

## Chapter 5

**(House Bill 133 of the 2021 Regular Session)**

AN ACT concerning

**State Finance and Procurement – Appropriation Reductions  
(Board of Public Works Budget Reduction Clarification Act)**

FOR the purpose of limiting the authorization for the Governor, with the approval of the Board of Public Works, to reduce certain appropriations to not more than a certain percent of the total appropriation for any ~~line item~~ eight-digit program in the State operating budget in any fiscal year; altering the number of ~~business~~ days the Board must wait before approving a proposed reduction of an appropriation after the Secretary of Budget and Management publishes and provides certain notice of the proposed reduction; and generally relating to the State budget and the Department of Budget and Management.

BY repealing and reenacting, with amendments,  
 Article – State Finance and Procurement  
 Section 7–213  
 Annotated Code of Maryland  
 (2015 Replacement Volume and 2020 Supplement)

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

**Article – State Finance and Procurement**

7–213.

(a) (1) Subject to paragraph (2) of this subsection and except as provided in subsection (b) of this section, with the approval of the Board of Public Works, the Governor may reduce, by not more than 25% ~~OF THE TOTAL APPROPRIATION~~ LEGISLATIVE APPROPRIATION AS APPROVED BY THE GENERAL ASSEMBLY FOR ANY ~~LINE ITEM~~ EIGHT-DIGIT PROGRAM IN THE STATE OPERATING BUDGET IN ANY FISCAL YEAR, any appropriation:

(i) that the Governor considers unnecessary; or

(ii) that is subject to budgetary reductions required under the budget bill as approved by the General Assembly.

(2) At least ~~[3] 10 7 business~~ CALENDAR days before the Board of Public Works may approve a proposed reduction of an appropriation under this subsection, the Secretary of Budget and Management shall:

(i) publish on the Department of Budget and Management's Web site, in a machine-readable format, notice of the proposed reduction, including:

1. the name of the State agency or program for which the appropriation is intended and a brief narrative summary of the impact of the proposed reduction on the State agency or program;
2. the amount of the proposed reduction in both dollar and percentage values;
3. the fund source of the appropriation subject to the proposed reduction; and
4. any projected reductions in workforce as a result of the proposed reduction;

(ii) provide the notice required under subparagraph (i) of this paragraph to the Board of Public Works for publication, in a machine-readable format, on the Board's Web site; and

(iii) provide written notice of the proposed reduction, including the items specified under subparagraph (i) of this paragraph, to:

1. the Legislative Policy Committee;
2. the Senate Budget and Taxation Committee; and
3. the House Appropriations Committee.

(b) (1) The Governor may not reduce an appropriation to the Legislative Branch or the Judicial Branch of the State government.

(2) The Governor may not reduce an appropriation for:

- (i) payment of the principal of or interest on the State debt;
- (ii) public schools, including the Maryland School for the Deaf;
- (iii) the Maryland School for the Blind; or
- (iv) the salary of a public officer, during the term of office.

(3) Except as provided in § 8-109 of the State Personnel and Pensions Article, the Governor may not reduce an appropriation for the salary of any nontemporary employee in the State Personnel Management System.

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

**Gubernatorial Veto Override, December 6, 2021.**