

SENATE BILL 1188

K3, C8

EMERGENCY BILL
ENROLLED BILL

(4lr3559)

— *Finance and Budget and Taxation/Economic Matters and Appropriations* —

Introduced by **Senators Ferguson and Salling**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Protecting Opportunities and Regional Trade (PORT) Act**

3 FOR the purpose of establishing the Fallen Transportation Workers Scholarship Program
4 and the Fallen Transportation Workers Scholarship Fund as a special, nonlapsing
5 fund; requiring that the interest earnings of the Fund remain in the Fund;
6 authorizing the Secretary of Labor to exempt an individual from the requirement to
7 be actively seeking work for unemployment insurance benefits eligibility under
8 certain circumstances; allowing a subtraction under the State income tax for certain
9 benefit payments received by certain individuals; increasing a certain revenue bond
10 cap for the Maryland Transportation Authority; requiring the Maryland Department
11 of Labor and the Department of Commerce to establish certain ~~temporary relief~~
12 programs to provide assistance to individuals and certain entities impacted by a
13 certain ~~closure~~ reduced operations of the Port of Baltimore; authorizing the Governor
14 to transfer, by budget amendment, funds from the Revenue Stabilization Account to
15 fund the temporary relief programs; authorizing the Maryland Department of Labor

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.

Italics indicate opposite chamber/conference committee amendments.



1 and the Department of Commerce to transfer available funding from existing
 2 programs and special funds to support certain programs; *authorizing, subject to*
 3 *certain limitations, the disclosure of certain tax information to certain governmental*
 4 *entities for the purpose of assisting the Comptroller in certain tax compliance activity;*
 5 *requiring the Attorney General to pursue options, including filing actions, to recover*
 6 *for the State economic damages arising out of closure of the Port of Baltimore and the*
 7 *collapse of the Francis Scott Key Bridge; and generally relating to providing*
 8 ~~temporary relief for individuals and certain entities affected by the closure of the~~
 9 ~~Port of Baltimore~~ transportation and states of emergency.

10 BY adding to

11 Article – Education

12 Section 18–4001 through 18–4004 to be under the new subtitle “Subtitle 40. Fallen
 13 Transportation Workers Scholarship Program”

14 Annotated Code of Maryland

15 (2022 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, without amendments,

17 Article – Labor and Employment

18 Section 8–611(a) and 8–903(a)(1)

19 Annotated Code of Maryland

20 (2016 Replacement Volume and 2023 Supplement)

21 BY repealing and reenacting, with amendments,

22 Article – Labor and Employment

23 Section 8–611(k)

24 Annotated Code of Maryland

25 (2016 Replacement Volume and 2023 Supplement)

26 BY adding to

27 Article – Labor and Employment

28 Section 8–903(d)

29 Annotated Code of Maryland

30 (2016 Replacement Volume and 2023 Supplement)

31 BY repealing and reenacting, without amendments,

32 Article – State Finance and Procurement

33 Section 6–226(a)(2)(i)

34 Annotated Code of Maryland

35 (2021 Replacement Volume and 2023 Supplement)

36 BY repealing and reenacting, with amendments,

37 Article – State Finance and Procurement

38 Section 6–226(a)(2)(ii)189. and 190.

39 Annotated Code of Maryland

40 (2021 Replacement Volume and 2023 Supplement)

1 BY adding to
 2 Article – State Finance and Procurement
 3 Section 6–226(a)(2)(ii)191.
 4 Annotated Code of Maryland
 5 (2021 Replacement Volume and 2023 Supplement)

6 BY repealing and reenacting, without amendments,
 7 Article – Tax – General
 8 Section 10–207(a) and 10–208(a)
 9 Annotated Code of Maryland
 10 (2022 Replacement Volume and 2023 Supplement)

11 BY adding to
 12 Article – Tax – General
 13 Section 10–207(pp), 10–208(cc), and 13–203(c)(16)
 14 Annotated Code of Maryland
 15 (2022 Replacement Volume and 2023 Supplement)

