

HOUSE BILL 589

B1

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CF SB 493

By: **The Speaker (By Request – Administration)**

Introduced and read first time: January 20, 2021

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2021**

3 FOR the purpose of altering the source of funding for certain required appropriations;
4 expanding the authorized uses of certain funds; altering, for certain fiscal years, the
5 total State operating fund per full-time equivalent student for certain community
6 colleges that the Governor is required to request; altering, for certain fiscal years,
7 the total State operating funds required to be distributed to certain community
8 colleges; altering, for certain fiscal years, the annual apportionment for each
9 institution that qualifies for aid under the Joseph A. Sellinger Program; requiring
10 certain scholarship funds to be deposited in a certain student financial assistance
11 fund under certain circumstances; requiring certain funding to be used to disburse
12 assistance under a certain loan assistance repayment program; altering the amount
13 the Governor is authorized to appropriate to a certain fund in certain budgets;
14 limiting the amount of a certain subsidy that a certain commission may receive each
15 fiscal year; requiring that a certain subsidy for a certain program must be at least a
16 certain amount each fiscal year; reducing the amount the State is required to
17 appropriate in the State budget as a payment to a certain city for certain services;
18 repealing a requirement that a certain appropriation to a certain city be increased
19 each year by a certain amount; providing that, for certain fiscal years, a certain
20 revenue estimate adjustment made by the Bureau of Revenue Estimates may not
21 exceed certain amounts; altering a requirement that for a certain fiscal year the
22 Governor include in the budget bill a certain appropriation to the accumulation funds
23 of the State Retirement and Pension System; expanding the uses of State bond
24 premiums transferred to the Annuity Bond Fund; requiring local governments to be
25 responsible for a certain percentage of payments owed to certain erroneously
26 convicted individuals; increasing the percentage of certain costs for which each
27 county and Baltimore City are responsible for reimbursing the State; altering certain
28 requirements that for certain fiscal years the Governor appropriate certain amounts
29 from the General Fund to a certain special fund; providing the budgeted Medicaid
30 Deficit Assessment for certain fiscal years; providing that payments to certain
31 providers with rates set by a certain committee may not increase by more than a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 certain amount for a certain fiscal year; authorizing the Governor to transfer certain
2 amounts from certain funds; authorizing certain State agencies to temporarily
3 charge certain expenditures to a certain account; providing a process to reimburse a
4 certain account for certain charged expenditures; authorizing the Governor to print
5 a reduced number of budget books for a certain fiscal year; requiring the Comptroller
6 to transfer a certain amount from a certain special fund if certain conditions are not
7 met; making certain grants to local jurisdictions in a certain fiscal year contingent
8 on certain local funding; exempting certain retirees of the Employees' and Teachers'
9 Pension Systems from a certain earnings limitation for a certain period of time;
10 providing for the application and termination of a certain provision relating to a
11 certain retiree earnings limitation; requiring certain employees in positions in
12 certain Department of Public Safety and Correctional Services facilities to be
13 transferred to certain vacancies in certain other facilities; and generally relating to
14 the financing of State and local government.

15 BY repealing and reenacting, with amendments,
16 Article – Commercial Law
17 Section 14–4104(a)
18 Annotated Code of Maryland
19 (2013 Replacement Volume and 2020 Supplement)

20 BY repealing and reenacting, without amendments,
21 Article – Education
22 Section 5–219(a) through (c), 18–401, 18–501(a), 18–3201(a), (b), and (d), and 24–201
23 Annotated Code of Maryland
24 (2018 Replacement Volume and 2020 Supplement)

25 BY repealing and reenacting, with amendments,
26 Article – Education
27 Section 5–219(g), 16–305(c)(1), 17–104(a), 18–407(d), 18–501(c), 18–3203, and
28 24–204(d)
29 Annotated Code of Maryland
30 (2018 Replacement Volume and 2020 Supplement)

31 BY repealing and reenacting, without amendments,
32 Article – Health – General
33 Section 19–2201(a) and (e)(1)
34 Annotated Code of Maryland
35 (2019 Replacement Volume and 2020 Supplement)

36 BY repealing and reenacting, with amendments,
37 Article – Health – General
38 Section 19–2201(e)(2)(iv)
39 Annotated Code of Maryland
40 (2019 Replacement Volume and 2020 Supplement)

41 BY adding to

- 1 Article – Health – General
2 Section 19–2201(e)(2)(v)
3 Annotated Code of Maryland
4 (2019 Replacement Volume and 2020 Supplement)
- 5 BY repealing and reenacting, with amendments,
6 Article – Insurance
7 Section 6–102.1, 14–106(d) and (e), and 31–107.2(a)
8 Annotated Code of Maryland
9 (2017 Replacement Volume and 2020 Supplement)
- 10 BY repealing and reenacting, with amendments,
11 Article – Natural Resources
12 Section 4–209(k)
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2020 Supplement)
- 15 BY repealing and reenacting, with amendments,
16 Article – State Finance and Procurement
17 Section 4–608, 6–104(e), 7–311(j)(1), 7–325, 8–132, and 10–501(a)
18 Annotated Code of Maryland
19 (2015 Replacement Volume and 2020 Supplement)
- 20 BY repealing and reenacting, without amendments,
21 Article – State Finance and Procurement
22 Section 10–501(b)
23 Annotated Code of Maryland
24 (2015 Replacement Volume and 2020 Supplement)
- 25 BY repealing and reenacting, with amendments,
26 Article – Tax – General
27 Section 2–1303
28 Annotated Code of Maryland
29 (2016 Replacement Volume and 2020 Supplement)
- 30 BY repealing and reenacting, with amendments,
31 Article – Tax – Property
32 Section 2–106 and 13–209(d–1) and (g)(2), (3), and (4)
33 Annotated Code of Maryland
34 (2019 Replacement Volume and 2020 Supplement)
- 35 BY repealing and reenacting, without amendments,
36 Article – Tax – Property
37 Section 13–209(d)
38 Annotated Code of Maryland
39 (2019 Replacement Volume and 2020 Supplement)

1 BY repealing and reenacting, with amendments,
2 Chapter 397 of the Acts of the General Assembly of 2011, as amended by Chapter
3 425 of the Acts of the General Assembly of 2013, Chapter 464 of the Acts of
4 the General Assembly of 2014, Chapter 489 of the Acts of the General
5 Assembly of 2015, Chapter 23 of the Acts of the General Assembly of 2017,
6 Chapter 10 of the Acts of the General Assembly of 2018, Chapter 16 of the
7 Acts of the General Assembly of 2019, and Chapter 538 of the Acts of the
8 General Assembly of 2020
9 Section 16(c)

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

12 **Article – Commercial Law**

13 14–4104.

14 (a) (1) For fiscal year [2020] **2022** and each fiscal year thereafter, the
15 Governor shall include an appropriation of at least \$700,000 in [general] **SPECIAL** funds
16 in the State budget for the Office for the purposes of enforcement of:

17 (i) Consumer protection laws under this title;

18 (ii) Consumer protection laws under Title 13 of this article; and

19 (iii) Financial consumer protection laws.

20 (2) The Office shall use the funds under paragraph (1) of this subsection
21 for:

22 (i) Staffing costs associated with hiring new employees; and

23 (ii) Investigations of alleged violations of consumer protection laws
24 in the State.

25 **Article – Education**

26 5–219.

27 (a) In this section, “Fund” means The Blueprint for Maryland’s Future Fund.

28 (b) There is The Blueprint for Maryland’s Future Fund.

