

HB0524/843927/1

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 524
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Supplemental Financing Funds –**”; in line 3, after “**Facilities**” insert “**Funds and Bus Rapid Transit Fund**”; in line 4, after “of” insert “altering the membership of the Maryland Stadium Authority”; in line 10, after “funds,” insert “altering the distribution of grants for bus rapid transit under certain circumstances; establishing the Bus Rapid Transit Fund as a special, nonlapsing fund to provide grants to certain eligible grantees”; in lines 10 and 11, strike “financing of Camden Yards sports facilities” and substitute “Maryland Stadium Authority”; and after line 16, insert:

“BY repealing and reenacting, with amendments,

Article – Economic Development

Section 10–601(oo) and (pp), 10–605, and 10–607(b)

Annotated Code of Maryland

(2018 Replacement Volume and 2022 Supplement)”.

On page 2, in line 8, strike “and” and substitute a comma; in the same line, after “173.” insert “, and 174.”;

and after line 15, insert:

“BY repealing and reenacting, with amendments,

Article - Transportation

Section 2–802

Annotated Code of Maryland

(2020 Replacement Volume and 2022 Supplement)”

BY adding to

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Article - Transportation
Section 2-802.1
Annotated Code of Maryland
(2020 Replacement Volume and 2022 Supplement)".

AMENDMENT NO. 2

On page 2, after line 20, insert:

"(oo) Prince George's County Blue Line Corridor" means an area, the specific boundaries of which are designated by public local law, in central Prince George's County [near] IN the intersections of [I-495 and Landover Road, Arena Drive, and Central Avenue] MARYLAND ROUTE 704, MARYLAND ROUTE 214, AND MARYLAND ROUTE 202.

(pp) (1) "Prince George's County Blue Line Corridor facility" means a facility located within the Prince George's County Blue Line Corridor that is:

[(1)] (I) a convention center;

[(2)] (II) an arts and entertainment amphitheater; and

[(3)] (III) any other functionally related structures, improvements, infrastructure, furnishings, or equipment of the facility, including parking garages.

(2) "PRINCE GEORGE'S COUNTY BLUE LINE CORRIDOR FACILITY" DOES NOT INCLUDE A SPORTS FACILITY.";

and after line 32, insert:

"10-605.

- (a) (1) The Authority consists of the following [nine] 10 members:
- (i) six members appointed by the Governor, with the advice and consent of the Senate;
 - (ii) one member appointed by the President of the Senate;

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(iii) one member appointed by the Speaker of the House of Delegates; [and]

(iv) one member appointed by the Mayor of Baltimore City, with the advice and consent of the Senate; AND

(v) ONE MEMBER APPOINTED BY THE COUNTY EXECUTIVE OF PRINCE GEORGE'S COUNTY, WITH THE ADVICE AND CONSENT OF THE SENATE.

(2) In making appointments, the Governor shall ensure that the geographic areas of the State are represented.

(b) (1) The term of a member is 4 years.

(2) The terms of members are staggered as required by the terms provided for members on October 1, 2008.

(3) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(c) A member may be removed for incompetence, misconduct, or failure to perform the duties of the position by:

(1) the Governor, if appointed by the Governor;

(2) the President of the Senate, if appointed by the President;

(3) the Speaker of the House of Delegates, if appointed by the Speaker;

[or]

(4) the Mayor of Baltimore City, if appointed by the Mayor; OR

(Over)

(5) THE COUNTY EXECUTIVE OF PRINCE GEORGE’S COUNTY, IF APPOINTED BY THE COUNTY EXECUTIVE.

10-607.

(b) (1) [Five] SIX members of the Authority are a quorum.

(2) Action by the Authority requires the affirmative vote of at least [five] SIX members.”.

On page 6, in line 18, strike “AND”; and in line 20, after “FUND” insert “;AND”

174. THE BUS RAPID TRANSIT FUND”.

On page 9, in line 21, strike “(i)” and substitute “**(I)2 THROUGH 5**”; in line 22, after the first “the” insert “**TOTAL**”; in the same line, after “payment” insert “**UNDER ITEM (I)2 THROUGH 5 OF THIS PARAGRAPH**”; and in lines 22 and 23, strike “to the Department of Transportation” and substitute “**INTO THE BUS RAPID TRANSIT FUND ESTABLISHED UNDER § 2-802.1 OF THE TRANSPORTATION ARTICLE**”.

On page 10, after line 2, insert:

“Article – Transportation

2-802.

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

(2) “Bus rapid transit system” means a bus line that operates on at least some portion of roadway dedicated to buses and offers off-board fare collection **OR ANOTHER FORM OF HIGH EFFICIENCY FARE COLLECTION** if a fare is charged.

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(3) “Eligible grantee” means a county or municipal corporation that has:

(i) A bus rapid transit system that operates in the county or municipal corporation; and

(ii) No ongoing or completed facility, as that term is defined in § 10–601(s)(1), (4), (8), (9), or (10) of the Economic Development Article.