16 BY repealing and reenacting, with amendments,
 17 Article – Tax – General
 18 Section 13–203(c)(14) and (15)
 19 Annotated Code of Maryland
 20 (2022 Replacement Volume and 2023 Supplement)

21 BY repealing and reenacting, without amendments,
 22 Article – Transportation
 23 Section 3–101(a) and (l) and 4–101(a) and (h)
 24 Annotated Code of Maryland
 25 (2020 Replacement Volume and 2023 Supplement)

26 BY repealing and reenacting, with amendments,
 27 Article – Transportation
 28 Section 4–306
 29 Annotated Code of Maryland
 30 (2020 Replacement Volume and 2023 Supplement)

31 Preamble

32 WHEREAS, At approximately 1:30 a.m. on March 26, 2024, a major section of the
 33 Francis Scott Key Bridge (Key Bridge) collapsed into the Patapsco River after the Dali, a
 34 984-foot container ship, collided with one of the bridge’s primary support pillars; and

35 WHEREAS, The collapse of the Key Bridge is a catastrophic event that resulted in a
 36 tragic loss of life and the ~~closure~~ reduced operations of the Port of Baltimore (Port); and

37 WHEREAS, The ~~closure~~ reduced operations of the Port has severe economic
 38 implications for the entire region and nation; and

1 WHEREAS, The Port accounts for approximately \$3.3 billion in annual personal
2 income for individuals, with approximately 15,300 jobs in Maryland directly generated by
3 Port activity and approximately 140,000 total jobs linked to Port activity; and

4 WHEREAS, In 2023, the Port set several records for itself and also ranked first
5 among ports in the nation for handling the highest volume in each of the following
6 categories: autos and light trucks (847,158 vehicles); roll-on, roll-off heavy farm and
7 construction machinery (1.3 million tons); and imported sugar and gypsum; and

8 WHEREAS, The Port also ranked ninth in the nation in 2023 for both the tonnage
9 of international cargo handled (52.3 million tons) and total foreign cargo value (\$80.8
10 billion); and

11 WHEREAS, Additionally, in 2023, in total the Port exported more than \$111 billion
12 and imported more than \$36 billion worth of goods; and

13 WHEREAS, It is critical to ensure that the individuals and businesses that are
14 economically impacted by the ~~closure~~ reduced operations of the Port are supported at this
15 vital juncture; now, therefore,

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

18 Article – Education

19 SUBTITLE 40. FALLEN TRANSPORTATION WORKERS SCHOLARSHIP PROGRAM.

20 18-4001.

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

23 (B) “FALLEN TRANSPORTATION WORKER” MEANS AN INDIVIDUAL:

24 (1) WHOSE OCCUPATION IS IN THE CONSTRUCTION,
25 REHABILITATION, OR OPERATION OF A TRANSPORTATION FACILITY OR
26 TRANSPORTATION FACILITIES PROJECT IN THE STATE; AND

27 (2) WHO DIED, ON OR AFTER JANUARY 1, 2022, AS A RESULT OF AN
28 ACCIDENT OCCURRING WHILE THE INDIVIDUAL WAS PERFORMING ANY JOB DUTY
29 NECESSARY FOR THE CONSTRUCTION, MAINTENANCE, REHABILITATION, OR
30 OPERATION OF A TRANSPORTATION FACILITY OR TRANSPORTATION FACILITIES
31 PROJECT IN THE STATE.

1 (C) "FUND" MEANS THE FALLEN TRANSPORTATION WORKERS
 2 SCHOLARSHIP FUND.

3 (D) "PROGRAM" MEANS THE FALLEN TRANSPORTATION WORKERS
 4 SCHOLARSHIP PROGRAM.

5 (E) "TRANSPORTATION FACILITY" HAS THE MEANING STATED IN § 3-101 OF
 6 THE TRANSPORTATION ARTICLE.