29 (c) The purpose of the Fund is to assist in providing adequate funding for early
30 childhood education and primary and secondary education to provide a world-class
31 education to students so they are prepared for college and a career in the global economy
32 of the 21st century, based on the recommendations of the Commission on Innovation and

1 Excellence in Education.

2 (g) The Fund may be used only to assist in providing adequate funding for:

3 (1) Early childhood education and primary and secondary education based
4 on the recommendations of the Commission on Innovation and Excellence in Education,
5 including revised education funding formulas; [and]

6 (2) Maryland prekindergarten expansion grants; AND

7 **(3) EARLY CHILDHOOD EDUCATION AND PRIMARY AND SECONDARY**
8 **EDUCATION FOR COSTS ASSOCIATED WITH THE CORONAVIRUS DISEASE 2019**
9 **(COVID-19), INCLUDING ONE-TIME PRIMARY AND SECONDARY EDUCATION AID**
10 **GRANTS PROVIDED IN FISCAL YEAR 2022 TO:**

11 **(I) ADDRESS ENROLLMENT DECLINES RELATED TO THE**
12 **COVID-19 PANDEMIC; AND**

13 **(II) ENSURE THAT EVERY COUNTY BOARD RECEIVES AN**
14 **INCREASE IN STATE EDUCATION AID OVER THE AMOUNT OF STATE EDUCATION AID**
15 **THE COUNTY BOARD RECEIVED IN FISCAL YEAR 2021.**

16 16-305.

17 (c) (1) (i) Except as provided in subparagraphs (iii), (iv), [and] (v), **(VI),**
18 **AND (VII)** of this paragraph, the total State operating fund per full-time equivalent student
19 to the community colleges for each fiscal year as requested by the Governor shall be:

20 1. In fiscal year 2009, not less than an amount equal to
21 26.25% of the State's General Fund appropriation per full-time equivalent student to the
22 4-year public institutions of higher education in the State as designated by the Commission
23 for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this
24 article in the previous fiscal year;

25 2. In fiscal year 2010, not less than an amount equal to 23.6%
26 of the State's General Fund appropriation per full-time equivalent student to the 4-year
27 public institutions of higher education in the State as designated by the Commission for
28 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
29 in the same fiscal year;

30 3. In fiscal year 2011, not less than an amount equal to 21.8%
31 of the State's General Fund appropriation per full-time equivalent student to the 4-year
32 public institutions of higher education in the State as designated by the Commission for
33 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
34 in the same fiscal year;

1 4. In fiscal year 2012, not less than an amount equal to 20%
2 of the State's General Fund appropriation per full-time equivalent student to the 4-year
3 public institutions of higher education in the State as designated by the Commission for
4 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
5 in the same fiscal year;

6 5. In fiscal year 2014, an amount that is the greater of 19.7%
7 of the State's General Fund appropriation per full-time equivalent student to the 4-year
8 public institutions of higher education in the State as designated by the Commission for
9 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
10 in the same fiscal year or \$1,839.47 per full-time equivalent student;

11 6. In fiscal year 2015, an amount that is the greater of 19.7%
12 of the State's General Fund appropriation per full-time equivalent student to the 4-year
13 public institutions of higher education in the State as designated by the Commission for
14 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
15 in the same fiscal year or \$1,839.47 per full-time equivalent student;

16 7. In fiscal year 2017, not less than an amount equal to 20.5%
17 of the State's General Fund appropriation per full-time equivalent student to the 4-year
18 public institutions of higher education in the State as designated by the Commission for
19 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
20 in the same fiscal year;

21 8. In fiscal year 2018, not less than an amount equal to 21.0%
22 of the State's General Fund appropriation per full-time equivalent student to the 4-year
23 public institutions of higher education in the State as designated by the Commission for
24 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
25 in the same fiscal year;

26 9. In fiscal year 2019, not less than an amount equal to 22.0%
27 of the State's General Fund appropriation per full-time equivalent student to the 4-year
28 public institutions of higher education in the State as designated by the Commission for
29 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
30 in the same fiscal year;

31 10. In fiscal year 2020, not less than an amount equal to 23%
32 of the State's General Fund appropriation per full-time equivalent student to the 4-year
33 public institutions of higher education in the State as designated by the Commission for
34 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
35 in the same fiscal year; **AND**

36 11. In fiscal year 2021, not less than an amount equal to 25%
37 of the State's General Fund appropriation per full-time equivalent student to the 4-year
38 public institutions of higher education in the State as designated by the Commission for
39 the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article
40 in the same fiscal year[;

12. In fiscal year 2022, not less than an amount equal to 27% of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year; and

13. In fiscal year 2023 and each fiscal year thereafter, not less than an amount equal to 29% of the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year].

(ii) For purposes of this subsection, the State’s General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State for a fiscal year shall include noncapital appropriations from the Higher Education Investment Fund.

(iii) Notwithstanding the provisions of subparagraph (i) of this paragraph, the total State operating funds to be distributed under this subsection to the community colleges for each of fiscal years 2011 and 2012 shall be \$194,407,432.

(iv) In fiscal year 2013, the total State operating funds for community colleges shall be \$199,176,114, to be distributed as follows:

- 1. Allegany College.....\$4,773,622;
- 2. Anne Arundel Community College.....\$27,235,329;
- 3. Community College of Baltimore County.....\$34,398,366;
- 4. Carroll Community College.....\$6,851,515;
- 5. Cecil Community College.....\$4,645,751;
- 6. College of Southern Maryland.....\$10,902,580;
- 7. Chesapeake College.....\$5,675,815;
- 8. Frederick Community College.....\$8,145,648;
- 9. Garrett College.....\$2,246,709;
- 10. Hagerstown Community College.....\$6,965,064;
- 11. Harford Community College.....\$9,990,806;

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- 1 12. Howard Community College.....\$12,584,485;
- 2 13. Montgomery College.....\$35,998,553;
- 3 14. Prince George’s Community College.....\$22,013,074;
- 4 and
- 5 15. Wor–Wic Community College.....\$6,748,796.

6 (v) In fiscal year 2016, the total State operating funds for community
7 colleges shall be \$222,744,620, to be distributed as follows:

- 8 1. Allegany College.....\$4,850,443;
- 9 2. Anne Arundel Community College.....\$28,715,483;
- 10 3. Community College of Baltimore County.....\$38,637,668;
- 11 4. Carroll Community College.....\$7,345,653;
- 12 5. Cecil Community College.....\$5,108,064;
- 13 6. College of Southern Maryland.....\$13,017,885;
- 14 7. Chesapeake College.....\$6,142,473;
- 15 8. Frederick Community College.....\$8,975,284;
- 16 9. Garrett College.....\$2,561,002;
- 17 10. Hagerstown Community College.....\$7,620,412;
- 18 11. Harford Community College.....\$10,865,634;
- 19 12. Howard Community College.....\$15,723,055;
- 20 13. Montgomery College.....\$40,000,786;
- 21 14. Prince George’s Community College.....\$26,072,537;
- 22 and
- 23 15. Wor–Wic Community College.....\$7,108,241.

