

HOUSE BILL 251

B1, P1

EMERGENCY BILL
ENROLLED BILL

(11r0326)

— Appropriations/Education, Health, and Environmental Affairs —

Introduced by **Delegate Carr**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Funding Accountability and Transparency Act – *Real Property***
3 ***Records Improvement Fund and Nonbudgeted State Agencies***

4 FOR the purpose of altering the Maryland Funding Accountability and Transparency Act
5 to require the Department of Information Technology to include in a certain
6 searchable website payments made by certain units of State government; requiring
7 the Department to update the payment data on the searchable website within a
8 certain period of time; authorizing the Judiciary to transfer up to a certain amount
9 of a General Fund appropriation to a certain special fund; repealing an obsolete
10 provision; making a technical correction; making stylistic changes; making this Act
11 an emergency measure; and generally relating to the Maryland Funding
12 Accountability and Transparency Act.

13 BY repealing and reenacting, with amendments,
14 Article – State Finance and Procurement

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.

Italics indicate opposite chamber/conference committee amendments.



1 Section 3A–313
2 Annotated Code of Maryland
3 (2015 Replacement Volume and 2020 Supplement)

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

6 **Article – State Finance and Procurement**

7 3A–313.

8 (a) (1) In this section the following words have the meanings indicated.

9 (2) **“AGENCY” INCLUDES A UNIT OF STATE GOVERNMENT THAT**
10 **RECEIVES FUNDS THAT ARE NOT APPROPRIATED IN THE ANNUAL BUDGET BILL.**

11 **(3)** (i) “Payee” means any party who receives from the State an
12 aggregate payment of \$25,000 in a fiscal year.

13 (ii) “Payee” does not include:

14 1. a State employee with respect to the employee’s
15 compensation; or

16 2. a State retiree with respect to the retiree’s retirement
17 allowance.

18 **[(3)] (4)** “Searchable [Web site] WEBSITE” means a [Web site] WEBSITE
19 created in accordance with this section that displays and searches State payment data.

20 (b) **(1)** [On or before January 1, 2009, the] **THE** Department shall develop and
21 operate a single searchable [Web site] WEBSITE, accessible to the public at no cost through
22 the Internet.

23 **(2)** **ON OR BEFORE THE 15TH DAY OF THE MONTH THAT FOLLOWS THE**
24 **MONTH IN WHICH AN AGENCY MAKES A PAYMENT TO A PAYEE, THE DEPARTMENT**
25 **SHALL UPDATE THE PAYMENT DATA ON THE SEARCHABLE WEBSITE.**

26 (c) The searchable [Web site] WEBSITE shall contain State payment data,
27 including:

28 (1) the name of a payee receiving a payment;

29 (2) the location of a payee by postal zip code;

30 (3) the amount of a payment; and

1 (4) the name of an agency making a payment.

2 (d) The searchable [Web site] WEBSITE shall allow the user to:

3 (1) search data for fiscal year 2008 and each year thereafter; and

4 (2) search by the following data fields:

5 (i) a payee receiving a payment;

6 (ii) an agency making a payment; and

7 (iii) the zip code of a payee receiving a payment.

8 (e) State agencies shall provide appropriate assistance to the Secretary to ensure
9 the existence and ongoing operation of the single [Web site] WEBSITE.

10 (f) This section may not be construed to require the disclosure of information that
11 is confidential under State or federal law.

12 (g) This section shall be known and may be cited as the “Maryland Funding
13 Accountability and Transparency Act [of 2008]”.

14 SECTION 2. AND BE IT FURTHER ENACTED, That:

15 (a) Notwithstanding any other provision of law, on or before June 30, 2021, the
16 Judiciary may transfer up to \$12,000,000 of the fiscal year 2021 General Fund
17 appropriation for the Judiciary to the Circuit Court Real Property Records Improvement
18 Fund established under § 13-602 of the Courts and Judicial Proceedings Article.

19 (b) Notwithstanding § 7-302 of the State Finance and Procurement Article or any
20 other provision of law, any amount transferred under subsection (a) of this section may not
21 revert to the General Fund.

22 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July~~
23 ~~1, 2021.~~

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
25 measure, is necessary for the immediate preservation of the public health or safety, has been
26 passed by a yea and nay vote supported by three-fifths of all the members elected to each of
27 the two Houses of the General Assembly, and shall take effect from the date it is enacted.