

# SENATE BILL 501

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3lr2580

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By: **Senator M. Washington**

Introduced and read first time: February 3, 2023

Assigned to: Budget and Taxation

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Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 8, 2023

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Libraries – Aging Infrastructure ~~Capital~~ Improvement Grant Program**  
3 **– Established**

4 FOR the purpose of establishing the Aging Infrastructure ~~Capital~~ Improvement Grant  
5 Program to be administered by the State Library Agency; providing that the funding  
6 for the Program is in addition to certain other funding; requiring the Governor to  
7 include a certain amount of funding in the annual budget bill for the Program in  
8 certain fiscal years; and generally relating to the Aging Infrastructure ~~Capital~~  
9 Improvement Grant Program.

10 BY adding to  
11 Article – Education  
12 Section ~~23-510~~ 23-110  
13 Annotated Code of Maryland  
14 (2022 Replacement Volume)

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

17 **Article – Education**

18 ~~**23-510.**~~ **23-110.**

19 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
20 INDICATED.

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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           (2) “CONSTRUCTION OR IMPROVEMENT” MEANS PLANNING, DESIGN,  
 2 ENGINEERING, ALTERATION, CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT,  
 3 EXPANSION, EXTENSION, IMPROVEMENT, REPLACEMENT, REHABILITATION,  
 4 RENOVATION, UPGRADING, REPAIR, OR EQUIPPING.

5           (3) “CAPITAL ELIGIBLE PROJECT” MEANS:

6           (I) THE ACQUISITION OF LAND OR BUILDINGS FOR A ~~COUNTY~~  
 7 PUBLIC LIBRARY; AND

8           (II) THE CONSTRUCTION OR IMPROVEMENT OF A ~~COUNTY~~  
 9 PUBLIC LIBRARY.

10          ~~(3) “CONSTRUCTION OR IMPROVEMENT” MEANS PLANNING, DESIGN,~~  
 11 ~~ENGINEERING, ALTERATION, CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT,~~  
 12 ~~EXPANSION, EXTENSION, IMPROVEMENT, REPLACEMENT, REHABILITATION,~~  
 13 ~~RENOVATION, UPGRADING, REPAIR, OR CAPITAL EQUIPPING.~~

14          ~~(4) “COUNTY LIBRARY” MEANS A LIBRARY IN A COUNTY PUBLIC~~  
 15 ~~LIBRARY SYSTEM IN THE STATE.~~

16          ~~(5) (4) “PROGRAM” MEANS THE AGING INFRASTRUCTURE~~  
 17 ~~CAPITAL IMPROVEMENT GRANT PROGRAM.~~

18          (5) “PUBLIC LIBRARY” MEANS A LIBRARY IN A COUNTY PUBLIC  
 19 LIBRARY SYSTEM IN THE STATE OR THE ENOCH PRATT FREE LIBRARY SYSTEM.

20          (B) (1) THERE IS AN AGING INFRASTRUCTURE ~~CAPITAL~~ IMPROVEMENT  
 21 GRANT PROGRAM FOR ~~COUNTY~~ PUBLIC LIBRARY ~~CAPITAL~~ ELIGIBLE PROJECTS IN  
 22 THE STATE LIBRARY AGENCY.

23          (2) THE PROGRAM IS IN ADDITION TO THE ~~COUNTY STATE MINIMUM~~  
 24 ~~LIBRARY PROGRAM ESTABLISHED UNDER § 23-502 OF THIS SUBTITLE AND THE~~  
 25 ~~STATE GRANT PROGRAM FOR COUNTY PUBLIC LIBRARY CAPITAL PROJECTS IN THE~~  
 26 ~~STATE LIBRARY AGENCY ESTABLISHED UNDER § 23-509 OF THIS SUBTITLE~~  
 27 FUNDING REQUIRED UNDER THIS TITLE.

28          (C) (1) THE STATE LIBRARY AGENCY SHALL DEVELOP AND ADMINISTER  
 29 THE PROGRAM TO ASSIST IN THE FUNDING OF ~~COUNTY~~ PUBLIC LIBRARY ~~CAPITAL~~  
 30 ELIGIBLE PROJECTS.