24 **(VI) IN FISCAL YEAR 2022, THE TOTAL STATE OPERATING**
25 **FUNDS FOR THE COMMUNITY COLLEGES SHALL BE \$263,481,740 TO BE**
26 **DISTRIBUTED AS FOLLOWS:**

- 1 1. **ALLEGANY COLLEGE OF MARYLAND.....\$5,475,489;**
- 2 2. **ANNE ARUNDEL COMMUNITY**
- 3 **COLLEGE.....\$31,172,213;**
- 4 3. **COMMUNITY COLLEGE OF BALTIMORE**
- 5 **COUNTY.....\$44,790,747;**
- 6 4. **CARROLL COMMUNITY COLLEGE.....\$8,108,664;**
- 7 5. **CECIL COLLEGE.....\$5,698,602;**
- 8 6. **COLLEGE OF SOUTHERN MARYLAND.....\$15,179,325;**
- 9 7. **CHESAPEAKE COLLEGE.....\$6,480,975;**
- 10 8. **FREDERICK COMMUNITY COLLEGE.....\$11,768,685;**
- 11 9. **GARRETT COLLEGE.....\$3,025,651;**
- 12 10. **HAGERSTOWN COMMUNITY COLLEGE.....\$9,002,527;**
- 13 11. **HARFORD COMMUNITY COLLEGE.....\$12,759,322;**
- 14 12. **HOWARD COMMUNITY COLLEGE.....\$20,901,077;**
- 15 13. **MONTGOMERY COLLEGE.....\$47,749,060;**
- 16 14. **PRINCE GEORGE’S COMMUNITY**
- 17 **COLLEGE.....\$32,967,142; AND**
- 18 15. **WOR-WIC COMMUNITY COLLEGE.....\$8,402,261.**

19 **(VII) BEGINNING IN FISCAL YEAR 2023 AND EACH FISCAL YEAR**
 20 **THEREAFTER, THE TOTAL STATE OPERATING FUNDS TO BE DISTRIBUTED UNDER**
 21 **THIS SUBSECTION TO EACH COMMUNITY COLLEGE SHALL BE THE AMOUNT OF AID**
 22 **PROVIDED IN THE CURRENT FISCAL YEAR AS APPROVED IN THE STATE BUDGET AS**
 23 **ENACTED BY THE GENERAL ASSEMBLY INCREASED BY THE PERCENTAGE BY WHICH**
 24 **THE PROJECTED TOTAL GENERAL FUND REVENUES FOR THE UPCOMING FISCAL**
 25 **YEAR EXCEED THE REVISED ESTIMATE OF TOTAL GENERAL FUND REVENUES FOR**
 26 **THE CURRENT FISCAL YEAR, AS CONTAINED IN THE DECEMBER REPORT OF**
 27 **ESTIMATED STATE REVENUES SUBMITTED BY THE BOARD OF REVENUE ESTIMATES**

1 **TO THE GOVERNOR UNDER § 6-106 OF THE STATE FINANCE AND PROCUREMENT**
2 **ARTICLE.**

3 17-104.

4 (a) (1) Except as provided in paragraphs (2), (3), (4), [and] (5), (6), AND (7) of
5 this subsection, the Maryland Higher Education Commission shall compute the amount of
6 the annual apportionment for each institution that qualifies under this subtitle by
7 multiplying the number of full-time equivalent students enrolled at the institution during
8 the fall semester of the fiscal year preceding the fiscal year for which the aid apportionment
9 is made, as determined by the Maryland Higher Education Commission by:

10 (i) In fiscal year 2009, an amount not less than 16% of the State's
11 General Fund per full-time equivalent student appropriation to the 4-year public
12 institutions of higher education in this State for the preceding fiscal year;

13 (ii) In fiscal year 2010, an amount not less than 12.85% of the State's
14 General Fund per full-time equivalent student appropriation to the 4-year public
15 institutions of higher education in the State for the same fiscal year;

16 (iii) In fiscal year 2011, an amount not less than 9.8% of the State's
17 General Fund per full-time equivalent student appropriation to the 4-year public
18 institutions of higher education in this State for the same fiscal year;

19 (iv) In fiscal year 2012, an amount not less than 9.2% of the State's
20 General Fund per full-time equivalent student appropriation to the 4-year public
21 institutions of higher education in this State for the same fiscal year;

22 (v) In fiscal year 2014, an amount that is the greater of 9.4% of the
23 State's General Fund per full-time equivalent student appropriation to the 4-year public
24 institutions of higher education in this State for the same fiscal year or \$875.53 per
25 full-time equivalent student;

26 (vi) In fiscal year 2015, an amount that is the greater of 9.4% of the
27 State's General Fund per full-time equivalent student appropriation to the 4-year public
28 institutions of higher education in this State for the same fiscal year or \$875.53 per
29 full-time equivalent student;

30 (vii) In fiscal year 2017, an amount not less than 10.1% of the State's
31 General Fund per full-time equivalent student appropriation to the 4-year public
32 institutions of higher education in this State for the same fiscal year;

33 (viii) In fiscal year 2018, an amount not less than 10.5% of the State's
34 General Fund per full-time equivalent student appropriation to the 4-year public
35 institutions of higher education in this State for the same fiscal year;

36 (ix) In fiscal year 2019, an amount not less than 10.8% of the State's

1 General Fund per full-time equivalent student appropriation to the 4-year public
2 institutions of higher education in this State for the same fiscal year; **AND**

3 (x) In fiscal year 2020, an amount not less than 11.1% of the State's
4 General Fund per full-time equivalent student appropriation to the 4-year public
5 institutions of higher education in this State for the same fiscal year[; and

6 (xi) In fiscal year 2022 and each fiscal year thereafter, an amount not
7 less than 15.5% of the State's General Fund per full-time equivalent student appropriation
8 to the 4-year public institutions of higher education in this State for the same fiscal year].

9 (2) For each of fiscal years 2011 and 2012, the total amount of the aid
10 provided under this subtitle shall be \$38,445,958, to be allocated among the institutions
11 that qualify under this subtitle in proportion to the number of full-time equivalent students
12 enrolled at each institution during the fall semester of the fiscal year preceding the fiscal
13 year for which the aid apportionment is made, as determined by the Maryland Higher
14 Education Commission.

15 (3) In fiscal year 2013, the total amount of aid due to all institutions shall
16 be \$38,056,175.

17 (4) In fiscal year 2016, the total amount of the aid provided under this
18 subtitle shall be \$42,822,240, to be allocated among the institutions that qualify under this
19 subtitle in proportion to the number of full-time equivalent students enrolled at each
20 institution during the fall semester of fiscal year 2015, as determined by the Maryland
21 Higher Education Commission.

22 (5) In fiscal year 2021, the total amount of the aid provided under this
23 subtitle shall be \$69,624,905, to be allocated among the institutions that qualify under this
24 subtitle in proportion to the number of full-time equivalent students enrolled at each
25 institution during the fall semester of fiscal year 2020, as determined by the Maryland
26 Higher Education Commission.

27 **(6) IN FISCAL YEAR 2022, THE TOTAL AMOUNT OF AID DUE TO ALL**
28 **INSTITUTIONS SHALL BE \$59,024,905 TO BE DISTRIBUTED AS FOLLOWS:**

- 29 (I) CAPITOL TECHNOLOGY UNIVERSITY.....\$670,957;
- 30 (II) GOUCHER COLLEGE.....\$2,466,084;
- 31 (III) HOOD COLLEGE.....\$1,834,286;
- 32 (IV) JOHNS HOPKINS UNIVERSITY.....\$29,019,524;
- 33 (V) LOYOLA UNIVERSITY MARYLAND.....\$6,534,728;

- 1 (VI) MARYLAND INSTITUTE COLLEGE OF ART.....\$2,823,062;
- 2 (VII) MCDANIEL COLLEGE.....\$2,771,043;
- 3 (VIII) MOUNT ST. MARY’S UNIVERSITY.....\$2,676,349;
- 4 (IX) NOTRE DAME OF MARYLAND UNIVERSITY.....\$1,842,589;
- 5 (X) ST. JOHN’S COLLEGE.....\$843,131;
- 6 (XI) STEVENSON UNIVERSITY.....\$4,358,920;
- 7 (XII) WASHINGTON ADVENTIST UNIVERSITY.....\$1,171,808;
- 8 AND
- 9 (XIII) WASHINGTON COLLEGE.....\$2,012,424.