(b) (1) Subject to paragraph (2) of this subsection, if a deposit or payment is made in accordance with [§ 9–120(b)(1)(i)] § 9–120(B)(1)(I)2 THROUGH 5 of the State Government Article into the Maryland Stadium Authority Facilities Fund established under § 7–312 of the State Finance and Procurement Article, AND THERE IS ONLY ONE ELIGIBLE GRANTEE, then the Department shall award a grant to [an] THE eligible grantee equal to the amount distributed to the Department under § 9–120(b)(1)(x) of the State Government Article.

(2) (I) IF THERE ARE TWO ELIGIBLE GRANTEES, AND ONE ELIGIBLE GRANTEE IS MONTGOMERY COUNTY, THE DEPARTMENT SHALL DISTRIBUTE \$20,000,000 TO MONTGOMERY COUNTY AND THE REMAINING AMOUNT OF THE DEPOSIT OR PAYMENT UNDER § 9–120(B)(1)(X) OF THE STATE GOVERNMENT ARTICLE TO THE REMAINING ELIGIBLE GRANTEE.

[(2)] (II) If more than [one county or municipal corporation is an] THREE COUNTIES OR MUNICIPAL CORPORATIONS ARE eligible [grantee] GRANTEES, AND ONE ELIGIBLE GRANTEE IS MONTGOMERY COUNTY, then the Department shall distribute [the]:

1. NOT LESS THAN \$20,000,000 TO MONTGOMERY COUNTY IF MONTGOMERY COUNTY REMAINS AN ELIGIBLE COUNTY; AND

(Over)

2. THE total REMAINING amount of the deposit or payment under § 9–120(b)(1)(x) of the State Government Article to the REMAINING eligible grantees based on each eligible grantee’s pro rata share of the statewide population.

(III) IF MONTGOMERY COUNTY IS NOT AN ELIGIBLE GRANTEE, AND MORE THAN ONE COUNTY OR MUNICIPAL CORPORATION ARE ELIGIBLE GRANTEES, THEN THE DEPARTMENT SHALL DISTRIBUTE THE TOTAL AMOUNT OF THE DEPOSIT PAYMENT UNDER § 9–120(B)(1)(X) OF THE STATE GOVERNMENT ARTICLE TO THE ELIGIBLE GRANTEES BASED ON EACH ELIGIBLE GRANTEE’S PRO RATA SHARE OF THE STATEWIDE POPULATION.

(3) (I) ELIGIBLE GRANTEES RECEIVING FUNDS IN ACCORDANCE WITH THIS SUBSECTION AND § 2-802.1 OF THIS SUBTITLE, MAY USE THE GRANT FUNDS FOR THE:

1. FINANCING AND REFINANCING OF THE COSTS RELATED TO THE CONSTRUCTION, ACQUISITION, IMPROVEMENT, EQUIPPING, REHABILITATION, AND EXPANSION OF BUS RAPID TRANSIT SYSTEM PROJECTS;

2. PAYMENT OF DEBT SERVICE ON BONDS ISSUED TO FINANCE BUS RAPID TRANSIT SYSTEM PROJECTS;

3. PAYMENT OF ALL REASONABLE EXPENSES AND CHARGES RELATED TO BOND ISSUANCE AND BORROWING; AND

4. PAYMENT OF COSTS RELATING TO THE MANAGEMENT AND OPERATION OF BUS RAPID TRANSIT SYSTEM PROJECTS.

(II) IF AN ELIGIBLE GRANTEE USES FUNDS UNDER THIS SECTION FOR THE PAYMENT OF DEBT SERVICE ON BONDS ISSUED TO FINANCE BUS RAPID TRANSIT SYSTEM PROJECTS, THE ELIGIBLE GRANTEE SHALL ISSUE BONDS IN ACCORDANCE WITH AN ORDINANCE OR RESOLUTION WHICH MAY SPECIFY ALL MATTERS RELATING TO THE ADVERTISEMENT, SALE, ISSUANCE, DELIVERY, AND PAYMENT OF THE BONDS, INCLUDING:

1. THE FORMS, DATES, AND DENOMINATIONS OF THE BONDS;

2. THE PRINCIPAL MATURITIES;

3. THE METHODS TO BE USED IN DETERMINING INTEREST PAYABLE ON THE BONDS; AND

4. ANY PROVISIONS FOR REGISTRATION, REDEMPTION BEFORE STATED MATURITY, OR THE USE OF FACSIMILE SIGNATURES OR SEALS.

(c) The Department:

(1) Shall distribute grants under this section to eligible grantees in a timely manner; and

(2) May not impose any additional conditions on an eligible grantee on receipt of a grant under this section.

2-802.1.

(A) IN THIS SECTION, "FUND" MEANS THE BUS RAPID TRANSIT FUND.

(Over)

(B) THERE IS A BUS RAPID TRANSIT FUND.

(C) THE PURPOSE OF THE FUND IS TO PROVIDE GRANTS TO ELIGIBLE GRANTEES, AS DEFINED UNDER § 2-802 OF THIS SUBTITLE.

(D) THE DEPARTMENT 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)(XI) 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) (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.”.