

SENATE BILL 3

C8

9lr0797

(PRE-FILED)

By: **Senator Rosapepe**

Requested: November 20, 2018

Introduced and read first time: January 9, 2019

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Smart Growth Investment Fund**

3 FOR the purpose of authorizing the Department of Commerce to create, own, control, or be
4 a member of a certain entity for certain purposes; requiring the Department to issue
5 a request for proposals to select a management entity to establish the Maryland
6 Smart Growth Investment Fund; requiring the Governor to include in the annual
7 budget bill for certain fiscal years a certain appropriation for the Fund; providing
8 that the Department is not required to invest certain appropriated funds in the Fund
9 if the committed capital in the Fund is less than a certain amount on a certain date;
10 defining a certain term; and generally relating to the Maryland Smart Growth
11 Investment Fund.

12 BY adding to

13 Article – Economic Development

14 Section 5–1701 to be under the new subtitle “Subtitle 17. Miscellaneous Economic
15 Development Funds”

16 Annotated Code of Maryland

17 (2018 Replacement Volume)

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

20 **Article – Economic Development**

21 **SUBTITLE 17. MISCELLANEOUS ECONOMIC DEVELOPMENT FUNDS.**

22 **5–1701.**

23 **(A) IN THIS SECTION, “FUND” MEANS THE MARYLAND SMART GROWTH**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 INVESTMENT FUND ESTABLISHED IN ACCORDANCE WITH:

2 (1) THE RECOMMENDATIONS OF THE MARYLAND SMART GROWTH
3 INVESTMENT FUND WORKGROUP; AND

4 (2) THE REQUEST FOR PROPOSALS ISSUED BY THE DEPARTMENT
5 UNDER SUBSECTION (C) OF THIS SECTION.

6 (B) TO CARRY OUT THIS SUBTITLE, THE DEPARTMENT MAY CREATE, OWN,
7 CONTROL, OR BE A MEMBER OF A CORPORATION, A LIMITED LIABILITY COMPANY, A
8 PARTNERSHIP, OR ANY OTHER ENTITY, WHETHER OPERATED FOR PROFIT OR NOT
9 FOR PROFIT.

10 (C) THE DEPARTMENT SHALL ISSUE A REQUEST FOR PROPOSALS TO
11 SELECT A MANAGEMENT ENTITY TO ESTABLISH AN INVESTMENT FUND THAT IS:

12 (1) BASED ON THE RECOMMENDATIONS IN THE DECEMBER 2013
13 REPORT OF THE MARYLAND SMART GROWTH INVESTMENT FUND WORKGROUP;
14 AND

15 (2) DESIGNED TO MEET THE REQUIREMENTS FOR A QUALIFIED
16 OPPORTUNITY FUND UNDER THE FEDERAL TAX CUTS AND JOBS ACT OF 2017.

17 (D) FOR FISCAL YEAR 2021, THE GOVERNOR SHALL INCLUDE IN THE
18 ANNUAL BUDGET BILL AN APPROPRIATION OF \$7,000,000 FOR THE FUND.

19 (E) THE DEPARTMENT IS NOT REQUIRED TO INVEST THE FUNDS
20 APPROPRIATED UNDER SUBSECTION (D) OF THIS SECTION IN THE FUND IF THE
21 COMMITTED CAPITAL IN THE FUND IS LESS THAN \$25,000,000 ON DECEMBER 31,
22 2021.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
24 1, 2019.