

Chapter 362

(House Bill 1249)

AN ACT concerning

Libraries – Capital Projects – State Share Adjustments

FOR the purpose of providing for a certain adjustment to the State share percentage for a county library capital project under certain circumstances; and generally relating to the State grant program for county public library capital projects.

BY repealing and reenacting, with amendments,
Article – Education
Section 23–509
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Education

23–509.

- (a) (1) In this section the following words have the meanings indicated.
- (2) “Capital project” means the:
- (i) Acquisition of land or buildings for a county library; or
 - (ii) Construction or improvement of a county library.
- (3) “Construction or improvement” means planning, design, engineering, alteration, construction, reconstruction, enlargement, expansion, extension, improvement, replacement, rehabilitation, renovation, upgrading, repair, or capital equipping.
- (4) “County library” means a library in a county public library system in the State.
- (5) “State Library Agency” means the Maryland State Library Agency.
- (b) (1) There is a State grant program for county public library capital projects in the State Library Agency.
- (2) The grant program is in addition to the county–State minimum library program established under § 23–502 of this subtitle.

(c) (1) The State Library Agency shall develop and administer a grant program to assist in the funding of county library capital projects.

(2) The purpose of the grant program is to:

(i) Provide a uniform and objective analysis of proposed capital projects; and

(ii) Support projects that address the library needs in the State.

(3) Grants under the program:

(i) Require a matching fund from any combination of county, municipal, or private sources; and

(ii) May not be for an amount less than \$20,000.

(d) (1) On or before July 15 of each year, a county public library system may submit applications to the State Library Agency to receive grants for county library capital projects for the next fiscal year.

(2) In order to apply for a capital project grant, a county public library system shall have:

(i) A countywide library plan that includes a mission statement, needs statement, and multiyear goals and objectives on file with the State Library Agency; and

(ii) A master plan that includes a description of the capital project approved by the applicant's governing body.

(3) An application shall include:

(i) A description of the scope and purpose of the project;

(ii) A building plan that includes the estimated total cost of the project; and

(iii) Any other information required by the State Library Agency.

(4) A county public library system may not apply for more than three capital project grants in a fiscal year.

(e) (1) The State Library Agency shall review grant applications submitted in accordance with subsection (d) of this section.

(2) On or before October 1 of each year, the State Library Agency shall make recommendations to the State Library Board regarding capital project grants for the next fiscal year.

(3) In making its recommendations, the State Library Agency shall consider:

- (i) The public necessity and urgency of a project;
- (ii) The need for additional sources of funding for a project;
- (iii) The estimated cost and timeliness of executing a project;
- (iv) The viability of matching funds for a project; and
- (v) Geographic diversity.

(4) On or before November 1 of each year, the State Library Board shall:

- (i) Approve capital projects for funding in the State budget for the next fiscal year; and
- (ii) Forward the list of approved capital projects to the Department of Budget and Management.

(5) 1. For each of fiscal years 2008 through 2021, the Governor shall include in the annual operating or capital budget submission \$5,000,000 for county library capital projects.

2. For fiscal year 2022 and each fiscal year thereafter, the Governor shall include in the annual operating or capital budget submission \$7,500,000 for county library capital projects.

(f) (1) [The] **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE** State share percentage for a county library capital project approved under this section shall be calculated by dividing the State share of the minimum program for a county calculated under § 23–505(b) of this subtitle by the library program amount for a county calculated under § 23–503(b) of this subtitle, and multiplying this quotient by 1.25.

(2) (i) The minimum State share of a county library capital project is 50%.

(ii) The maximum State share of a county library capital project is 90%.

(3) (I) A COUNTY IS ELIGIBLE FOR AN ADJUSTMENT TO THE STATE SHARE PERCENTAGE FOR A COUNTY LIBRARY CAPITAL PROJECT IF:

1. A COUNTY'S MEDIAN HOUSEHOLD INCOME IS IN THE BOTTOM QUARTILE IN THE STATE; AND

2. THE STATE SHARE PERCENTAGE FOR A COUNTY LIBRARY CAPITAL PROJECT IS 50%.

(II) 1. THE LOCAL SHARE OF A COUNTY LIBRARY CAPITAL PROJECT SHALL BE REDUCED TO EQUAL THE LOCAL SHARE OF THE ADJACENT COUNTY THAT IS LESS THAN 50% BUT CLOSEST TO 50%.

2. THE STATE SHARE OF A COUNTY LIBRARY CAPITAL PROJECT IN THE ELIGIBLE COUNTY SHALL BE INCREASED BY A PERCENTAGE THAT IS EQUAL TO THE REDUCTION UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH.

(g) The State Library Board shall report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly, on or before October 1 of each year, on State grants awarded for county public library capital projects for the prior fiscal year.

(h) The State Library Board shall adopt regulations to implement the grant program established under this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022. It shall remain effective for a period of 3 years and, at the end of June 30, 2025, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, May 16, 2022.