the Healthy School Facility Fund as a special, nonlapsing
4 fund; specifying the purpose of the Fund; requiring the Interagency Committee on
5 School Construction to administer the Fund; requiring the State Treasurer to hold
6 the Fund and the Comptroller to account for the Fund; specifying the contents of the
7 Fund; specifying the purpose for which the Fund may be used; providing for the
8 investment of money in and expenditures from the Fund; requiring interest earnings
9 of the Fund to be credited to the Fund; specifying that money expended from the
10 Fund is supplemental to certain other funds; requiring the Governor to make a
11 certain appropriation in certain fiscal years to the Fund; requiring a certain priority
12 order in which the Interagency Committee on School Construction must allocate
13 funds; requiring the Interagency Committee on School Construction to establish
14 certain application procedures; exempting the Fund from a certain provision of law
15 requiring interest earnings on State money to accrue to the General Fund of the
16 State; defining a certain term; making this Act an emergency measure; and generally
17 relating to the Healthy School Facility Fund.

18 BY adding to

19 Article – Education

20 Section 5–314

21 Annotated Code of Maryland

22 (2014 Replacement Volume and 2017 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 BY repealing and reenacting, without amendments,
2 Article – State Finance and Procurement
3 Section 6–226(a)(2)(i)
4 Annotated Code of Maryland
5 (2015 Replacement Volume and 2017 Supplement)

6 BY repealing and reenacting, with amendments,
7 Article – State Finance and Procurement
8 Section 6–226(a)(2)(ii)101. and 102.
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2017 Supplement)

11 BY adding to
12 Article – State Finance and Procurement
13 Section 6–226(a)(2)(ii)103.
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2017 Supplement)

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

18 **Article – Education**

19 **5–314.**

20 (A) IN THIS SECTION, “FUND” MEANS THE HEALTHY SCHOOL FACILITY
21 FUND.

22 (B) THERE IS A HEALTHY SCHOOL FACILITY FUND.

23 (C) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO PUBLIC
24 PRIMARY AND SECONDARY SCHOOLS IN THE STATE TO IMPROVE THE HEALTH OF
25 SCHOOL FACILITIES.

26 (D) THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION SHALL
27 ADMINISTER THE FUND.

28 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT
29 SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

30 (2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,
31 AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

32 (F) THE FUND CONSISTS OF:

33 (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

1 (2) ANY INTEREST EARNINGS OF THE FUND; AND

2 (3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
3 THE BENEFIT OF THE FUND.

4 (G) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND
5 IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

6 (2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO
7 THE FUND.

8 (H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
9 WITH THE STATE BUDGET.

10 (I) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT
11 INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE
12 APPROPRIATED TO PRIMARY AND SECONDARY SCHOOLS UNDER THIS ARTICLE.

13 (J) (1) IN EACH OF FISCAL YEARS ~~2018 THROUGH 2024~~ 2020 AND 2021,
14 THE GOVERNOR SHALL APPROPRIATE AT LEAST ~~\$15,000,000~~ \$30,000,000 TO THE
15 FUND.

16 (2) (I) SUBJECT TO SUBPARAGRAPHS (II) AND (III) OF THIS
17 PARAGRAPH, THE INTERAGENCY COMMITTEE ON SCHOOL CONSTRUCTION SHALL
18 GIVE PRIORITY IN AWARDING GRANTS TO SCHOOLS BASED ON THE SEVERITY OF
19 ~~NEED FOR THE FOLLOWING~~ ISSUES IN THE SCHOOL, INCLUDING:

- 20 1. AIR CONDITIONING;
- 21 2. HEATING;
- 22 3. INDOOR AIR QUALITY;
- 23 4. MOLD REMEDIATION; ~~AND~~
- 24 5. TEMPERATURE REGULATION;
- 25 6. PLUMBING; AND
- 26 7. WINDOWS.

27 (II) NO JURISDICTION MAY RECEIVE MORE THAN A TOTAL OF
28 ~~\$5,000,000~~ \$15,000,000 IN A FISCAL YEAR.

