

HOUSE BILL 1450

F5, Q4

2lr3240

By: **Delegates McIntosh, Atterbeary, B. Barnes, and Washington**

Introduced and read first time: February 23, 2022

Assigned to: Rules and Executive Nominations

Re-referred to: Appropriations, February 27, 2022

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2022

CHAPTER _____

1 AN ACT concerning

2 **Blueprint for Maryland’s Future – Implementation Plans and Fund – Alterations**

3 FOR the purpose of expanding the uses for certain grants under the Concentration of
4 Poverty Grant Program; requiring the State Department of Education to collect
5 certain data and submit a certain report on or before a certain date; altering certain
6 dates for the development, adoption, and submission of certain plans to implement
7 the Blueprint for Maryland’s Future; altering the date by which criteria to evaluate
8 certain implementation plans must be developed; requiring the Accountability and
9 Implementation Board to release certain funds withheld from a local school system
10 for a certain fiscal year if a certain condition is met; altering the distribution of
11 certain sales and use tax revenues to the Blueprint for Maryland’s Future Fund;
12 authorizing certain entities or programs to retain the unspent portion of a certain
13 appropriation for a certain fiscal year; and generally relating to the Blueprint for
14 Maryland’s Future.

15 BY repealing and reenacting, without amendments,
16 Article – Education
17 Section 5–206(a) and 5–405(a)
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2021 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – Education

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 Section ~~5–206(f)(1) and 5–223(c)(4) and (9), 5–404(a) and (b), 5–405(b) and (c), and~~
 2 7–205.1(e)(1)(i)
 3 Annotated Code of Maryland
 4 (2018 Replacement Volume and 2021 Supplement)

5 BY adding to

6 Article – Education
 7 Section 5–223(g)(3)
 8 Annotated Code of Maryland
 9 (2018 Replacement Volume and 2021 Supplement)

10 BY repealing and reenacting, with amendments,

11 Article – Education
 12 Section 5–404(c)
 13 Annotated Code of Maryland
 14 (2018 Replacement Volume and 2021 Supplement)
 15 (As enacted by Chapters 55 and 147 of the Acts of the General Assembly of 2021)

16 BY repealing and reenacting, with amendments,

17 Article – Tax – General
 18 Section 2–1302.1
 19 Annotated Code of Maryland
 20 (2016 Replacement Volume and 2021 Supplement)
 21 (As enacted by Chapter 9 of the Acts of the General Assembly of the 2021 Special
 22 Session)

23 BY repealing and reenacting, with amendments,

24 Article – Tax – General
 25 Section 2–1303
 26 Annotated Code of Maryland
 27 (2016 Replacement Volume and 2021 Supplement)

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

30 **Article – Education**

31 5–206.

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

33 (f) The Fund consists of:

34 (1) Revenue distributed to the Fund under Title 9, Subtitles 1D and 1E of
 35 the State Government Article and §§ 2–4A–02, 2–605.1, [2–1302.1,] and 2–1303 of the Tax
 36 – General Article;

1 5-223.

2 (c) (4) If the personnel grant provided to an eligible school exceeds the cost to
3 employ the positions and provide the coverage required under paragraph (2) of this
4 subsection, the eligible school may only use the excess funds to:

5 (i) Provide wraparound services to the students enrolled in the
6 eligible school;

7 (ii) Complete the needs assessment; and

8 (iii) In fiscal years 2021 [and 2022] THROUGH 2025, provide the
9 requirements under COMAR TITLE 13A, SUBTITLE 04, INCLUDING 13A.04.16.01.

10 (9) The personnel and per pupil grant may be used through fiscal year
11 [2025] 2027 to provide the programs required under COMAR TITLE 13A, SUBTITLE 04,
12 INCLUDING 13A.04.16.01.

13 (g) (3) ON OR BEFORE DECEMBER 1, 2022, THE DEPARTMENT SHALL:

14 (i) COLLECT THE DATA NECESSARY TO IMPLEMENT THE
15 NEIGHBORHOOD POVERTY INDICATOR METHODOLOGY RECOMMENDED BY THE
16 DEPARTMENT TO CALCULATE THE COMPENSATORY EDUCATION FORMULA UNDER §
17 5-222 OF THIS SUBTITLE AND THE CONCENTRATION OF POVERTY SCHOOL GRANTS
18 UNDER THIS SECTION; AND

19 (ii) SUBMIT A REPORT TO THE GENERAL ASSEMBLY, IN
20 ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE
21 ACCOUNTABILITY AND IMPLEMENTATION BOARD, AND THE DEPARTMENT OF
22 BUDGET AND MANAGEMENT.