10 (7) BEGINNING IN FISCAL YEAR 2023 AND EACH FISCAL YEAR
 11 THEREAFTER, THE TOTAL AMOUNT OF AID PROVIDED TO EACH ELIGIBLE
 12 INSTITUTION UNDER THIS SUBTITLE SHALL BE THE AMOUNT OF AID PROVIDED IN
 13 THE CURRENT FISCAL YEAR INCREASED BY ONE PERCENTAGE POINT LESS THAN
 14 THE PERCENTAGE BY WHICH THE PROJECTED TOTAL GENERAL FUND REVENUES
 15 FOR THE UPCOMING FISCAL YEAR EXCEED THE REVISED ESTIMATE OF TOTAL
 16 GENERAL FUND REVENUES FOR THE CURRENT FISCAL YEAR, AS CONTAINED IN THE
 17 DECEMBER REPORT OF ESTIMATED STATE REVENUES SUBMITTED BY THE BOARD
 18 OF REVENUE ESTIMATES TO THE GOVERNOR UNDER § 6-106 OF THE STATE
 19 FINANCE AND PROCUREMENT ARTICLE.

20 18-401.

21 There is a program of senatorial scholarships in this State that are awarded under
 22 this subtitle.

23 18-407.

24 (d) (1) To the extent a scholarship awarded under § 18-404 of this subtitle is
 25 not used by a student, money appropriated to the Commission for that award not used by
 26 the end of the fiscal year shall be retained by the Commission for use by the awarding
 27 Senator in the Senatorial Scholarship Program during THE subsequent fiscal [years]
 28 YEAR.

29 (2) AT THE CLOSE OF A FISCAL YEAR, ANY FUNDS NOT USED AS
 30 PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DEPOSITED IN THE
 31 NEED-BASED STUDENT FINANCIAL ASSISTANCE FUND ESTABLISHED UNDER §

1 **18-107 OF THIS TITLE.**

2 18-501.

3 (a) There is a program of Delegate Scholarships in this State that are awarded
4 under this subtitle.

5 (c) **(1)** Money appropriated to the Commission for scholarships awarded under
6 this section that is not used by the end of the fiscal year shall be retained by the Commission
7 for use by the awarding Delegate in the Delegate Scholarship Program during **THE**
8 subsequent fiscal [years] **YEAR.**

9 **(2) AT THE CLOSE OF A FISCAL YEAR, ANY FUNDS NOT USED AS**
10 **PROVIDED IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE DEPOSITED IN THE**
11 **NEED-BASED STUDENT FINANCIAL ASSISTANCE FUND ESTABLISHED UNDER §**
12 **18-107 OF THIS TITLE.**

13 18-3201.

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

15 (b) “Foster care recipient” means an individual who was placed in an out-of-home
16 placement by a state’s or unit of a state government’s department of social services for 3
17 years or more.

18 (d) “Program” means the Maryland Loan Assistance Repayment Program for
19 Foster Care Recipients.

20 18-3203.

21 (a) Subject to the availability of funds [appropriated] under subsection (b) of this
22 section, the award amount under the Program shall be equal to the lesser of:

23 (1) \$5,000; or

24 (2) 10% of the eligible individual’s total higher education loan debt for each
25 year the individual qualifies for the Program.

26 (b) [The Governor annually shall include an appropriation of \$100,000 in the
27 State budget for] **NOTWITHSTANDING ANY OTHER PROVISION OF LAW, the Commission**
28 **SHALL USE A PORTION OF THE FUNDING PROVIDED IN THE STATE BUDGET FOR THE**
29 **JANET L. HOFFMAN LOAN ASSISTANCE REPAYMENT PROGRAM ESTABLISHED**
30 **UNDER SUBTITLE 15 OF THIS TITLE** to disburse assistance under this subtitle.

31 24-201.

1 (iv) Provide funding for the development, support, and monitoring of
2 a unified data information system among primary and specialty care providers, hospitals,
3 and other providers of services to community health resource members.

4 (2) (iv) For fiscal [year] YEARS 2019 [and each fiscal year thereafter]
5 THROUGH 2021, the Fund may be used for any project or initiative authorized under Title
6 10, Subtitle 2 and Title 13, Subtitle 3 of this article and approved by the Commission if no
7 less than \$8,000,000 of the subsidy required under § 14–106(d)(2)(ii)2 of the Insurance
8 Article is used in each fiscal year for the purposes under paragraph (1) of this subsection.

9 (v) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR
10 THEREAFTER, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE
11 AUTHORIZED UNDER TITLE 10, SUBTITLE 2 AND TITLE 13, SUBTITLE 3 OF THIS
12 ARTICLE AND APPROVED BY THE COMMISSION IF NOT MORE THAN \$8,000,000 OF
13 THE SUBSIDY REQUIRED UNDER § 14–106(D)(2)(II)2 OF THE INSURANCE ARTICLE
14 IS USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS
15 SUBSECTION.

16 Article – Insurance

17 6–102.1.

18 (a) This section applies to:

19 (1) an insurer, a nonprofit health service plan, a health maintenance
20 organization, a dental plan organization, a fraternal benefit organization, and any other
21 person subject to regulation by the State that provides a product that:

22 (i) was subject to § 9010 of the Affordable Care Act, as in effect on
23 December 1, 2019; and

24 (ii) may be subject to an assessment by the State; and

25 (2) a managed care organization authorized under Title 15, Subtitle 1 of
26 the Health – General Article.

27 (b) The purpose of this section is to assist in the stabilization of the individual
28 health insurance market by assessing a health insurance provider fee that is attributable
29 to State health risk for calendar years 2019 through 2023, both inclusive, as provided for
30 under subsection (c) of this section.

31 (c) (1) In calendar year 2019, in addition to the amounts otherwise due under
32 this subtitle, an entity subject to this section shall be subject to an assessment of 2.75% on
33 all amounts used to calculate the entity's premium tax liability under § 6–102 of this
34 subtitle or the amount of the entity's premium tax exemption value for calendar year 2018.

1 (2) In calendar years 2020 through 2023, both inclusive, in addition to the
2 amounts otherwise due under this subtitle, an entity subject to this section shall be subject
3 to an assessment of 1% on all amounts used to calculate the entity's premium tax liability
4 under § 6–102 of this subtitle or the amount of the entity's premium tax exemption value
5 for the immediately preceding calendar year.

6 (3) The assessments required in paragraphs (1) and (2) of this subsection
7 are for products that:

8 (i) were subject to § 9010 of the Affordable Care Act, as in effect on
9 December 1, 2019; and

10 (ii) may be subject to an assessment by the State.

11 (4) The calculation of the assessments required under paragraphs (1) and
12 (2) of this subsection shall be made without regard to:

13 (i) the threshold limits established in § 9010(b)(2)(A) of the
14 Affordable Care Act; or

15 (ii) the partial exclusion of net premiums provided for in §
16 9010(b)(2)(B) of the Affordable Care Act.

17 (d) **(1) IN EACH OF FISCAL YEARS 2021 THROUGH 2026, THE GOVERNOR**
18 **SHALL TRANSFER \$100,000,000 OF THE FUNDS COLLECTED FROM THE ASSESSMENT**
19 **REQUIRED UNDER THIS SECTION TO MEDICAL CARE PROVIDER REIMBURSEMENTS**
20 **(M00Q01.03) WITHIN THE MEDICAL CARE PROGRAMS ADMINISTRATION OF THE**
21 **MARYLAND DEPARTMENT OF HEALTH.**

22 **(2) Notwithstanding § 2–114 of this article, the REMAINDER OF THE**
23 **assessment required under this section AFTER ANY TRANSFERS MADE UNDER**
24 **PARAGRAPH (1) OF THIS SUBSECTION shall be distributed by the Commissioner to the**
25 **Maryland Health Benefit Exchange Fund established under § 31–107 of this article.**

26 14–106.

