

HOUSE BILL 773

01, 03

4r0458
CF SB 597

By: **Delegate D. Jones**

Introduced and read first time: January 31, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Human Services – Individuals With Disabilities and Service–Disabled Veterans**
3 **Boating Fund**

4 FOR the purpose of establishing the Individuals With Disabilities and Service–Disabled
5 Veterans Boating Fund; requiring the Department of Disabilities to administer the
6 Fund; establishing the qualifications for certain organizations to receive grants from
7 the Fund; authorizing the Governor to include in the annual budget bill a certain
8 appropriation for the Fund; and generally relating to the Individuals With
9 Disabilities and Service–Disabled Veterans Boating Fund.

10 BY adding to

11 Article – Human Services

12 Section 7–1101 and 7–1102 to be under the new subtitle “Subtitle 11. Individuals
13 With Disabilities and Service–Disabled Veterans Boating Fund”

14 Annotated Code of Maryland

15 (2019 Replacement Volume and 2023 Supplement)

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

18 **Article – Human Services**

19 **SUBTITLE 11. INDIVIDUALS WITH DISABILITIES AND SERVICE–DISABLED**
20 **VETERANS BOATING FUND.**

21 **7–1101.**

22 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
23 **INDICATED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (B) "DEPARTMENT" MEANS THE DEPARTMENT OF DISABILITIES.

2 (C) "FUND" MEANS THE INDIVIDUALS WITH DISABILITIES AND
3 SERVICE-DISABLED VETERANS BOATING FUND.

4 (D) (1) "INDIVIDUALS WITH DISABILITIES" MEANS INDIVIDUALS
5 CONSIDERED DISABLED IN ACCORDANCE WITH THE FEDERAL AMERICANS WITH
6 DISABILITIES ACT OF 1990, 42 U.S.C. § 12102.

7 (2) "INDIVIDUALS WITH DISABILITIES" INCLUDES INDIVIDUALS WITH
8 LEARNING DISABILITIES.

9 (E) "SECRETARY" MEANS THE SECRETARY OF DISABILITIES.

10 (F) "SERVICE-DISABLED VETERAN" MEANS A VETERAN WITH A DISABILITY
11 THAT IS SERVICE-CONNECTED, AS DEFINED IN 38 U.S.C. § 101(16).

12 7-1102.

13 (A) THERE IS AN INDIVIDUALS WITH DISABILITIES AND
14 SERVICE-DISABLED VETERANS BOATING FUND.

15 (B) THE PURPOSE OF THE FUND IS TO PROVIDE SAILING, BOATING,
16 KAYAKING, CANOEING, AND PADDLEBOARDING OPPORTUNITIES FOR INDIVIDUALS
17 WITH DISABILITIES AND SERVICE-DISABLED VETERANS.

18 (C) THE DEPARTMENT SHALL ADMINISTER THE FUND.

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

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

23 (E) THE FUND CONSISTS OF:

24 (1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

25 (2) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR
26 THE BENEFIT OF THE FUND.

27 (F) THE FUND MAY BE USED ONLY FOR:

1 **(1) PROVIDING STATE GRANTS UNDER THIS SECTION; AND**

2 **(2) ADMINISTRATIVE EXPENSES OF THE DEPARTMENT IN**
3 **ADMINISTERING THE FUND.**

4 **(G) IN FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER, THE**
5 **GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF**
6 **\$500,000 TO THE FUND FOR THE PURPOSE OF MAKING THE STATE GRANTS UNDER**
7 **THIS SECTION.**

8 **(H) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**
9 **DEPARTMENT MAY PROVIDE A GRANT OF NOT MORE THAN \$40,000 IN A FISCAL YEAR**
10 **TO A GRANTEE TO PROVIDE SAILING, BOATING, KAYAKING, CANOEING, OR**
11 **PADDLEBOARDING OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES OR**
12 **SERVICE-DISABLED VETERANS.**

13 **(2) THE DEPARTMENT MAY PROVIDE GRANTS UNDER THIS SECTION**
14 **ONLY TO A NONPROFIT ORGANIZATION IN GOOD STANDING THAT:**

15 **(I) IS QUALIFIED UNDER § 501(C)(3) OF THE INTERNAL**
16 **REVENUE CODE;**

17 **(II) HAS BEEN IN OPERATION FOR AT LEAST 3 YEARS,**
18 **NOTWITHSTANDING A CESSATION OF OPERATIONS DURING A NATIONAL OR PUBLIC**
19 **HEALTH EMERGENCY ISSUED:**

20 **1. BY THE PRESIDENT OF THE UNITED STATES UNDER §**
21 **201, § 202(D), OR § 301 OF THE FEDERAL NATIONAL EMERGENCIES ACT; OR**

22 **2. BY THE SECRETARY OF HEALTH AND HUMAN**
23 **SERVICES UNDER THE FEDERAL PUBLIC HEALTH SERVICE ACT; AND**

24 **(III) HAS ENGAGED INDIVIDUALS WITH DISABILITIES OR**
25 **SERVICE-DISABLED VETERANS IN SAILING, BOATING, KAYAKING, CANOEING, OR**
26 **PADDLEBOARDING ACTIVITIES ON THE CHESAPEAKE BAY OR ITS TRIBUTARIES AT**
27 **LEAST 25 TIMES IN EACH OF THE PAST 3 YEARS.**

28 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
29 **1, 2024.**