

Chapter 15

(House Bill 1469)

AN ACT concerning

Maggie McIntosh School Arts Fund – Established

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

~~BY repealing and reenacting, without amendments,
 Article – Education
 Section 5–223(a)(1) and (4)
 Annotated Code of Maryland
 (2018 Replacement Volume and 2021 Supplement)~~

BY adding to
 Article – Education
 Section 5–243
 Annotated Code of Maryland
 (2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
 Article – State Finance and Procurement
 Section 6–226(a)(2)(i)
 Annotated Code of Maryland
 (2021 Replacement Volume)

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

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

BY repealing and reenacting, with amendments,
 Article – State Government
 Section 9–120(b)(1)
 Annotated Code of Maryland

(2021 Replacement Volume)

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

Article – Education

~~5-223.~~

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

~~(4) (i) “Eligible school” means:~~

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

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

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

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

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

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

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

~~2. For the per pupil grant, a public school, including a public charter school, with a concentration of poverty level of:~~

~~A. For fiscal year 2022, at least 80%;~~

~~B. For fiscal year 2023, at least 75%;~~

~~C. For fiscal year 2024, at least 70%;~~

~~D. For fiscal year 2025, at least 65%;~~

~~E. For fiscal year 2026, at least 60%; and~~

~~F. For fiscal year 2027, and each fiscal year thereafter, at least 55%.~~

~~(ii) "Eligible school" includes an alternative option program in the local school system if the students in the program are not included in the count of eligible students for another program or school to determine eligibility for the concentration of poverty grant.~~

~~(iii) "Eligible school" does not include a school that is eligible to receive funding under this section but has closed.~~

5-243.

(A) IN THIS SECTION, "FUND" MEANS THE MAGGIE MCINTOSH SCHOOL ARTS FUND.

(B) THERE IS A MAGGIE MCINTOSH SCHOOL ARTS FUND.

(C) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO PUBLIC SCHOOLS IN BALTIMORE CITY TO PURCHASE ART SUPPLIES FOR CLASSROOMS.

(D) ARTS ~~EVERYDAY~~ EVERY DAY SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) REVENUE DISTRIBUTED TO THE FUND UNDER § 9-120(B)(1)(VIII) OF THE STATE GOVERNMENT ARTICLE;

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

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

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

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

- (1) PURCHASE ART SUPPLIES FOR CLASSROOMS; AND
- (2) PROVIDE ARTS EXPERIENCES.

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

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

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

Article – State Finance and Procurement

6–226.

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

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

144. the Health Equity Resource Community Reserve Fund;

[and]

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 by the Governor, April 1, 2022.