23 5-404.

24 (a) (1) The Board shall develop a Comprehensive Implementation Plan to
25 implement the Blueprint for Maryland's Future, considering any input provided by
26 interested stakeholders in the State.

27 (2) The Comprehensive Implementation Plan shall include a timeline for
28 implementation of the Blueprint for Maryland's Future with key milestones to be achieved
29 by each State or local government unit required to implement an element of the Blueprint
30 for Maryland's Future for each year of the implementation period.

31 (3) The Comprehensive Implementation Plan shall include the intended
32 outcomes that the Blueprint for Maryland's Future will achieve.

1 (4) (i) The Comprehensive Implementation Plan shall be adopted by
2 the Board no later than ~~[February 15, 2022]~~ **DECEMBER 1, 2022**.

3 (ii) Any changes to the Comprehensive Implementation Plan shall
4 be adopted by the Board no later than August 1 of each year.

5 (b) (1) The Board shall adopt guidelines for entities required to submit and
6 carry out implementation plans under this section that include establishing a maximum
7 page length, including appendices, for implementation plans.

8 (2) State and local government units responsible for implementing an
9 element of the Blueprint for Maryland's Future shall develop implementation plans
10 consistent with the Comprehensive Implementation Plan that describe the goals,
11 objectives, and strategies that will be used to improve student achievement and meet the
12 Blueprint for Maryland's Future recommendations for each segment of the student
13 population.

14 (3) (i) ~~[After February 15, 2022, and no later than April 1, 2022]~~ **ON**
15 **OR BEFORE SEPTEMBER 1, 2022**, the Department shall develop criteria to be used to
16 recommend approval or disapproval of local school system implementation plans and
17 release of funds under this subtitle.

18 (ii) The criteria shall be submitted for approval to the Board.

19 (c) (1) (i) 1. Except as provided in subparagraph 2 of this
20 subparagraph, each unit responsible for developing an implementation plan under this
21 section shall submit the plan to the Board for approval on or before ~~[June 15, 2022]~~ **MARCH**
22 **15, 2023**.

23 2. The Juvenile Services Education Program Superintendent
24 shall submit the plan to the Board for approval on or before June 15, 2023.

25 (ii) Each local school system shall submit a copy of its plan to the
26 Department for review and a recommendation of approval or disapproval.

27 (2) Governmental units shall submit implementation plans on elements of
28 the Blueprint for Maryland's Future under this subsection, including:

29 (i) Plans from each local school system to implement each element
30 of the Blueprint for Maryland's Future, including how to:

31 1. Adapt curriculum, instruction, and the organization of the
32 school day to enable more students to achieve college and career readiness by the end of
33 10th grade, to provide students with needed services including community-partnered
34 behavioral health services if appropriate, and to identify students who are falling behind
35 and develop a plan to get them back on track;

1 2. Close student achievement gaps listed under §
2 5–408(a)(2)(i) of this subtitle within the local school system;

3 3. Avoid the disproportionate placement of students with
4 particular racial, ethnic, linguistic, economic, or disability status characteristics with
5 novice teachers or teachers providing instruction in fields in which they lack expertise; and

6 4. Use additional funds for teacher collaborative time in
7 accordance with Title 6, Subtitle 10 of this article prioritized based on availability of a
8 sufficient number of high–quality teachers;

9 (ii) The joint plan of the Department and the Maryland Higher
10 Education Commission for teacher preparation and training that meets the requirements
11 under Title 6 of this article;

12 (iii) A plan from the Department for the expansion and coordination
13 of Judy Centers under § 5–230 of this title and a plan for the expansion of
14 community–based family support centers under Title 9.5, Subtitle 10 of this article;

15 (iv) The Department’s plan for selection, assembly, and deployment
16 of expert review teams under § 5–411 of this subtitle;

17 (v) The Department’s plan for implementing the teacher career
18 ladder and training Maryland teachers, school leaders, and administrators under Title 6,
19 Subtitle 10 of this article;

20 (vi) The Career and Technical Education Committee plan for
21 developing rigorous CTE pathways under § 21–207 of this article;

22 (vii) Plans from each local school system on proposed memoranda of
23 understanding for prekindergarten in accordance with § 7–1A–05 of this article;

24 (viii) A plan from the Juvenile Services Education Program
25 Superintendent on the proposed education of juveniles under Title 9, Subtitle 6 of the
26 Human Services Article; and

27 (ix) Any other implementation plans the Board determines are
28 necessary.