27 (d) (1) Notwithstanding subsection (c) of this section, a nonprofit health
28 service plan that is subject to this section and issues comprehensive health care benefits in
29 the State shall:

30 (i) offer health care products in the individual market;

31 (ii) offer health care products in the small employer group market in
32 accordance with Title 15, Subtitle 12 of this article;

33 (iii) subsidize the Senior Prescription Drug Assistance Program

1 established under Title 15, Subtitle 10 of the Health – General Article;

2 (iv) subsidize the Kidney Disease Program under Title 13, Subtitle 3
3 of the Health – General Article;

4 (v) support the costs of the Community Health Resources
5 Commission under Title 19, Subtitle 21 of the Health – General Article, including:

6 1. operating grants to community health resources;

7 2. funding for a unified data information system;

8 3. the documented direct costs of fulfilling the statutory and
9 regulatory duties of the Commission; and

10 4. the administrative costs of the Commission; and

11 (vi) subsidize the provision of mental health services to the
12 uninsured under Title 10, Subtitle 2 of the Health – General Article.

13 (2) (i) Except as provided in subparagraph (ii) of this paragraph, the
14 support provided under paragraph (1)(iv), (v), and (vi) of this subsection to the Kidney
15 Disease Program, the Community Health Resources Commission, and the Maryland
16 Department of Health, respectively, shall be the value of the premium tax exemption less
17 the subsidy required under this subsection for the Senior Prescription Drug Assistance
18 Program.

19 (ii) **[The] SUBJECT TO SUBPARAGRAPH (III) OF THIS**
20 **PARAGRAPH, THE** subsidy provided under this subsection to the Community Health
21 Resources Commission may not be less than:

22 1. \$3,000,000 for each of fiscal years 2012 and 2013; and

23 2. \$8,000,000 for **EACH OF** fiscal [year] **YEARS** 2014 [and
24 each fiscal year thereafter] **THROUGH 2021**.

25 **(III) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR**
26 **THEREAFTER, THE SUBSIDY PROVIDED UNDER THIS SUBSECTION TO THE**
27 **COMMUNITY HEALTH RESOURCES COMMISSION MAY NOT EXCEED \$8,000,000.**

28 (3) For any year, the subsidy and funding required under this subsection
29 by a nonprofit health service plan subject to this section may not exceed the value of the
30 nonprofit health service plan's premium tax exemption under § 6–101(b) of this article.

31 (e) The subsidy that a nonprofit health service plan is required to provide to the
32 Senior Prescription Drug Assistance Program under subsection (d)(1)(iii) of this section

1 [may not exceed]:

2 (1) for the period of January 1, 2006 through June 30, 2006, **MAY NOT**
3 **EXCEED** \$8,000,000;

4 (2) for fiscal years 2008 through [2025] **2021**, **MAY NOT EXCEED**
5 \$14,000,000; [and]

6 (3) **FOR FISCAL YEAR 2022 AND EACH YEAR THEREAFTER, MAY NOT**
7 **BE LESS THAN \$14,000,000; AND**

8 (4) for any year, **MAY NOT EXCEED** the value of the nonprofit health
9 service plan's premium tax exemption under § 6–101(b) of this article.

10 31–107.2.

11 (a) (1) For State fiscal year 2015 and for each State fiscal year thereafter, from
12 the funds received from the distribution of the premium tax under § 6–103.2 of this article,
13 the Governor shall provide an appropriation in the State budget adequate to fully fund the
14 operations of the Exchange.

15 (2) (i) For State fiscal year 2015, the appropriation shall be no less than
16 \$10,000,000.

17 (ii) For State fiscal year 2021, the appropriation shall be
18 \$31,500,000.

19 (iii) For [each] State fiscal year **2022 AND EACH FISCAL YEAR**
20 thereafter, the appropriation shall be [not less than \$35,000,000] **\$32,000,000**.

21 **Article – Natural Resources**

22 4–209.

23 (k) [The] **BEGINNING IN FISCAL YEAR 2023 AND EACH FISCAL YEAR**
24 **THEREAFTER, THE** Governor shall include in the **ANNUAL** budget bill [for each fiscal year]
25 a General Fund appropriation to the Fisheries Research and Development Fund of not less
26 than \$1,794,000.

27 **Article – State Finance and Procurement**

28 4–608.

29 [(a)] Annually, the State shall appropriate in the State budget and pay to the
30 Mayor and Aldermen of the City of Annapolis at least [\$750,000] **\$367,000** as payment for

1 services provided to the State by the City of Annapolis.

2 [(b) For fiscal year 2022 and each fiscal year thereafter, the appropriation required
3 under subsection (a) of this section shall be increased by the percent increase in the
4 Consumer Price Index for All Urban Consumers for the Baltimore Metropolitan Statistical
5 Area.]

6 6–104.

7 (e) (1) Beginning with the revenue estimate for fiscal year 2020, the Bureau
8 shall calculate the share of General Fund revenues represented by nonwithholding income
9 tax revenues in accordance with this subsection.

10 (2) (i) For each fiscal year, the Bureau shall calculate the 10–year
11 average share of General Fund revenues represented by nonwithholding income tax
12 revenues.

13 (ii) 1. For each fiscal year, the 10–year average shall use the 10
14 most recently completed fiscal years for which data are available when the estimate is
15 prepared in the September before the beginning of the fiscal year.

16 2. The same 10–year average shall be used in all subsequent
17 revisions to the revenue estimate for that fiscal year.

18 (3) (i) Subject to subparagraph (ii) of this paragraph, for each fiscal
19 year, if the Bureau’s estimate of the share of General Fund revenues from nonwithholding
20 income tax revenues is above the 10–year average share, the Bureau shall adjust the
21 revenue estimate by reducing General Fund revenues from nonwithholding income tax
22 revenues by an amount sufficient to align the estimated share of General Fund revenues
23 from nonwithholding income tax revenues with the 10–year average share of General Fund
24 revenues from nonwithholding income taxes.

25 (ii) The adjustment made under subparagraph (i) of this paragraph
26 may not exceed the following percentage of total General Fund revenues or dollar value in
27 a specified fiscal year:

- 28 1. 0.225% for fiscal year 2020;
- 29 2. \$0 for fiscal year 2021;
- 30 3. ~~[\$80,000,000]~~ **\$0** for fiscal year 2022;
- 31 4. \$100,000,000 for fiscal year 2023;
- 32 5. \$120,000,000 for fiscal year 2024;
- 33 6. \$140,000,000 for fiscal year 2025; and

1 unappropriated General Fund surplus as of June 30 of the second preceding fiscal year
2 exceeds \$10,000,000; and

3 3. to the Account equal to the amount by which the
4 unappropriated General Fund surplus as of June 30 of the second preceding fiscal year
5 exceeds \$10,000,000, less the amount of the appropriations under items 1 and 2 of this item.

6 7-325.

7 (a) (1) In each of fiscal years 2011 and 2012, the Governor shall include in the
8 annual budget bill submitted to the General Assembly a General Fund appropriation for
9 the Maryland State Arts Council of not less than \$13,298,434.

10 (2) For fiscal [year] **YEARS** 2013 [and each fiscal year thereafter]
11 **THROUGH 2021**, the Governor shall include in the annual budget bill submitted to the
12 General Assembly a General Fund appropriation for the Maryland State Arts Council in
13 an amount not less than the amount of the General Fund appropriation for the Council as
14 approved in the State budget as enacted by the General Assembly for the prior fiscal year,
15 increased by not less than the percentage by which the projected total General Fund
16 revenues for the upcoming fiscal year exceed the revised estimate of total General Fund
17 revenues for the current fiscal year, as contained in the report of estimated State revenues
18 submitted by the Board of Revenue Estimates to the Governor under § 6-106(b) of this
19 article.