7 (F) "TRANSPORTATION FACILITIES PROJECT" HAS THE MEANING STATED
 8 IN § 4-101 OF THE TRANSPORTATION ARTICLE.

9 18-4002.

10 (A) THERE IS A FALLEN TRANSPORTATION WORKERS SCHOLARSHIP
 11 PROGRAM.

12 (B) THE PURPOSE OF THE PROGRAM IS TO PROVIDE TUITION ASSISTANCE
 13 TO A STUDENT WHO WAS A DEPENDENT OR IS THE SURVIVING SPOUSE OF A FALLEN
 14 TRANSPORTATION WORKER.

15 18-4003.

16 (A) AN INDIVIDUAL MAY APPLY TO AN ELIGIBLE INSTITUTION OF
 17 POSTSECONDARY EDUCATION FOR A SCHOLARSHIP UNDER THIS SUBTITLE IF THE
 18 INDIVIDUAL IS:

19 (1) ~~(H)~~ ACCEPTED FOR ADMISSION OR ENROLLED IN A REGULAR
 20 UNDERGRADUATE, GRADUATE, OR PROFESSIONAL PROGRAM AT AN ~~ELIGIBLE~~
 21 INSTITUTION OF POSTSECONDARY EDUCATION; ~~OR~~

22 ~~(H)~~ ENROLLED IN:

23 ~~1. A 2-YEAR TERMINAL CERTIFICATE PROGRAM IN~~
 24 ~~WHICH THE COURSE WORK IS ACCEPTABLE FOR TRANSFER CREDIT FOR AN~~
 25 ~~ACCREDITED BACCALAUREATE PROGRAM AT AN ELIGIBLE INSTITUTION; OR~~

26 ~~2. A PRIVATE CAREER SCHOOL;~~

27 (2) AT LEAST 16 YEARS OLD; AND

28 (3) ~~A RESIDENT OF THE STATE; AND~~

1 ~~(4)~~ (3) THE CHILD, STEPCHILD, OR SURVIVING SPOUSE OF A
2 FALLEN TRANSPORTATION WORKER.

3 (B) A SCHOLARSHIP AWARDED UNDER THIS SUBTITLE:

4 (1) MAY BE USED FOR THE TUITION AND MANDATORY FEES AT ANY
5 ~~ELIGIBLE~~ INSTITUTION OF POSTSECONDARY EDUCATION; AND

6 (2) MAY NOT:

7 (i) EXCEED THE EQUIVALENT ANNUAL TUITION AND
8 MANDATORY FEES OF ~~A RESIDENT~~ AN UNDERGRADUATE STUDENT AT THE 4-YEAR
9 INSTITUTION OF HIGHER EDUCATION WITHIN THE UNIVERSITY SYSTEM OF
10 MARYLAND, OTHER THAN THE UNIVERSITY OF MARYLAND GLOBAL CAMPUS AND
11 THE UNIVERSITY OF MARYLAND, BALTIMORE CAMPUS, WITH THE HIGHEST ANNUAL
12 EXPENSES FOR A FULL-TIME ~~RESIDENT~~ UNDERGRADUATE; AND

13 (ii) BE LESS THAN THE LESSER OF:

14 1. \$3,000; OR

15 2. THE EQUIVALENT TUITION AND MANDATORY FEES OF
16 ~~A RESIDENT~~ OF THE INSTITUTION ATTENDED BY THE RECIPIENT OF THE
17 SCHOLARSHIP.

18 (C) (1) EACH INSTITUTION OF POSTSECONDARY EDUCATION SHALL
19 DETERMINE ELIGIBILITY OF INDIVIDUALS WHO APPLY TO THE INSTITUTION FOR
20 THE PROGRAM.

21 (2) FUNDS SUBJECT TO THE AVAILABILITY OF FUNDS, FUNDS FOR
22 THE PROGRAM SHALL BE ALLOCATED BY THE COMMISSION TO EACH INSTITUTION
23 OF POSTSECONDARY EDUCATION BASED ON THE NUMBER OF ELIGIBLE RECIPIENTS
24 ATTENDING EACH INSTITUTION.

