F1 2lr0917 CF 2lr3168

By: Senator King

Introduced and read first time: February 3, 2022

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning 2 Primary and Secondary Education - Maintenance of Effort Requirements -3 Alterations 4 FOR the purpose of requiring the governing body of each county to appropriate a certain 5 amount of funds to the school operating budgets for a certain fiscal year; and 6 generally relating to annual appropriations for primary and secondary education. 7 BY repealing and reenacting, with amendments. 8 Article – Education 9 Section 5-235(a)10 Annotated Code of Maryland 11 (2018 Replacement Volume and 2021 Supplement) 12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 13 That the Laws of Maryland read as follows: 14 Article - Education 15 5-235. Subject to subsection (o) of this section and beginning in fiscal 16 (a) 17 year 2023, the county governing body shall levy and appropriate an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes 18 19 equal to the local share of major education aid as adjusted under § 5–239 of this subtitle. 20 (ii) For the purposes of calculating the local share of major education 21 aid and regardless of the source of the funds, all funds that a county board, including the 22Baltimore City Board of School Commissioners, is authorized to expend for schools may be 23 considered as levied by the county council, board of county commissioners, or the Mayor 24and City Council of Baltimore except for:

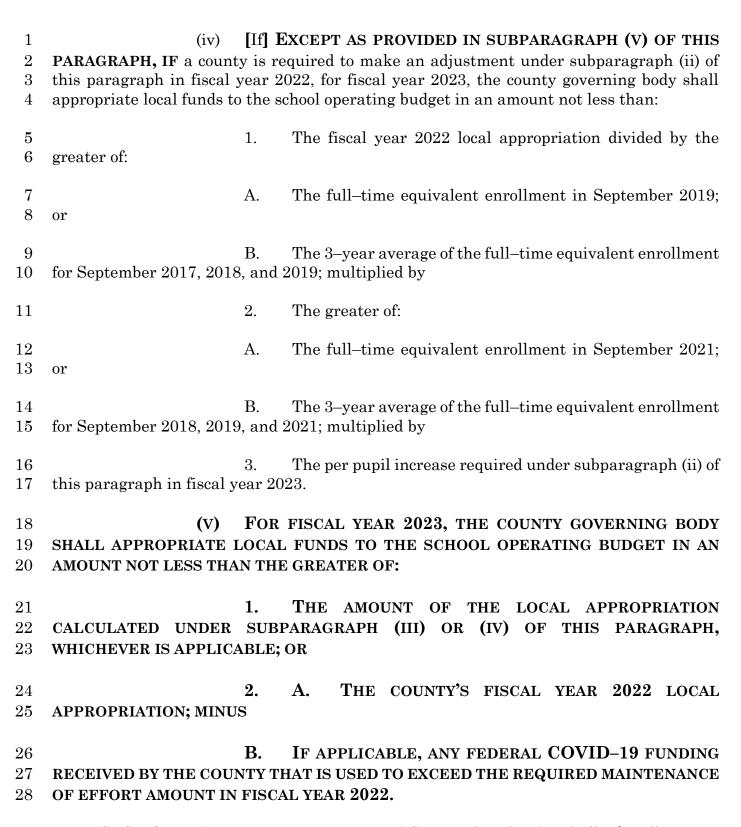


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1	1. State appropriations;
2	2. Federal education aid payments; and
3 4	3. The amount of the expenditure authorized for debt service and capital outlay.
5 6 7 8 9	(2) (i) Subject to subsection (o) of this section and except as provided in subparagraphs (ii), (iii), [and] (iv), AND (V) of this paragraph, the county governing body shall appropriate local funds to the school operating budget in an amount no less than the product of the county's enrollment count for the current fiscal year and the local appropriation on a per pupil basis for the prior fiscal year using enrollment count.
10 11 12 13 14	(ii) Except as provided in subsection (c)(2) of this section, in fiscal years 2022 and 2023, if a county's education effort, as defined in subsection (j) of this section, is below 100% of the statewide 5—year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:
15 16	1. The county's increase in the local wealth per pupil using the September 2019 full–time equivalent enrollment;
17 18	2. The statewide average increase in local wealth per pupil using the September 2019 full–time equivalent enrollment; or
19	3. 2.5%.
20 21 22	(iii) Except as provided in [subparagraph] SUBPARAGRAPHS (iv) AND (V) of this paragraph, for fiscal year 2023, the county governing body shall appropriate local funds to the school operating budget in an amount not less than:
23 24	1. The fiscal year 2021 local appropriation divided by the greater of:
25 26	A. The full-time equivalent enrollment in September 2019; or
27 28	B. The 3–year average of the full–time equivalent enrollment for September 2017, 2018, and 2019; multiplied by
29	2. The greater of:
30 31	A. The full-time equivalent enrollment in September 2021; or
32	B. The 3-year average of the full-time equivalent enrollment

for September 2018, 2019, and 2021.

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