31          (2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE FUNDS FOR  
 32 ~~COUNTY~~ PUBLIC LIBRARY SYSTEMS TO ADDRESS THE AGING INFRASTRUCTURE

1 ~~CAPITAL~~ NEEDS IDENTIFIED IN THE 2022 STATEWIDE FACILITIES NEEDS  
2 ASSESSMENT.

3 (3) THE PROGRAM SHALL ADDRESS THE CONSEQUENCES OF THE  
4 AGING INFRASTRUCTURE AND SUPPORT THE REIMAGINING OF LIBRARY SPACES TO  
5 ADVANCE EQUITABLE ECONOMIC RECOVERY AND WORKFORCE DEVELOPMENT AND  
6 TO ENABLE PATRONS TO:

7 (I) GAIN DIGITAL SKILLS;

8 (II) ACCESS NEW TECHNOLOGIES; AND

9 (III) PURSUE VOCATIONAL AND EDUCATIONAL PROGRAMS.

10 (4) GRANTS UNDER THE PROGRAM ~~;~~ MAY NOT BE FOR AN AMOUNT  
11 LESS THAN \$500,000.

12 ~~(4) (5) REQUIRE~~ TO BE ELIGIBLE FOR A GRANT UNDER THE  
13 PROGRAM:

14 (I) AN ELIGIBLE PROJECT IN A COUNTY PUBLIC LIBRARY  
15 SYSTEM SHALL PROVIDE A 20% MATCHING FUND FROM ANY COMBINATION OF  
16 COUNTY, MUNICIPAL, OR PRIVATE SOURCES; AND

17 (II) AN ELIGIBLE PROJECT IN THE ENOCH PRATT FREE  
18 LIBRARY SYSTEM SHALL PROVIDE A 10% MATCHING FUND FROM ANY COMBINATION  
19 OF BALTIMORE CITY OR PRIVATE SOURCES.

20 ~~(II) MAY NOT BE FOR AN AMOUNT LESS THAN \$500,000.~~

21 (D) (1) ON OR BEFORE JULY 15 EACH YEAR, ~~A COUNTY PUBLIC LIBRARY~~  
22 ~~SYSTEM MAY SUBMIT~~ APPLICATIONS MAY BE SUBMITTED TO THE STATE LIBRARY  
23 AGENCY TO RECEIVE GRANTS FOR COUNTY PUBLIC LIBRARY CAPITAL ELIGIBLE  
24 PROJECTS FOR THE NEXT FISCAL YEAR.

25 (2) TO APPLY FOR A ~~CAPITAL PROJECT~~ GRANT, A COUNTY PUBLIC  
26 LIBRARY SYSTEM AND THE ENOCH PRATT FREE LIBRARY SYSTEM SHALL HAVE:

27 (I) A ~~COUNTYWIDE~~ LIBRARY PLAN THAT INCLUDES A MISSION  
28 STATEMENT, NEEDS STATEMENT, AND MULTIYEAR GOALS AND OBJECTIVES ON FILE  
29 WITH THE STATE LIBRARY AGENCY; AND

30 (II) A MASTER PLAN THAT INCLUDES A DESCRIPTION OF THE  
31 ~~CAPITAL~~ ELIGIBLE PROJECT APPROVED BY THE APPLICANT'S GOVERNING BODY.

1           **(3) AN APPLICATION SHALL INCLUDE:**

2                   **(I) A DESCRIPTION OF THE SCOPE AND PURPOSE OF THE**  
3 **PROJECT;**

4                   **(II) A BUILDING PLAN THAT INCLUDES THE ESTIMATED TOTAL**  
5 **COST OF THE PROJECT; AND**

6                   **(III) ANY OTHER INFORMATION REQUIRED BY THE STATE**  
7 **LIBRARY AGENCY.**

8           **(4) A COUNTY PUBLIC LIBRARY SYSTEM OR THE ENOCH PRATT FREE**  
9 **LIBRARY SYSTEM MAY NOT APPLY FOR MORE THAN TWO ~~CAPITAL PROJECT~~ GRANTS**  
10 **IN A FISCAL YEAR.**

11           **(E) (1) THE STATE LIBRARY AGENCY SHALL REVIEW GRANT**  
12 **APPLICATIONS SUBMITTED IN ACCORDANCE WITH SUBSECTION (D) OF THIS**  
13 **SECTION.**