25 (3) IN FEBRUARY AND OCTOBER EACH YEAR, BEGINNING IN 2024,
26 EACH INSTITUTION OF POSTSECONDARY EDUCATION SHALL REPORT TO THE
27 COMMISSION THE NUMBER OF ELIGIBLE RECIPIENTS ATTENDING THE INSTITUTION.

28 (4) THE COMMISSION SHALL ALLOCATE FUNDS FOR AWARDS TO
29 INSTITUTIONS OF POSTSECONDARY EDUCATION ON VERIFICATION OF ELIGIBLE
30 RECIPIENTS ATTENDING THE INSTITUTIONS.

1 **(5) IF FUNDS CANNOT BE ALLOCATED IN THE FISCAL YEAR IN WHICH**
2 **AWARDS ARE MADE, PRIORITY SHALL BE GIVEN TO ALLOCATING FUNDS FOR THOSE**
3 **AWARDS IN THE IMMEDIATELY FOLLOWING FISCAL YEAR.**

4 **(D) EACH RECIPIENT OF A SCHOLARSHIP UNDER THIS SUBTITLE MAY HOLD**
5 **THE AWARD FOR 5 YEARS OF FULL-TIME STUDY OR 8 YEARS OF PART-TIME STUDY.**

6 **(E) TO THE EXTENT PRACTICABLE, THE DEPARTMENT OF**
7 **TRANSPORTATION, A LOCAL DEPARTMENT OF TRANSPORTATION, OR A**
8 **CONTRACTOR THAT EMPLOYED FALLEN TRANSPORTATION WORKERS SHALL**
9 **PROVIDE TO THE COMMISSION THE NAMES AND CONTACT INFORMATION FOR THE**
10 **FAMILIES OF THE FALLEN TRANSPORTATION WORKERS.**

11 **18-4004.**

12 **(A) THERE IS A FALLEN TRANSPORTATION WORKERS SCHOLARSHIP**
13 **FUND.**

14 **(B) THE COMMISSION SHALL ADMINISTER THE FUND.**

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

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

19 **(D) THE FUND CONSISTS OF:**

20 **(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;**

21 **(2) INTEREST EARNINGS; AND**

22 **(3) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED BY THE**
23 **COMMISSION FOR THE BENEFIT OF THE FUND IN ACCORDANCE WITH SUBSECTION**
24 **(H) OF THIS SECTION.**

25 **(E) THE FUND MAY BE USED ONLY TO AWARD SCHOLARSHIPS UNDER THE**
26 **PROGRAM.**

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

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

1 **(G) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
 2 **WITH THE STATE BUDGET.**

3 **(H) THE COMMISSION:**

4 **(1) MAY ACCEPT ANY GIFT OR GRANT FROM ANY PERSON FOR THE**
 5 **FUND; AND**

6 **(2) SHALL DEPOSIT ANY GIFT OR GRANT THAT IT RECEIVES FOR THE**
 7 **PROGRAM WITH THE STATE TREASURER.**

8 **(I) FUNDING FOR THE PROGRAM SHALL BE AS PROVIDED IN THE STATE**
 9 **BUDGET.**

10 **Article – Labor and Employment**

11 *8-611.*

12 *(a) For each employing unit, the Secretary shall keep an earned rating record that*
 13 *shows all benefits that are based on covered employment that was performed for the*
 14 *employing unit.*

15 *(k) (1) [The] SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE*
 16 *Secretary may waive the charge of benefits paid to a claimant against the earned rating*
 17 *record of an employing unit if:*

18 *(i) the benefits are paid to the claimant during a period in which the*
 19 *claimant is temporarily unemployed because the employing unit shut down due to a natural*
 20 *disaster; and*