20 **(3) IN FISCAL YEAR 2022, THE GOVERNOR SHALL INCLUDE IN THE**
21 **ANNUAL BUDGET BILL SUBMITTED TO THE GENERAL ASSEMBLY A GENERAL FUND**
22 **APPROPRIATION FOR THE MARYLAND STATE ARTS COUNCIL OF \$22,410,253.**

23 **(4) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER,**
24 **THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL SUBMITTED TO THE**
25 **GENERAL ASSEMBLY A GENERAL FUND APPROPRIATION FOR THE MARYLAND**
26 **STATE ARTS COUNCIL IN AN AMOUNT NOT LESS THAN THE AMOUNT OF THE**
27 **GENERAL FUND APPROPRIATION FOR THE COUNCIL AS APPROVED IN THE STATE**
28 **BUDGET AS ENACTED BY THE GENERAL ASSEMBLY FOR THE PRIOR FISCAL YEAR,**
29 **INCREASED BY ONE PERCENTAGE POINT LESS THAN THE PERCENTAGE BY WHICH**
30 **THE PROJECTED TOTAL GENERAL FUND REVENUES FOR THE UPCOMING FISCAL**
31 **YEAR EXCEED THE REVISED ESTIMATE OF TOTAL GENERAL FUND REVENUES FOR**
32 **THE CURRENT FISCAL YEAR, AS CONTAINED IN THE REPORT OF ESTIMATED STATE**
33 **REVENUES SUBMITTED BY THE BOARD OF REVENUE ESTIMATES TO THE GOVERNOR**
34 **UNDER § 6-106(B) OF THIS ARTICLE.**

35 (b) The Legislative Auditor has the authority to conduct a review or audit of any
36 recipient of a grant from the Maryland State Arts Council.

37 8-132.

1 (a) There is an Annuity Bond Fund.

2 (b) The Comptroller shall:

3 (1) credit to the Annuity Bond Fund any money appropriated in the State
4 budget to:

5 (i) meet the debt service requirements on State bonds; and

6 (ii) pay the costs of fiscal agents and other contracting parties
7 appointed by the State Treasurer under §§ 8–121 and 8–136 of this subtitle; and

8 (2) as specified in the appropriation, use the money to meet the debt service
9 on the State bonds and pay fiscal agents and other contracting parties' costs.

10 (c) Any premium from the sale of State bonds transferred to the Annuity Bond
11 Fund under § 8–125 of this subtitle may be used to [pay debt service on State bonds]:

12 (1) PAY DEBT SERVICE ON STATE BONDS;

13 (2) PAY FOR CAPITAL PROJECTS INCLUDED IN PREVIOUS
14 AUTHORIZATIONS OF STATE BONDS; AND

15 (3) REDUCE THE PRINCIPAL AMOUNT OF THE ISSUANCE OF THE
16 CURRENT SALE OR OF A FUTURE SALE.

17 (D) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (C) OF THIS
18 SECTION, FOR FISCAL YEARS 2021 THROUGH 2023, BOND PREMIUMS MAY BE USED
19 TO SUPPORT CAPITAL PROJECTS AUTHORIZED SUBSEQUENT TO THE ISSUANCE OF
20 THE BONDS.

21 10–501.

22 (a) (1) Subject to **PARAGRAPH (3) OF THIS SUBSECTION AND** subsection (b)
23 of this section, the Board of Public Works may grant to an individual erroneously convicted,
24 sentenced, and confined under State law for a crime the individual did not commit an
25 amount commensurate with the actual damages sustained by the individual, and may
26 grant a reasonable amount for any financial or other appropriate counseling for the
27 individual, due to the confinement.

28 (2) In making a grant under paragraph (1) of this subsection, the Board of
29 Public Works shall use money in the General Emergency Fund or money that the Governor
30 provides in the annual budget.

1 SUBSECTION (B) OF THIS SECTION, THE COMPTROLLER SHALL TRANSFER TO THE
2 EDUCATION TRUST FUND ESTABLISHED UNDER § 9-1A-30 OF THE STATE
3 GOVERNMENT ARTICLE \$144,566,291 TO SUPPLEMENT PRIOR YEAR OBLIGATIONS
4 AND \$30,278,726 TO SUPPLEMENT THE SHORTFALL IN FISCAL YEAR 2021 OF THE
5 REVENUES COLLECTED AND REMITTED BY:

6 (1) A MARKETPLACE FACILITATOR; OR

7 (2) A PERSON THAT ENGAGES IN THE BUSINESS OF AN OUT-OF-STATE
8 VENDOR AND THAT IS REQUIRED TO COLLECT AND REMIT SALES AND USE TAX AS
9 SPECIFIED IN COMAR 03.06.01.33B(5).

10 Article – Tax – Property

11 2-106.

12 (a) Each county shall provide the supervisor of the county with an office in the
13 county seat or in Baltimore City, for the supervisor of Baltimore City. The Department is
14 responsible for providing each supervisor with clerical staff, equipment, and other facilities
15 and assistance that the Department considers necessary and as provided in the State
16 budget.

17 (b) (1) Except as provided in [paragraph] PARAGRAPHS (2), (3), AND (4) of
18 this subsection, each county and Baltimore City shall be responsible for reimbursing the
19 State for the costs of administering the Department as follows:

20 (i) 50% of the costs of real property valuation;

21 (ii) 50% of the costs of business personal property valuation; and

22 (iii) 50% of the costs of the Office of Information Technology within
23 the Department, including any funding for departmental projects in the Major Information
24 Technology Development Project Fund established under § 3A-309 of the State Finance
25 and Procurement Article.

26 (2) For each of fiscal years 2012 and 2013, each county and Baltimore City
27 shall be responsible for reimbursing the State 90% instead of 50% of the costs of
28 administering the Department described in paragraph (1) of this subsection.

29 (3) FOR EACH OF FISCAL YEARS 2022 THROUGH 2025, EACH COUNTY
30 AND BALTIMORE CITY SHALL BE RESPONSIBLE FOR REIMBURSING THE STATE FOR
31 THE COSTS OF ADMINISTERING THE DEPARTMENT AS FOLLOWS:

32 (I) 60% OF THE COSTS OF REAL PROPERTY VALUATION IN
33 FISCAL YEAR 2022 INCREASING BY 10 PERCENTAGE POINTS IN EACH SUBSEQUENT

1 FISCAL YEAR TO 90%;

2 (II) 60% OF THE COSTS OF BUSINESS PERSONAL PROPERTY
3 VALUATION IN FISCAL YEAR 2022 INCREASING BY 10 PERCENTAGE POINTS IN EACH
4 SUBSEQUENT FISCAL YEAR TO 90%; AND

5 (III) 60% OF THE COSTS OF THE OFFICE OF INFORMATION
6 TECHNOLOGY WITHIN THE DEPARTMENT, INCLUDING ANY FUNDING FOR
7 DEPARTMENTAL PROJECTS IN THE MAJOR INFORMATION TECHNOLOGY
8 DEVELOPMENT PROJECT FUND ESTABLISHED UNDER § 3A-309 OF THE STATE
9 FINANCE AND PROCUREMENT ARTICLE, IN FISCAL YEAR 2022 INCREASING BY 10
10 PERCENTAGE POINTS IN EACH SUBSEQUENT FISCAL YEAR TO 90%.