14                   **(2) ON OR BEFORE OCTOBER 1 EACH YEAR, THE STATE LIBRARY**  
15 **AGENCY SHALL MAKE RECOMMENDATIONS TO THE STATE LIBRARY BOARD**  
16 **REGARDING ~~CAPITAL PROJECT~~ GRANTS FOR THE NEXT FISCAL YEAR.**

17                   **(3) IN MAKING ITS RECOMMENDATIONS, THE STATE LIBRARY**  
18 **AGENCY SHALL CONSIDER:**

19                           **(I) PRIORITIZING RURAL AND DIGITALLY UNDERSERVED**  
20 **AREAS;**

21                           **(II) AGE AND CONDITION OF THE FACILITY;**

22                           **(III) THE NEED FOR ADDITIONAL SOURCES OF FUNDING FOR A**  
23 **PROJECT;**

24                           **(IV) THE ESTIMATED COST AND TIMELINESS OF EXECUTING A**  
25 **PROJECT;**

26                           **(V) THE FACILITY NEED IN A ~~COUNTY~~ PUBLIC LIBRARY FOR THE**  
27 **FOLLOWING:**

28                                   **1. ALTERATIONS TO COMPLY WITH THE FEDERAL**  
29 **AMERICANS WITH DISABILITIES ACT;**

1                                   2.     REPAIR OR REPLACEMENT OF ROOF AND HVAC  
2 SYSTEMS;

3                                   3.     TECHNOLOGICAL UPGRADES TO PROVIDE 21ST  
4 CENTURY LIBRARY SERVICES;

5                                   4.     GENERAL RENOVATION OF EXISTING FACILITIES;  
6 AND

7                                   5.     REPLACEMENT OF OBSOLETE OR UNSAFE BUILDINGS  
8 WITH NEW STRUCTURES; AND

9                                   (VI)   GEOGRAPHIC DIVERSITY.

10                               (4)   ON OR BEFORE NOVEMBER 1 EACH YEAR, THE STATE LIBRARY  
11 BOARD SHALL:

12                               (I)   APPROVE ~~CAPITAL~~ ELIGIBLE PROJECTS FOR FUNDING IN  
13 THE STATE BUDGET FOR THE NEXT FISCAL YEAR; AND

14                               (II)   FORWARD THE LIST OF APPROVED ~~CAPITAL~~ ELIGIBLE  
15 PROJECTS TO THE DEPARTMENT OF BUDGET AND MANAGEMENT.

16                               (5)   (I)   FOR EACH OF FISCAL YEARS 2024 THROUGH 2029, THE  
17 GOVERNOR ~~SHALL~~ MAY INCLUDE IN THE ANNUAL OPERATING OR CAPITAL BUDGET  
18 AN APPROPRIATION OF \$40,000,000 FOR ~~COUNTY LIBRARY CAPITAL PROJECTS~~  
19 ELIGIBLE PROJECTS IN A COUNTY PUBLIC LIBRARY SYSTEM.

20                               (II)   FOR EACH OF FISCAL YEARS 2024 THROUGH 2029, THE  
21 GOVERNOR MAY INCLUDE IN THE ANNUAL OPERATING OR CAPITAL BUDGET BILL AN  
22 APPROPRIATION OF \$10,000,000 FOR ELIGIBLE PROJECTS IN THE ENOCH PRATT  
23 FREE LIBRARY SYSTEM.

24                               (F)   ON OR BEFORE OCTOBER 1 EACH YEAR, THE STATE LIBRARY BOARD  
25 SHALL REPORT TO THE GOVERNOR AND, IN ACCORDANCE WITH § 2-1257 OF THE  
26 STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY ON STATE GRANTS  
27 AWARDED ~~FOR COUNTY PUBLIC LIBRARY CAPITAL PROJECTS~~ FOR THE PRIOR  
28 FISCAL YEAR.

29                               (G)   THE STATE LIBRARY BOARD SHALL ADOPT REGULATIONS TO  
30 IMPLEMENT THE PROGRAM ESTABLISHED UNDER THIS SECTION.

31                               SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
32 1, 2023. It shall remain effective for a period of 6 years and, at the end of June 30, 2029,

1 this Act, with no further action required by the General Assembly, shall be abrogated and  
2 of no further force and effect.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.