21 *(ii) the Governor declared a state of emergency due to the natural*
 22 *disaster.*

23 *(2) If the Secretary waives the charge of benefits under paragraph (1) of this*
 24 *subsection, the waiver may be in effect only until the earlier of:*

25 *(i) 4 months after the natural disaster; or*

26 *(ii) the date the employing unit reopens.*

27 **(3) THE SECRETARY SHALL WAIVE THE CHARGE OF BENEFITS PAID TO**
 28 **A CLAIMANT AGAINST THE EARNED RATING RECORD OF AN EMPLOYING UNIT FOR**
 29 **ANY CLAIM OF BENEFITS IF:**

1 (I) THE CLAIM IS DETERMINED BY THE SECRETARY TO BE
2 RELATED TO THE REDUCED OPERATIONS OF THE PORT OF BALTIMORE DUE TO THE
3 COLLAPSE OF THE FRANCIS SCOTT KEY BRIDGE; AND

4 (II) THE EMPLOYING UNIT HAD NO DIRECT OR INDIRECT
5 CONTROL OVER THE ACTIONS LEADING TO THE DISRUPTION IN EMPLOYMENT.

6 8-903.

7 (a) (1) Except as otherwise provided in this section, to be eligible for benefits
8 an individual shall be:

9 (i) able to work;

10 (ii) available for work; and

11 (iii) actively seeking work.

12 (D) NOTWITHSTANDING ANY OTHER PROVISION OF THIS TITLE, THE
13 SECRETARY MAY EXEMPT AN INDIVIDUAL FROM THE WORK SEARCH REQUIREMENT
14 UNDER SUBSECTION (A)(1)(III) OF THIS SECTION ~~DURING A STATE OF EMERGENCY~~
15 ~~DECLARED BY THE GOVERNOR~~ IF THE INDIVIDUAL:

16 (1) IS TEMPORARILY LAID OFF FROM WORK AS A DIRECT RESULT OF
17 THE EVENT OR OCCURRENCE ~~LEADING TO THE STATE OF EMERGENCY~~ THAT LED TO
18 THE GOVERNOR DECLARING A STATE OF EMERGENCY VIA EXECUTIVE ORDER
19 01.01.2024.09; AND

20 (2) REMAINS ABLE TO WORK AND AVAILABLE FOR WORK IN
21 ACCORDANCE WITH THIS SECTION AND WORK-ATTACHED.

22 Article – State Finance and Procurement

23 6-226.

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

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

1 189. the Teacher Retention and Development Fund; [and]

2 190. the Protecting Against Hate Crimes Grant Fund; AND

3 191. THE FALLEN TRANSPORTATION WORKERS
 4 SCHOLARSHIP FUND.

5 Article – Tax – General

6 10–207.

7 (a) To the extent included in federal adjusted gross income, the amounts under
 8 this section are subtracted from the federal adjusted gross income of a resident to determine
 9 Maryland adjusted gross income.

10 (PP) (1) IN THIS SUBSECTION, “BENEFIT PAYMENT” MEANS A PAYMENT
 11 THAT IS PROVIDED TO AN INDIVIDUAL OR THE FAMILY MEMBER OF AN INDIVIDUAL
 12 AS A RESULT OF THE INDIVIDUAL ~~OR FAMILY MEMBER~~ BEING INJURED OR KILLED
 13 IN THE COLLAPSE OF THE FRANCIS SCOTT KEY BRIDGE ON MARCH 26, 2024.

14 (2) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2023,
 15 BUT BEFORE JANUARY 1, 2026, THE SUBTRACTION UNDER SUBSECTION (A) OF THIS
 16 SECTION INCLUDES THE AMOUNT OF ANY BENEFIT PAYMENT RECEIVED BY AN
 17 INDIVIDUAL.

18 10–208.

19 (a) In addition to the modification under § 10–207 of this subtitle, the amounts
 20 under this section are subtracted from the federal adjusted gross income of a resident to
 21 determine Maryland adjusted gross income.

