

HOUSE BILL 1469

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2lr3279

By: **Delegate B. Barnes**

Introduced and read first time: February 26, 2022

Assigned to: Rules and Executive Nominations

Re-referred to: Appropriations, March 5, 2022

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 11, 2022

CHAPTER _____

1 AN ACT concerning

2 **Maggie McIntosh School Arts Fund – Established**

3 FOR the purpose of establishing the Maggie McIntosh School Arts Fund as a special,
4 nonlapsing fund; requiring interest earnings of the Fund to be credited to the Fund;
5 altering the allocation of revenues from the State Lottery Fund after a certain date;
6 and generally relating to the Maggie McIntosh School Arts Fund.

7 BY repealing and reenacting, without amendments,

8 Article – Education

9 Section 5–223(a)(1) and (4)

10 Annotated Code of Maryland

11 (2018 Replacement Volume and 2021 Supplement)

12 BY adding to

13 Article – Education

14 Section 5–243

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2021 Supplement)

17 BY repealing and reenacting, without amendments,

18 Article – State Finance and Procurement

19 Section 6–226(a)(2)(i)

20 Annotated Code of Maryland

21 (2021 Replacement Volume)

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 repealing and reenacting, with amendments,
2 Article – State Finance and Procurement
3 Section 6–226(a)(2)(ii)144. and 145.
4 Annotated Code of Maryland
5 (2021 Replacement Volume)

6 BY adding to
7 Article – State Finance and Procurement
8 Section 6–226(a)(2)(ii)146.
9 Annotated Code of Maryland
10 (2021 Replacement Volume)

11 BY repealing and reenacting, with amendments,
12 Article – State Government
13 Section 9–120(b)(1)
14 Annotated Code of Maryland
15 (2021 Replacement Volume)

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

18 **Article – Education**

19 5–223.

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

21 (4) (i) “Eligible school” means:

22 1. For the personnel grant, a public school, including a public
23 charter school, with a concentration of poverty level of:

24 A. For fiscal year 2020, at least 80%;

25 B. For fiscal year 2021, at least 75%;

26 C. For fiscal year 2022, at least 70%;

27 D. For fiscal year 2023, at least 65%;

28 E. For fiscal year 2024, at least 60%; and

29 F. For fiscal year 2025, and each fiscal year thereafter, at
30 least 55%; and

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

2 **(3) INTEREST EARNINGS OR OTHER INCOME EARNED FROM THE**
 3 **INVESTMENT OF ANY MONEY FROM THE FUND; AND**

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

6 **(G) THE FUND SHALL BE USED TO EXPAND THE ARTS CURRICULUM FOR**
 7 **STUDENTS IN ELIGIBLE PUBLIC SCHOOLS UNDER THE CONCENTRATION OF**
 8 **POVERTY GRANT PROGRAM IN BALTIMORE CITY, AS DEFINED IN § 5-223 OF THIS**
 9 **SUBTITLE, WITH GRANTS TO:**

10 **(1) PURCHASE ART SUPPLIES FOR CLASSROOMS; AND**

11 **(2) PROVIDE ARTS EXPERIENCES.**

12 **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND**
 13 **IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

14 **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**
 15 **THE FUND.**

16 **(I) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
 17 **WITH THE STATE BUDGET.**

18 **Article – State Finance and Procurement**

19 6–226.

20 (a) (2) (i) Notwithstanding any other provision of law, and unless
 21 inconsistent with a federal law, grant agreement, or other federal requirement or with the
 22 terms of a gift or settlement agreement, net interest on all State money allocated by the
 23 State Treasurer under this section to special funds or accounts, and otherwise entitled to
 24 receive interest earnings, as accounted for by the Comptroller, shall accrue to the General
 25 Fund of the State.

26 (ii) The provisions of subparagraph (i) of this paragraph do not apply
 27 to the following funds:

28 144. the Health Equity Resource Community Reserve Fund;
 29 **[and]**

30 145. the Access to Counsel in Evictions Special Fund; **AND**

146. THE MAGGIE MCINTOSH SCHOOL ARTS FUND.**Article – State Government**

9–120.

(b) (1) By the end of the month following collection, the Comptroller shall deposit, cause to be deposited, or pay:

(i) into the Maryland Stadium Facilities Fund established under § 7–312 of the State Finance and Procurement Article from the money that remains in the State Lottery Fund, after the distribution under subsection (a) of this section, an amount not to exceed \$20,000,000 in any fiscal year;

(ii) after June 30, 2014, into the Maryland Veterans Trust Fund 10% of the money that remains in the State Lottery Fund from the proceeds of sales of tickets from instant ticket lottery machines by veterans' organizations under § 9–112(d) of this subtitle, after the distribution under subsection (a) of this section;

(iii) after June 30, 2014, into the Baltimore City Public School Construction Financing Fund established under § 10–656 of the Economic Development Article the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) and (ii) of this paragraph, an amount equal to \$20,000,000 in each fiscal year that bonds are outstanding and unpaid, to be paid in two installments with at least \$10,000,000 paid no later than December 1 of each fiscal year;

(iv) after June 30, 2021, into the Racing and Community Development Financing Fund established under § 10–657.2 of the Economic Development Article from the money that remains in the State Lottery Fund, after the distribution under subsection (a) of this section, an amount equal to \$17,000,000 in each fiscal year until the bonds issued for a racing facility have matured;

(v) after June 30, 2020, into the Michael Erin Busch Sports Fund established under § 10–612.2 of the Economic Development Article from the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) through (iv) of this paragraph, an amount equal to \$1,000,000 in each fiscal year;

(vi) after June 30, 2021, a grant to the Maryland Humanities Council for Maryland History Day and other programming from the money that remains in the State Lottery Fund after the distributions under subsection (a) of this section and items (i) through (v) of this paragraph, an amount equal to \$150,000 in each fiscal year;

(vii) after June 30, 2021, to Anne Arundel County or Baltimore City each fiscal year the amount required to be distributed under § 9-1A-31(a)(7)(ii) of this title to be used as required under § 9-1A-31 of this title; [and]

(VIII) AFTER JUNE 30, 2022, INTO THE ~~STATE~~ MAGGIE MCINTOSH SCHOOL ARTS FUND ESTABLISHED UNDER § 5-243 OF THE EDUCATION ARTICLE FROM THE MONEY THAT REMAINS IN THE STATE LOTTERY FUND FROM THE PROCEEDS OF ALL OTHER LOTTERIES AFTER THE DISTRIBUTIONS UNDER SUBSECTION (A) OF THIS SECTION AND ITEMS (I) THROUGH (VII) OF THIS PARAGRAPH, AN AMOUNT EQUAL TO \$250,000 IN EACH FISCAL YEAR; AND

[(viii)] **(IX)** into the General Fund of the State the money that remains in the State Lottery Fund from the proceeds of all lotteries after the distributions under subsection (a) of this section and items (i) through [(vi)] **(VIII)** of this paragraph.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.