

# HOUSE BILL 443

C8  
HB 1455/20 – W&M

1r1769  
CF 1r1792

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By: **Delegate McKay**

Introduced and read first time: January 15, 2021

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Economic Development – Makerspace Initiative Pilot Program**

3 FOR the purpose of establishing the Makerspace Initiative Pilot Program in the Maryland  
4 Technology Development Corporation; establishing the purposes of the Program;  
5 requiring the Corporation to partner with a certain entity to provide technical  
6 assistance to certain nonprofit entities; authorizing the Corporation to award certain  
7 financial assistance to local governments, certain designees of local governments,  
8 and certain nonprofit entities for the establishment of makerspaces in the State;  
9 requiring the Corporation, after consulting with the Secretary of Commerce, to adopt  
10 certain standards; authorizing the Corporation to award financial assistance subject  
11 to certain limitations; requiring a recipient of financial assistance to provide certain  
12 matching funds or in-kind contributions; prohibiting the Corporation from awarding  
13 financial assistance within a single county exceeding a certain amount except under  
14 certain circumstances; establishing the Makerspace Initiative Fund as a special,  
15 nonlapsing fund; specifying the purpose of the Fund; requiring the Executive  
16 Director of the Maryland Technology Development Corporation or the Executive  
17 Director's designee to administer the Fund; requiring the State Treasurer to hold the  
18 Fund and the Comptroller to account for the Fund; specifying the contents of the  
19 Fund; requiring the Governor, for certain fiscal years, to include a certain  
20 appropriation in the annual budget bill for the Fund; providing for the investment of  
21 money in and expenditures from the Fund; requiring interest earnings of the Fund  
22 to be credited to the Fund; providing that certain appropriations and expenditures  
23 are subject to audit by the Office of Legislative Audits; exempting the Fund from a  
24 certain provision of law requiring interest earnings on State money to accrue to the  
25 General Fund of the State; defining certain terms; providing for the termination of  
26 this Act; and generally relating to the Makerspace Initiative Pilot Program.

27 BY repealing and reenacting, without amendments,  
28 Article – Economic Development  
29 Section 9–101(a) and (e) and 10–401(a) through (c)  
30 Annotated Code of Maryland

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2018 Replacement Volume and 2020 Supplement)

2 BY adding to

3 Article – Economic Development

4 Section 10–473 through 10–477 to be under the new part “Part VIII. Makerspace  
5 Initiative Pilot Program”

6 Annotated Code of Maryland

7 (2018 Replacement Volume and 2020 Supplement)

8 BY repealing and reenacting, without amendments,

9 Article – State Finance and Procurement

10 Section 6–226(a)(2)(i)

11 Annotated Code of Maryland

12 (2015 Replacement Volume and 2020 Supplement)

13 BY repealing and reenacting, with amendments,

14 Article – State Finance and Procurement

15 Section 6–226(a)(2)(ii)122. and 123.

16 Annotated Code of Maryland

17 (2015 Replacement Volume and 2020 Supplement)

18 BY adding to

19 Article – State Finance and Procurement

20 Section 6–226(a)(2)(ii)124.

21 Annotated Code of Maryland

22 (2015 Replacement Volume and 2020 Supplement)

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

25 **Article – Economic Development**

26 9–101.

27 (a) In this division the following words have the meanings indicated.

28 (e) “Secretary” means the Secretary of Commerce.

29 10–401.

30 (a) In this subtitle the following words have the meanings indicated.

31 (b) “Board” means the Board of Directors of the Corporation.

32 (c) “Corporation” means the Maryland Technology Development Corporation.

33 **PART VIII. MAKERSPACE INITIATIVE PILOT PROGRAM.**

1 10-473.

2 (A) IN THIS PART THE FOLLOWING WORDS HAVE THE MEANINGS  
3 INDICATED.

4 (B) "FINANCIAL ASSISTANCE" MEANS A GRANT, A LOAN, OR SIMILAR  
5 ASSISTANCE.

6 (C) "FUND" MEANS THE MAKERSPACE INITIATIVE FUND.

7 (D) "PROGRAM" MEANS THE MAKERSPACE INITIATIVE PILOT PROGRAM.

8 10-474.

9 (A) THERE IS A MAKERSPACE INITIATIVE PILOT PROGRAM IN THE  
10 CORPORATION.

11 (B) THE PURPOSE OF THE PROGRAM IS TO ENCOURAGE THE  
12 ESTABLISHMENT AND EXPANSION OF MAKERSPACES THROUGHOUT THE STATE.

13 (C) (1) THE CORPORATION SHALL ADMINISTER THE PROGRAM.

14 (2) THE CORPORATION SHALL PARTNER WITH THE OPEN WORKS  
15 CENTER FOR ADVANCED FABRICATION TECHNOLOGIES IN BALTIMORE CITY TO  
16 PROVIDE TECHNICAL ASSISTANCE TO NONPROFIT ENTITIES SEEKING TO ESTABLISH  
17 MAKERSPACES IN THE STATE.

18 10-475.

19 (A) TO CARRY OUT THE PURPOSES OF THE PROGRAM, THE CORPORATION  
20 SHALL AWARD FINANCIAL ASSISTANCE UNDER THIS PART TO ELIGIBLE APPLICANTS  
21 FOR THE ESTABLISHMENT OR EXPANSION OF MAKERSPACES IN THE STATE.

22 (B) THE CORPORATION SHALL AWARD FINANCIAL ASSISTANCE FROM THE  
23 FUNDS AVAILABLE UNDER THE MAKERSPACE INITIATIVE FUND ESTABLISHED  
24 UNDER § 10-477 OF THIS SUBTITLE.