22 (CC) FOR A TAXABLE YEAR BEGINNING AFTER DECEMBER 31, 2024, THE
 23 SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES THE AMOUNT OF
 24 TUITION ASSISTANCE PROVIDED TO STUDENTS WHO ARE ELIGIBLE DEPENDENTS OR
 25 SURVIVING SPOUSES OF FALLEN TRANSPORTATION WORKERS IN ACCORDANCE WITH
 26 TITLE 18, SUBTITLE 40 OF THE EDUCATION ARTICLE.

27 13–203.

28 (c) Tax information may be disclosed to:

29 (14) a hospital, the Health Services Cost Review Commission, the
 30 Department of Human Services, the Maryland Department of Health, and the State
 31 Department of Education, to the extent necessary to administer § 19–214.4 of the Health –
 32 General Article; [and]

1 (15) subject to subsection (e) of this section, the Maryland Small Business
 2 Retirement Savings Board and its authorized contractors for the purpose of administering
 3 the Maryland Small Business Retirement Savings Program and Trust as authorized under
 4 Title 12 of the Labor and Employment Article; AND

5 (16) THE MARYLAND DEPARTMENT OF LABOR AND THE MARYLAND
 6 DEPARTMENT OF COMMERCE TO THE EXTENT NECESSARY TO:

7 (I) ADMINISTER THE TEMPORARY RELIEF PROGRAMS
 8 ESTABLISHED UNDER CHAPTERS (S.B.1188/H.B.1526) OF THE ACTS OF THE
 9 GENERAL ASSEMBLY OF 2024; OR

10 (II) DETECT AND PREVENT FRAUDULENT CLAIMS FOR RELIEF OR
 11 AVOIDANCE OF REQUIRED REPAYMENT UNDER THE TEMPORARY RELIEF PROGRAMS.

12 Article – Transportation

13 3–101.

14 (a) In this title the following words have the meanings indicated.

15 (l) “Transportation facility” includes any one or more or combination of:

16 (1) Airport facilities;

17 (2) Highway facilities;

18 (3) Port facilities;

19 (4) Railroad facilities; and

20 (5) Transit facilities.

21 4–101.

22 (a) In this title the following words have the meanings indicated.

23 (h) “Transportation facilities project” includes:

24 (1) The Susquehanna River Bridge, the Harry W. Nice/Thomas “Mac”
 25 Middleton Potomac River Bridge, the William Preston Lane, Jr. Memorial Chesapeake Bay
 26 Bridge and parallel Chesapeake Bay Bridge, the Baltimore Harbor Tunnel, the Fort
 27 McHenry Tunnel, the Francis Scott Key Bridge, and the John F. Kennedy Memorial
 28 Highway, together with their appurtenant causeways, approaches, interchanges, entrance
 29 plazas, toll stations, and service facilities;

1 (2) A vehicle parking facility located in a priority funding area as defined
2 in § 5-7B-02 of the State Finance and Procurement Article;

3 (3) Any other project for transportation facilities that the Authority
4 authorizes to be acquired or constructed; and

5 (4) Any additions, improvements, or enlargements to any of these projects,
6 whenever authorized.

7 4-306.

8 (a) Except as provided in subsection (b) of this section, revenue bonds may be
9 issued by the Authority:

10 (1) Without obtaining the consent of any instrumentality, agency, or unit
11 of this State; and

12 (2) Without any proceedings or the happening of any conditions or things
13 other than those specifically required by this subtitle.

14 (b) (1) (i) Subject to subparagraph (ii) of this paragraph, revenue bonds
15 secured by toll revenue may be issued in any amount as long as the aggregate outstanding
16 and unpaid principal balance of the revenue bonds secured by toll revenue and revenue
17 bonds of prior issues does not exceed [\$3,000,000,000 or, in fiscal years 2015 through 2020,
18 \$2,325,000,000.] \$4,000,000,000 on June 30 of any year.

