

Article - Education

§5-322.

- (a) In this section, “Fund” means the Healthy School Facility Fund.
- (b) There is a Healthy School Facility Fund.
- (c) The purpose of the Fund is to provide grants to public primary and secondary schools in the State to improve the health of school facilities.
- (d) The Interagency Commission on School Construction shall administer the Fund.
- (e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7-302 of the State Finance and Procurement Article.
(2) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.
- (f) The Fund consists of:
 - (1) Money appropriated in the State budget to the Fund;
 - (2) Any interest earnings of the Fund; and
 - (3) Any other money from any other source accepted for the benefit of the Fund.
- (g) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.
(2) Any interest earnings of the Fund shall be credited to the Fund.
- (h) Expenditures from the Fund may be made only in accordance with the State budget.
- (i) Money expended from the Fund is supplemental to and is not intended to take the place of funding that otherwise would be appropriated to primary and secondary schools under this article.
- (j) (1) (i) In each of fiscal years 2020 through 2022, the Governor shall appropriate at least \$30,000,000 to the Fund.

(ii) In each of fiscal years 2023 and 2024, the Governor shall appropriate at least \$40,000,000 to the Fund.

(iii) For each of fiscal years 2021 through 2024, 50% of the funds appropriated under subparagraphs (i) and (ii) of this paragraph shall be awarded to public schools in Baltimore City.

(2) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, the Interagency Commission on School Construction shall give priority in awarding grants to schools based on the severity of issues in the school, including:

1. Air conditioning;
2. Heating;
3. Indoor air quality;
4. Mold remediation;
5. Temperature regulation;
6. Plumbing, including pipe insulation to reduce condensation in order to prevent mold and the presence of lead in drinking water outlets in school buildings;
7. Windows;
8. Roofs; and
9. Any additional severe issue in the school that required the school to be closed.

(ii) The amount of the grant is not required to cover the full cost of the project.

(k) (1) Except as provided in paragraph (4) of this subsection and subject to paragraphs (2) and (3) of this subsection, the Interagency Commission on School Construction shall establish application procedures for school systems to request funds under this section.

(2) The Interagency Commission on School Construction shall establish award procedures to make awards distributed from the Fund not more than 45 days after receiving an application.

(3) (i) The Interagency Commission on School Construction, in consultation with the Department of the Environment, shall establish application procedures for school systems to request funds under this section to assist with the costs of implementing remedial measures to address the presence of lead in drinking water outlets in school buildings.

(ii) The application procedures established under subparagraph (i) of this paragraph shall include procedures for prioritizing applications for plumbing projects, with priority first given to applications requesting funds for water fountains or bubblers, and then to applications requesting funds for:

1. Faucets or taps that are used or potentially used for drinking or food preparation;
2. Ice makers; or
3. Hot drink machines.

(4) (i) For Baltimore City, the school system shall establish a procedure to identify schools and submit eligible projects for awards by the Interagency Commission on School Construction for funding provided under subsection (j)(1)(ii) and (iii) of this section.

(ii) The Interagency Commission on School Construction shall award grants to schools with eligible projects submitted in accordance with subparagraph (i) of this paragraph.