25 10-476.

26 (A) AFTER CONSULTING WITH THE SECRETARY, THE CORPORATION SHALL  
27 ADOPT STANDARDS TO AWARD FINANCIAL ASSISTANCE.

1           **(B) THE CORPORATION MAY AWARD FINANCIAL ASSISTANCE TO:**

2                   **(1) A LOCAL GOVERNMENT;**

3                   **(2) AN AGENCY, AN INSTRUMENTALITY, OR A NONPROFIT**  
4 **CORPORATION THAT THE LOCAL GOVERNMENT DESIGNATES; OR**

5                   **(3) A NONPROFIT ENTITY OPERATING OR SEEKING TO OPERATE A**  
6 **MAKERSPACE IN THE STATE.**

7           **(C) IN EACH OF FISCAL YEARS 2023, 2024, AND 2025, THE CORPORATION**  
8 **MAY AWARD FINANCIAL ASSISTANCE AS FOLLOWS:**

9                   **(1) \$50,000 TO ESTABLISH MAKERSPACE PROGRAMS WITH WESTERN**  
10 **MARYLAND WORKS; AND**

11                   **(2) \$250,000 TO ESTABLISH OR EXPAND MAKERSPACES IN UP TO**  
12 **FOUR COUNTIES NOT SERVED BY WESTERN MARYLAND WORKS.**

13           **(D) A RECIPIENT OF FINANCIAL ASSISTANCE UNDER THIS SECTION SHALL**  
14 **PROVIDE MATCHING FUNDS OR IN-KIND CONTRIBUTIONS FOR THE PROJECT AT**  
15 **LEAST EQUAL TO THE AMOUNT OF FINANCIAL ASSISTANCE AWARDED.**

16           **(E) UNLESS TWO-THIRDS OF THE MEMBERSHIP OF THE BOARD APPROVES,**  
17 **THE CORPORATION MAY NOT AWARD FINANCIAL ASSISTANCE WITHIN A SINGLE**  
18 **COUNTY UNDER THIS SECTION THAT EXCEEDS A TOTAL OF \$150,000 IN A SINGLE**  
19 **FISCAL YEAR.**

20 **10-477.**

21           **(A) THERE IS A MAKERSPACE INITIATIVE FUND IN THE CORPORATION.**

22           **(B) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT**  
23 **SUBJECT TO REVERSION UNDER § 7-302 OF THE STATE FINANCE AND**  
24 **PROCUREMENT ARTICLE.**

25                   **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**  
26 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

27           **(C) THE FUND CONSISTS OF:**

28                   **(1) APPROPRIATIONS AS PROVIDED IN THE STATE BUDGET;**

1           **(2) REPAYMENTS OF LOANS MADE THROUGH THE PROGRAM;**

2           **(3) ANY INTEREST EARNINGS OF THE FUND; AND**

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

5           **(D) THE EXECUTIVE DIRECTOR OF THE CORPORATION, OR THE EXECUTIVE**  
6 **DIRECTOR'S DESIGNEE, SHALL ADMINISTER THE FUND IN ACCORDANCE WITH THIS**  
7 **PART AND ANY OTHER APPLICABLE LAW.**

8           **(E) THE FUND SHALL BE USED TO COVER THE FOLLOWING COSTS OF THE**  
9 **PROGRAM:**

10           **(1) ADMINISTRATIVE COSTS NOT EXCEEDING \$50,000 IN EACH FISCAL**  
11 **YEAR;**

12           **(2) REIMBURSEMENT, NOT EXCEEDING \$100,000 IN EACH FISCAL**  
13 **YEAR, FOR TECHNICAL ASSISTANCE PROVIDED BY THE OPEN WORKS CENTER FOR**  
14 **ADVANCED FABRICATION TECHNOLOGIES IN BALTIMORE CITY; AND**

15           **(3) ANY FINANCIAL ASSISTANCE THAT IS AWARDED TO ELIGIBLE**  
16 **RECIPIENTS IN ACCORDANCE WITH § 10-476 OF THIS SUBTITLE.**

17           **(F) FOR FISCAL YEARS 2023, 2024, AND 2025, THE GOVERNOR SHALL**  
18 **INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF AT LEAST \$450,000**  
19 **TO THE FUND.**

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

22           **(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE CREDITED**  
23 **TO THE FUND.**

24           **(H) THE OFFICE OF LEGISLATIVE AUDITS SHALL AUDIT THE ACCOUNTS**  
25 **AND TRANSACTIONS OF THE FUND AS PROVIDED IN § 2-1220 OF THE STATE**  
26 **GOVERNMENT ARTICLE.**

27                                   **Article – State Finance and Procurement**

28                                   6-226.

29           (a) (2) (i) Notwithstanding any other provision of law, and unless  
30 inconsistent with a federal law, grant agreement, or other federal requirement or with the

1 terms of a gift or settlement agreement, net interest on all State money allocated by the  
2 State Treasurer under this section to special funds or accounts, and otherwise entitled to  
3 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General  
4 Fund of the State.

5 (ii) The provisions of subparagraph (i) of this paragraph do not apply  
6 to the followings funds:

7 122. the Racing and Community Development Financing Fund;  
8 [and]

9 123. the Racing and Community Development Facilities Fund;  
10 **AND**

11 **124. THE MAKERSPACE INITIATIVE FUND.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
13 October 1, 2021. It shall remain effective for a period of 4 years and, at the end of September  
14 30, 2025, this Act, with no further action required by the General Assembly, shall be  
15 abrogated and of no further force and effect.