19 (ii) The maximum aggregate amount of revenue bonds that may be
20 outstanding and unpaid under subparagraph (i) of this paragraph shall be reduced by the
21 amount of:

22 1. Any loan extended to the State under the federal
23 Transportation Infrastructure Finance and Innovation Act; and

24 2. Any line of credit extended to the State under the federal
25 Transportation Infrastructure Finance and Innovation Act, to the extent the State draws
26 on the line of credit.

27 (2) Except as otherwise provided in this section and § 4-205 of this title,
28 without the approval of the General Assembly, the Authority may issue bonds to refinance
29 all or any part of the cost of a transportation facility project for which the Authority
30 previously issued bonds authorized under this subtitle.

31 ~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,~~
32 ~~That:~~

33 SECTION 2. AND BE IT FURTHER ENACTED, That:

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

2 (2) “~~Closure~~ Reduced operations of the Port” means ~~a cessation in the~~
3 ~~operations of or the inability to access~~ the suspension of vessel traffic or the inability of
4 vessels to access the Port of Baltimore due to the collapse of the Francis Scott Key Bridge
5 on March 26, 2024.

6 (3) “Port” means the Port of Baltimore.

7 (b) Subject to subsection (e) of this section, if the President of the United States
8 does not declare a major disaster as a result of the collapse of the Francis Scott Key Bridge,
9 the Maryland Department of Labor, as soon as practicable, shall establish a temporary
10 relief program to provide assistance to individuals who:

11 (1) are Maryland-based and regularly performed paid work at the Port;

12 (2) are unable to perform the work through no fault of their own due to the
13 ~~closure~~ reduced operations of the Port; and

14 (3) (i) ~~despite being able, available, and actively seeking work,~~ are able
15 to work and available for work, but unable to find suitable work; and

16 (ii) 1. do not qualify for unemployment insurance benefits under
17 Title 8 of the Labor and Employment Article or any similar employer-provided benefit; or

18 2. qualify for an amount of unemployment insurance benefits
19 that is less than the individual’s earnings attributable to the individual’s employment at the
20 Port at the time the reduced operations of the Port began.

21 (4) (i) This paragraph does not apply to wages paid in covered
22 employment or to wages paid for employment by a disaster relief program using employment.

23 (ii) Notwithstanding § 8-803 of the Labor and Employment Article,
24 a payment to an individual under this subsection may not be included when computing the
25 wages required to be subtracted under § 8-803(d)(1)(iii) of the Labor and Employment
26 Article.

27 (c) (1) Subject to ~~paragraph (2)~~ paragraphs (2), (3), and (4) of this subsection
28 and subsection (e) of this section, the ~~Department of Commerce~~ Maryland Department of
29 Labor, as soon as practicable, shall establish a ~~temporary relief~~ grant program to provide
30 assistance to small businesses, labor unions, trade associations, or companies that contract
31 with or are members of a trade association:

32 (i) the operations of which:

33 1. rely on access to or the operation of the Port; and

1 2. are ~~substantially~~ hindered or halted entirely due to the
2 ~~closure~~ reduced operations of the Port;

3 (ii) that, without the ~~reopening~~ return to full operations of the Port,
4 are unable to retain their Maryland-based workforce at the same hours, rates of pay, and
5 benefits in effect before the ~~closure~~ reduced operations of the Port; ~~and~~

6 (iii) that are committed to continuing operations, to the fullest extent
7 practicable, at the Port once it ~~reopens~~ resumes full operations; *and*

8 (iv) that has its principal business operations located in the State or
9 will use any relief under the program established under this subsection for its workforce or
10 operations within the State.

11 (2) A small business, labor union, trade association, or company that
12 contracts with a trade association that receives relief under the program established under
13 this subsection shall, to the fullest extent practicable, use the relief to avoid layoffs and
14 maintain its workforce at the same hours, rates of pay, and benefits in effect before the
15 ~~closure~~ reduced operations of the Port.

