

SENATE BILL 901

E4

11r2722
CF 11r2723

By: ~~Senator Hester~~ Senators Hester, Guzzone, Rosapepe, Carozza, Corderman, Eckardt, Edwards, Elfreth, Griffith, King, McCray, Peters, Salling, Young, and Zucker

Introduced and read first time: February 9, 2021

Assigned to: Education, Health, and Environmental Affairs and Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 1, 2021

CHAPTER _____

1 AN ACT concerning

2 **Public Safety – Emergency Management – Resilient Maryland Revolving Loan**
3 **Fund**

4 FOR the purpose of establishing the Resilient Maryland Revolving Loan Fund as a special,
5 nonlapsing fund; establishing the purpose of the Fund; authorizing uses for the
6 Fund; requiring certain loans to be for a fixed period; requiring the Maryland
7 Emergency Management Agency (MEMA) to administer the Fund; requiring MEMA
8 to prioritize making loans to certain projects; requiring the State Treasurer to hold
9 the Fund and the Comptroller to account for the Fund; specifying the contents of the
10 Fund; requiring investment of the money from the Fund; requiring interest earnings
11 of the Fund to be credited to the Fund; exempting the Fund from a certain provision
12 of law requiring interest earnings on State money to accrue to the General Fund of
13 the State; specifying that money expended from the Fund is supplemental to certain
14 other funds; authorizing loans from the Fund to be used to satisfy the nonfederal
15 match for federal mitigation grants; requiring MEMA to establish application
16 procedures and certain eligibility criteria for loans from the Fund; ~~requiring the~~
17 ~~Governor to include a certain amount in the annual budget bill beginning in a certain~~
18 ~~fiscal year for the Fund;~~ specifying the intent of the General Assembly that MEMA
19 apply to the Federal Emergency Management Agency for certain funding; requiring
20 MEMA to grant loans to local jurisdictions, at least in part, to meet certain federal
21 matching requirements; defining a certain term; and generally relating to the
22 Resilient Maryland Revolving Loan Fund.

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 adding to
2 Article – Public Safety
3 Section 14–110.4
4 Annotated Code of Maryland
5 (2018 Replacement Volume and 2020 Supplement)

6 BY repealing and reenacting, without amendments,
7 Article – State Finance and Procurement
8 Section 6–226(a)(2)(i)
9 Annotated Code of Maryland
10 (2015 Replacement Volume and 2020 Supplement)

11 BY repealing and reenacting, with amendments,
12 Article – State Finance and Procurement
13 Section 6–226(a)(2)(ii)122. and 123.
14 Annotated Code of Maryland
15 (2015 Replacement Volume and 2020 Supplement)

16 BY adding to
17 Article – State Finance and Procurement
18 Section 6–226(a)(2)(ii)124.
19 Annotated Code of Maryland
20 (2015 Replacement Volume and 2020 Supplement)

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

23 **Article – Public Safety**

24 **14–110.4.**

25 **(A) IN THIS SECTION, “FUND” MEANS THE RESILIENT MARYLAND**
26 **REVOLVING LOAN FUND.**

27 **(B) THERE IS A RESILIENT MARYLAND REVOLVING LOAN FUND.**

28 **(C) THE PURPOSE OF THE FUND IS TO PROVIDE LOANS FOR LOCAL**
29 **RESILIENCE PROJECTS THAT ADDRESS MITIGATION OF ALL HAZARDS, INCLUDING**
30 **NATURAL DISASTERS.**

31 **(D) (1) THE FUND MAY BE USED ONLY TO PROVIDE LOW- OR**
32 **NO-INTEREST LOANS TO LOCAL GOVERNMENTS AND NONPROFIT ORGANIZATIONS**
33 **FOR LOCAL RESILIENCE PROJECTS.**

34 **(2) THE LOANS PROVIDED UNDER PARAGRAPH (1) OF THIS**
35 **SUBSECTION SHALL BE FOR A FIXED LOAN PERIOD.**

1 **(E) THE MARYLAND EMERGENCY MANAGEMENT AGENCY SHALL**
2 **ADMINISTER THE FUND.**

3 **(F) THE MARYLAND EMERGENCY MANAGEMENT AGENCY SHALL**
4 **PRIORITIZE MAKING LOANS TO PROJECTS IT DETERMINES TO HAVE THE GREATEST**
5 **IMPACT ON ELIMINATING HAZARDS.**

6 **(G) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT SHALL BE**
7 **AVAILABLE IN PERPETUITY FOR THE PURPOSE OF PROVIDING LOANS IN**
8 **ACCORDANCE WITH THE PROVISIONS OF THIS SECTION.**

9 **(2) THE FUND IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE**
10 **AND PROCUREMENT ARTICLE.**

11 **(3) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
12 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

13 **(H) THE FUND CONSISTS OF:**

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

15 **(2) INVESTMENT AND INTEREST EARNINGS OF THE FUND;**

16 **(3) REPAYMENTS OF PRINCIPAL AND INTEREST FROM LOANS MADE**
17 **FROM THE FUND; AND**

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

20 **(I) (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 INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**
23 **THE FUND.**

24 **(J) MONEY EXPENDED FROM THE FUND IS SUPPLEMENTAL TO AND IS NOT**
25 **INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE**
26 **APPROPRIATED TO LOCAL GOVERNMENTS FOR RESILIENCE PROJECTS.**

27 **(K) LOANS FROM THE FUND MAY BE USED TO SATISFY THE NONFEDERAL**
28 **MATCH FOR FEDERAL MITIGATION GRANTS.**

1 (b) The Maryland Emergency Management Agency shall grant loans under this
2 Act to local jurisdictions, at least in part, to meet federal matching requirements for federal
3 resilience grants, including Building Resilient Infrastructures and Communities.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 ~~October~~ June 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.