11 (4) FOR FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER,
12 EACH COUNTY AND BALTIMORE CITY SHALL BE RESPONSIBLE FOR REIMBURSING
13 THE STATE FOR THE COSTS OF ADMINISTERING THE DEPARTMENT AS FOLLOWS:

14 (I) 90% OF THE COSTS OF REAL PROPERTY VALUATION;

15 (II) 90% OF THE COSTS OF BUSINESS PERSONAL PROPERTY
16 VALUATION; AND

17 (III) 90% OF THE COSTS OF THE OFFICE OF INFORMATION
18 TECHNOLOGY WITHIN THE DEPARTMENT, INCLUDING ANY FUNDING FOR
19 DEPARTMENTAL PROJECTS IN THE MAJOR INFORMATION TECHNOLOGY
20 DEVELOPMENT PROJECT FUND ESTABLISHED UNDER § 3A-309 OF THE STATE
21 FINANCE AND PROCUREMENT ARTICLE.

22 (c) Costs under subsection (b) of this section shall be allocated among the counties
23 and Baltimore City as follows:

24 (1) costs under subsection (b)(1)(i) and (iii) of this section will be allocated
25 based on the number of real property accounts of a county or Baltimore City as a percentage
26 of the total number of real property accounts statewide as of July 1 of the preceding fiscal
27 year; and

28 (2) costs under subsection (b)(1)(ii) of this section will be allocated based on
29 the business personal property assessable base of a county or Baltimore City as a
30 percentage of the total business personal property assessable bases statewide as of July 1
31 of the preceding fiscal year.

32 (d) Each county and Baltimore City shall remit a quarterly payment to the
33 Comptroller for 25% of the jurisdiction's share of costs on the following dates:

- 1 (1) July 1;
- 2 (2) October 1;
- 3 (3) January 1; and
- 4 (4) April 1.

5 (e) The Comptroller may withhold a portion of a local income tax distribution of
6 a county or Baltimore City that fails to make timely payment in accordance with this
7 section.

8 13–209.

9 (d) Subject to subsections (d–1) and (e) of this section, for the fiscal year beginning
10 July 1, 2002 and for each subsequent fiscal year, the balance of the revenue in the special
11 fund, not required under subsection (b) of this section and not allocated to the General Fund
12 under subsection (c)(1) of this section shall be allocated in the State budget as follows:

13 (1) (i) 75.15% for the purposes specified in Title 5, Subtitle 9 of the
14 Natural Resources Article (Program Open Space); and

15 (ii) an additional 1% for Program Open Space, for land acquisition
16 purposes as specified in § 5–903(a)(2) of the Natural Resources Article;

17 (2) 17.05% for the Agricultural Land Preservation Fund established under
18 § 2–505 of the Agriculture Article;

19 (3) 5% for the Rural Legacy Program established under § 5–9A–01 of the
20 Natural Resources Article; and

21 (4) 1.8% for the Heritage Conservation Fund established under § 5–1501
22 of the Natural Resources Article.

23 (d–1) (1) In this subsection, “eligible purpose” means a purpose, program, or fund
24 to which revenue in the special fund is required to be allocated under subsection (d) of this
25 section.

26 (2) For any [fiscal year beginning on or after July 1, 2010, but before July
27 1, 2013, for] **OF THE FISCAL YEARS 2011, 2012, 2013, AND 2022 IN** which funding is
28 provided for an eligible purpose through the State Consolidated Capital Bond Funding
29 Program or other bond enabling act:

30 (i) from the balance of the special fund, before the allocations under
31 subsection (d) of this section are made, an amount shall be allocated to the General Fund
32 of the State equal to the total amount of funding provided for eligible purposes through the

1 bond enabling act; and

2 (ii) except as otherwise expressly provided under the bond enabling
3 act through which the funding is provided, the allocations provided under subsection (d) of
4 this section shall be adjusted to reduce the amount that would otherwise be allocated for
5 each eligible purpose by the amount of funding provided for that purpose under the bond
6 enabling act.

7 (3) Notwithstanding any other provision of law, a transfer under this
8 subsection may not be taken into account for purposes of determining any allocation or
9 appropriation required under subsection (f) or (g) of this section.

10 (g) (2) (i) 1. The Governor shall include in the annual budget bill for
11 fiscal year 2021 a General Fund appropriation to the special fund in the amount of
12 \$5,690,501.

13 2. The Governor shall include in each of the annual budget
14 bills for fiscal years [2022 and] 2023 **AND 2024** a General Fund appropriation to the special
15 fund in the amount of \$12,500,000.

16 3. The Governor shall include in the annual budget bill for
17 fiscal year [2024] **2025** a General Fund appropriation to the special fund in the amount of
18 \$6,809,499.

19 (ii) The appropriations required under subparagraph (i) of this
20 paragraph:

21 1. cumulatively represent reimbursement for 50% of the
22 cumulative amount of any appropriation or transfer from the special fund to the General
23 Fund for fiscal year 2006;

24 2. are not subject to the provisions of subsections (a), (b), (c),
25 and (f) of this section;

26 3. shall be allocated as provided in subsection (d) of this
27 section and § 5–903 of the Natural Resources Article; and

28 4. shall be reduced by the amount of any appropriation from
29 the General Fund to the special fund that:

30 A. exceeds the required appropriation under this paragraph;
31 and

32 B. is identified as an appropriation for reimbursement under
33 this paragraph.

34 (3) (i) The Governor shall include in each of the annual budget bills for

1 fiscal year 2019 and fiscal years [2022] **2023** through [2026] **2027** a General Fund
 2 appropriation to the special fund in the amount of \$6,000,000 and for fiscal year [2027]
 3 **2028** a General Fund appropriation to the special fund in the amount of \$4,000,000 for
 4 park development and the critical maintenance of State projects located on lands managed
 5 by the Department of Natural Resources for public purposes.

6 (ii) The appropriations required under subparagraph (i) of this
 7 paragraph:

8 1. represent reimbursement for 44.4% of the cumulative
 9 amount of any appropriation or transfer from the special fund to the General Fund for fiscal
 10 year 2006;

11 2. are not subject to the provisions of subsections (a), (b), (c),
 12 and (f) of this section;

13 3. shall be made until the cumulative total amount
 14 appropriated under subparagraph (i) of this paragraph is equal to \$40,000,000; and

15 4. shall be reduced by the amount of any appropriation from
 16 the General Fund to the special fund that:

17 A. exceeds the required appropriation under this paragraph;

18 B. is identified as an appropriation for reimbursement under
 19 this paragraph; and

20 C. supplements rather than supplants the Department of
 21 Natural Resources funding for the critical maintenance of State projects on State lands,
 22 based on the average critical maintenance budget of the 10 years preceding the
 23 appropriation.

24 (4) (i) Subject to subparagraph (ii) of this paragraph, the Governor
 25 shall appropriate from the General Fund to the special fund \$152,165,700, which equals
 26 the cumulative amount of the appropriations or transfers from the special fund to the
 27 General Fund for fiscal years 2016, 2017, and 2018, less \$72,000,000.

