

HOUSE BILL 1088

B5, B1

2lr2574

By: **The Speaker and Delegates Brooks and Sample–Hughes**

Introduced and read first time: February 10, 2022

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: March 7, 2022

CHAPTER _____

1 AN ACT concerning

2 **African American Heritage Preservation Program – Annual Appropriation and**
3 **Alterations**

4 FOR the purpose of altering the amount of the appropriation to the African American
5 Heritage Preservation Grant Fund of the Maryland Historical Trust that the
6 Governor is required to include in the operating or capital budget each year;
7 repealing a requirement that the recipient of a certain grant provide a matching
8 fund; altering the maximum amount of a certain grant that a recipient may receive;
9 and generally relating to the African American Heritage Preservation Program.

10 BY repealing and reenacting, without amendments,
11 Article – State Finance and Procurement
12 Section 5A–330(a) and (b)
13 Annotated Code of Maryland
14 (2021 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article – State Finance and Procurement
17 Section 5A–330(c), (e), and (f)(2)
18 Annotated Code of Maryland
19 (2021 Replacement Volume)

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

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.



Article – State Finance and Procurement

1
2 5A-330.

3 (a) (1) In this section the following words have the meanings indicated.

4 (2) “AAHP Grant Fund” means the African American Heritage
5 Preservation Grant Fund of the Trust.

6 (3) “African American Heritage Grant” means a grant made under the
7 Program.

8 (4) “African American Heritage Preservation Project” means a capital
9 project that:

10 (i) preserves buildings, communities, and sites of historical and
11 cultural importance to the African American experience in the State; and

12 (ii) is for:

13 1. the acquisition of land or buildings; or

14 2. the construction or improvement of land or buildings.

15 (5) “Commission” means the Commission on African American History and
16 Culture.

17 (6) “Construction or improvement” means planning, design, engineering,
18 alteration, construction, reconstruction, enlargement, expansion, extension, improvement,
19 replacement, rehabilitation, renovation, upgrading, repair, or capital equipping.

20 (7) “Program” means the African American Heritage Preservation
21 Program.

22 (8) “Secretary” means the Secretary of Planning.

23 (b) (1) There is an African American Heritage Preservation Program in the
24 Trust.

25 (2) The purpose of the Program is to identify and preserve buildings,
26 communities, and sites of historical and cultural importance to the African American
27 experience in the State.

28 (3) The Trust shall develop and administer the Program in partnership
29 with the Commission.

1 (c) (1) There is an African American Heritage Preservation Grant Fund in the
2 Trust.

3 (2) The Trust shall administer the AAHP Grant Fund.

4 (3) The AAHP Grant Fund may be used only for African American Heritage
5 Grants.

6 (4) (i) The AAHP Grant Fund is a special, nonlapsing fund that is not
7 subject to reversion under § 7-302 of this article.

8 (ii) The State Treasurer shall hold the AAHP Grant Fund separately
9 and the Comptroller shall account for the AAHP Grant Fund.

10 (5) The AAHP Grant Fund consists of:

11 (i) money appropriated in the State budget to the Program;

12 (ii) investment earnings of the AAHP Grant Fund;

13 (iii) any other money from any other source accepted for the benefit
14 of the AAHP Grant Fund; and

15 (iv) money received from the sale of State general obligation bonds.

16 (6) For each fiscal year, the Governor shall include in the annual operating
17 or capital budget an appropriation of [~~\$1,000,000~~] **\$5,000,000** to the AAHP Grant Fund.

18 (7) (i) The State Treasurer shall invest the money of the AAHP Grant
19 Fund in the same manner as other State money.

20 (ii) Any investment earnings of the AAHP Grant Fund shall be paid
21 into the AAHP Grant Fund.

22 (8) Expenditures from the AAHP Grant Fund may be made only in
23 accordance with the State budget.

24 (e) An African American Heritage Grant to a business entity, an individual, or a
25 political subdivision[:

26 (1) is subject to a requirement that the prospective grantee provide a
27 matching fund from any combination of federal, county, municipal, or private sources; and

28 (2) may not exceed 50% of the total cost of the African American Heritage
29 Preservation Project for which the African American Heritage Grant is awarded] **MAY NOT**
30 **EXCEED \$500,000.**

1 (f) (2) In making recommendations under this subsection, the Trust and the
2 Commission shall consider:

- 3 (i) the public necessity and urgency of a project;
- 4 (ii) the need for additional sources of funding for a project;
- 5 (iii) the estimated cost and timeliness of executing a project;
- 6 (iv) [the viability of matching funds for a project;
- 7 (v)] geographic diversity; and
- 8 [(vi)] (V) any other criteria determined by the Trust and the
9 Commission to be relevant.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.