29 (3) An implementation plan submitted to the Board for approval under this
30 section shall be:

31 (i) Consistent with the developed guidelines and, if applicable, the
32 approved criteria under subsection (b) of this section; and

33 (ii) Concise and focused on the measures taken and the measures to
34 be taken to implement and achieve the Blueprint’s goals.

(4) A responsible government unit shall amend the implementation plan until it is approved by the Board.

5-405.

(a) Subject to the judgment of the Board and in accordance with this section, each fiscal year a portion of the increase in the State share of major education aid, as defined in § 5-201 of this title, over the amount provided in the prior fiscal year shall be withheld from public schools and local school systems.

(b) Except as otherwise provided in this section, beginning in fiscal year 2023, 25% of the increase in the State share of major education aid over the amount provided in the [current] PRIOR fiscal year shall be automatically withheld from a local school system for the next fiscal year.

(c) **(1) FOR FISCAL YEAR 2023, THE BOARD SHALL RELEASE FUNDS WITHHELD UNDER THIS SECTION IF THE BOARD FINDS THAT A LOCAL SCHOOL SYSTEM HAS MET THE MINIMUM GUIDELINES FOR THE SUBMISSION OF THE INITIAL IMPLEMENTATION PLAN UNDER § 5-404 OF THIS SUBTITLE.**

(2) Beginning in fiscal year [2023] 2024 and ending in fiscal year 2025, the Board shall release funds withheld under this section each year if the Board finds that a local school system or public school:

[(1)] (I) Has developed an initial implementation plan under § 5-404 of this subtitle; and

[(2)] (II) Has received approval for its initial implementation plan and for any subsequent modifications.

7-205.1.

(e) (1) (i) Each county board, in collaboration with the community colleges, shall develop and implement by the [2022-2023] 2023-2024 school year a program of study for students who have not met the CCR standard by the end of the 10th grade.

Article – Tax – General

2-1302.1.

After making the distributions required under §§ 2-1301 and 2-1302 of this subtitle, of the sales and use tax collected[:

(1) under § 11-104(c) and (c-1) of this article on short-term vehicle rentals and peer-to-peer car sharing, the Comptroller shall distribute:

1 [(i) (1) 45% to the Transportation Trust Fund established under
2 § 3–216 of the Transportation Article; and

3 [(ii) (2) the remainder to the Chesapeake and Atlantic Coastal
4 Bays 2010 Trust Fund]; and

5 (2) on the sale or use of a digital product or digital code under Title 11 of
6 this article the Comptroller shall distribute 100% to the Blueprint for Maryland’s Future
7 Fund established under § 5–206 of the Education Article].

8 2–1303.

9 [(a)] After making the distributions required under §§ 2–1301 through 2–1302.1 of
10 this subtitle, the Comptroller shall pay:

11 (1) revenues from the hotel surcharge into the Dorchester County
12 Economic Development Fund established under § 10–130 of the Economic Development
13 Article;

14 (2) [subject to subsection (b) of this section,] to the Blueprint for
15 Maryland’s Future Fund established under [§ 5–219] **§ 5–206** of the Education Article,
16 [revenues collected and remitted by] **THE FOLLOWING PERCENTAGE OF THE**
17 **REMAINING SALES AND USE TAX REVENUES:**

18 [(i) a marketplace facilitator; or

19 (ii) a person that engages in the business of an out-of-state vendor
20 and that is required to collect and remit sales and use tax as specified in COMAR
21 03.06.01.33B(5);]

22 **(I) FOR FISCAL YEAR 2023, 12.3%;**

23 **(II) FOR FISCAL YEAR 2024, 12.5%;**

24 **(III) FOR FISCAL YEAR 2025, 12.9%;**

25 **(IV) FOR FISCAL YEAR 2026, 13.3%; AND**

26 **(V) FOR FISCAL YEAR 2027 AND EACH FISCAL YEAR**
27 **THEREAFTER, 13.8%; and**

28 (3) the remaining sales and use tax revenue into the General Fund of the
29 State.

1 **[(b)** For each fiscal year, the Comptroller shall pay into the General Fund of the
2 State the first \$100,000,000 of revenues collected and remitted by:

3 (1) a marketplace facilitator; or

4 (2) a person that engages in the business of an out-of-state vendor and
5 that is required to collect and remit sales and use tax as specified in COMAR
6 03.06.01.33B(5).]

7 SECTION 2. AND BE IT FURTHER ENACTED, That any entity or program that
8 receives a supplementary appropriation under Section 6 of Chapter 356 of the Acts of the
9 General Assembly of 2021 may retain any special funds received for the implementation of
10 the Blueprint for Maryland’s Future, as defined in § 5-401 of the Education Article, that
11 were not spent in fiscal year 2022.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
13 1, 2022.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.