28 (ii) The Governor shall appropriate at least:

29 1. [\$25,360,950 on or before June 30, 2022;

30 2. an additional] \$50,721,900 on or before June 30, 2026;

31 [3.] **2.** an additional \$50,721,900 on or before June 30, 2030; and

32 [4.] **3.** an additional [\$25,360,950] **\$50,721,900** on or before

1 June 30, [2031] **2032.**

2 (iii) The appropriations required under subparagraphs (i) and (ii) of
3 this paragraph:

4 1. represent reimbursement for the cumulative amount of
5 any appropriation or transfer from the special fund to the General Fund for fiscal years
6 2016, 2017, and 2018, less \$72,000,000;

7 2. are not subject to the provisions of subsections (a), (b), (c),
8 and (f) of this section;

9 3. shall be allocated as provided in subsection (d) of this
10 section and § 5–903 of the Natural Resources Article;

11 4. shall be made until the cumulative total appropriated
12 under subparagraphs (i) and (ii) of this paragraph is equal to the cumulative amount of any
13 appropriation or transfer from the special fund to the General Fund for fiscal years 2016,
14 2017, and 2018, less \$72,000,000; and

15 5. shall be reduced by the amount of any appropriation from
16 the General Fund to the special fund that:

17 A. exceeds the required appropriation under this paragraph;
18 and

19 B. is identified as an appropriation for reimbursement under
20 this paragraph.

21 **Chapter 397 of the Acts of 2011, as amended by Chapter 425 of the Acts of 2013,**
22 **Chapter 464 of the Acts of 2014, Chapter 489 of the Acts of 2015, Chapter 23 of**
23 **the Acts of 2017, Chapter 10 of the Acts of 2018, Chapter 16 of the Acts of 2019,**
24 **and Chapter 538 of the Acts of 2020**

25 SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other
26 revenue generated under § 19–214 of the Health – General Article, as amended by this Act:

27 (c) (1) For fiscal year 2015 and 2016, the Commission and the Maryland
28 Department of Health shall adopt policies that will provide up to \$389,825,000 in special
29 fund revenues from hospital assessment and remittance revenue.

30 (2) For fiscal year 2017, the Governor shall reduce the budgeted Medicaid
31 Deficit Assessment by \$25,000,000 over the assessment level for the prior year.

32 (3) For fiscal year 2018, the budgeted Medicaid Deficit Assessment shall be
33 \$364,825,000.

1 (4) For fiscal year 2019, the budgeted Medicaid Deficit Assessment shall be
2 \$334,825,000.

3 (5) For fiscal year 2020, the budgeted Medicaid Deficit Assessment shall be
4 \$309,825,000.

5 (6) For fiscal year 2021 and each fiscal year thereafter, the budgeted
6 Medicaid Deficit Assessment shall be [~~\$294,825,000~~] **\$329,825,000**.

7 (7) To the extent that the Commission takes other actions that reduce
8 Medicaid costs, those savings shall also be used to reduce the budgeted Medicaid Deficit
9 Assessment.

10 (8) To the maximum extent possible, the Commission and the Maryland
11 Department of Health shall adopt policies that preserve the State's Medicare waiver.

12 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding any other
13 provision of law, on or before June 30, 2021, the Governor may transfer to the General Fund
14 \$30,000,000 from the reserve account established by the State to pay unemployment
15 compensation benefits for State employees.

16 SECTION 3. AND BE IT FURTHER ENACTED, That, for fiscal year 2022,
17 payments to providers with rates set by the Interagency Rates Committee under § 8-417
18 of the Education Article may not increase by more than 4% over the rates in effect on
19 December 31, 2020.

20 SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other
21 provision of law, on or before June 30, 2022, the Governor may transfer to the Office of
22 Controlled Substances Administration within the Maryland Department of Health
23 \$500,000 of the fund balance in the State Board of Pharmacy Fund established under §
24 12-206 of the Health Occupations Article.

25 SECTION 5. AND BE IT FURTHER ENACTED, That, notwithstanding any other
26 provision of law, on or before June 30, 2022, the Governor may transfer to the Behavioral
27 Health Administration within the Maryland Department of Health \$2,000,000 of the fund
28 balance in the State Board of Professional Counselors and Therapists Fund established
29 under § 17-206 of the Health Occupations Article.

30 SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other
31 provision of law, on or before June 30, 2022, the Governor may transfer to the Behavioral
32 Health Administration within the Maryland Department of Health \$6,000,000 of the fund
33 balance in the Natalie M. LaPrade Medical Cannabis Commission Fund established under
34 § 13-3303 of the Health Occupations Article.

35 SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other
36 provision of law under § 2-606 of the Tax – General Article:

1 (a) The Maryland Department of Health and other appropriate State agencies are
2 authorized to temporarily charge expenditures related to the Coronavirus Disease 2019
3 (COVID–19) response that are eligible for reimbursement from the Federal Emergency
4 Management Agency’s Public Assistance process to the Local Reserve Account established
5 to comply with § 2–606 of the Tax – General Article.

6 (b) Once reimbursement is received from the Federal Emergency Management
7 Agency’s Public Assistance process, the revenue shall be used to offset the eligible
8 expenditures authorized under subsection (a) of this section to reimburse the Local Reserve
9 Account.

10 (c) Any charges against the Local Reserve Account that are not fully reimbursed
11 under subsection (b) of this section shall be reimbursed by the General Fund at the
12 Maryland General Assembly session following a determination by the Federal Emergency
13 Management Agency to ensure the Local Reserve Account is fully reimbursed for the
14 temporary charges made under subsection (a) of this section.

15 (d) This provision shall be in effect until June 30, 2022, or until the Federal
16 Emergency Management Agency has made a final determination on all expenditures that
17 are temporarily charged under subsection (a) of this section. On the effective date of this
18 Act, the Department of Budget and Management may appropriate these funds through the
19 budget amendment process, as needed.

20 SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding any other
21 provision of law, due to public health precautions required by the Coronavirus Disease 2019
22 (COVID–19) pandemic, the Governor may print a reduced number of fiscal year 2022
23 budget books for distribution to the Maryland General Assembly and the Department of
24 Legislative Services.

25 SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other
26 provision of law, if the Office of the Attorney General does not transfer \$10,000,000 from
27 the Consumer Protection Recoveries to the General Fund on or before May 1, 2022, the
28 Comptroller shall transfer \$10,000,000 from the Consumer Protection Recoveries to the
29 General Fund.

30 SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other
31 provision of law, a one–time education aid grant for a county for fiscal year 2022 authorized
32 under § 5–219(f) of the Education Article, as enacted by Section 1 of this Act, is contingent
33 on the county’s appropriation of local funds to the county board of education operating
34 budget for fiscal year 2022 exceeding the local appropriation for fiscal year 2021.

35 SECTION 11. AND BE IT FURTHER ENACTED, That:

36 (a) Except for individuals whose retirement allowance is subject to a reduction as
37 provided under § 22–406(c)(1)(iii) and (3) or § 23–407(c)(1)(iii) and (3) of the State Personnel
38 and Pensions Article, the reduction of a retirement allowance under § 22–406 or § 23–407
39 of the State Personnel and Pensions Article does not apply to:

1 (1) an individual who was previously employed by the Maryland
2 Department of Health, retired, and is rehired by the Maryland Department of Health for a
3 period not to exceed 2 years to assist in the administration of federally funded grants
4 related to the Coronavirus Disease 2019 (COVID–19) pandemic; and

5 (2) an individual who was previously employed by the Maryland
6 Department of Labor, retired, and is rehired by the Maryland Department of Labor for a
7 period not to exceed 2 years within the Division of Unemployment Insurance to assist with
8 the administration of benefits related to the COVID–19 pandemic.

9 (b) (1) The provisions of subsection (a) of this section shall be construed to
10 apply retroactively to January 1, 2020.

11 (2) The provisions of subsection (a) of this section shall terminate and be of
12 no effect after December 31, 2021.

13 SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other
14 provision of law, employees in positions at Department of Public Safety and Correctional
15 Services facilities that are closed effective June 30, 2021, shall be transferred to existing
16 vacancies in comparable job classifications within other Department of Public Safety and
17 Correctional Services facilities. These transfers shall be effective not later than July 1,
18 2021, and shall be made without any loss of status, compensation, or benefits.

19 SECTION 13. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 June 1, 2021.