16 (3) The Maryland Department of Labor shall, to the extent practicable:

17 (i) incorporate the work sharing unemployment insurance program
18 under Title 8, Subtitle 12 of the Labor and Employment Article in conjunction with, or as a
19 condition or an extension of, the temporary relief program established under this subsection;
20 or

21 (ii) substitute the work sharing unemployment insurance program
22 under Title 8, Subtitle 12 of the Labor and Employment Article for the temporary relief
23 program established under this subsection.

24 (4) (i) The program may use State funds to supplement federal funding
25 for worker retention grants to small businesses, labor unions, or trade associations.

26 (ii) The program may use federal funds only for worker retention
27 grants to entities that do not qualify as a small business, labor union, or trade association.

28 (d) Subject to subsection (e) of this section, the Department of Commerce, as soon
29 as practicable, shall establish a temporary relief program to provide assistance to
30 businesses:

31 (1) the operations or shipments of which:

32 (i) rely on the use of or access to the Port;

1 (ii) are ~~substantially~~ hindered or halted entirely due to the ~~closure~~
2 reduced operations of the Port; and

3 (iii) are subsequently diverted to other regional ports; and

4 (2) that are committed to continuing operations or shipments, to the fullest
5 extent practicable, at the Port once it ~~reopens~~ resumes full operations; and

6 (3) that have their principal business operations located in the State or that
7 will use any relief under the program established under this subsection for their operations
8 within the State.

9 (e) (1) The Maryland Department of Labor and the Department of Commerce:

10 (i) shall establish procedures and eligibility criteria for the
11 programs established under subsections (b) through (d) of this section, as applicable; and

12 (ii) may require individuals, businesses, labor unions, trade
13 associations, or companies that contract with or are members of a trade association to
14 provide information to determine eligibility under the programs.

15 (2) Any funds distributed under subsections (b) through (d) of this section
16 shall be distributed on or before June 30, 2025.

17 ~~(2) In administering the temporary relief programs established under~~
18 ~~subsections (b) through (d) of this section, the Maryland Department of Labor and the~~
19 ~~Department of Commerce shall require an individual, business, trade association, or~~
20 ~~company that is compensated through indemnification or other similar means for the same~~
21 ~~purpose for which assistance is provided under the applicable program to repay any~~
22 ~~monetary assistance received under the applicable program within 6 months after receipt~~
23 ~~of the nonprogram compensation.~~

24 (3) The Maryland Department of Labor and the Department of Commerce
25 shall establish requirements regarding:

26 (i) the prompt filing of insurance claims related to the reduced
27 operations of the Port; and

28 (ii) notifications of payments agreed to be made or made as a result
29 of an insurance claim.

30 (4) (i) In accordance with program requirements, a business, a labor
31 union, a trade association, or a company that receives relief from a program established
32 under this section shall reimburse the Maryland Department of Labor or the Department
33 of Commerce, whichever is applicable, for monetary assistance received under the
34 applicable relief program within 6 months after the receipt of proceeds from an insurance
35 claim or other funds.

1 (ii) The Maryland Department of Labor and the Department of
2 Commerce shall:

3 1. be subrogated to the cause of action of any business, labor
4 union, trade association, or company against a business, a labor union, a trade association,
5 or a company arising out of reduced operations of the Port to the extent of any monetary
6 assistance received under the applicable relief program; and

7 2. A. have a lien on the proceeds of any insurance claim
8 filed in relation to the reduced operations of the Port from the time that the business, labor
9 union, trade association, or company receives monetary assistance from the applicable
10 relief program; and

11 B. be entitled to advise any carrier with which the insurance
12 claim has been filed of the rights and interest in the insurance proceeds.

13 ~~(3) (5) The~~ In addition to the rights established under paragraph (4) of this
14 subsection, the Maryland Department of Labor and the Department of Commerce may
15 make an assessment or use other reasonable means of collection against an individual,
16 business, labor union, trade association, or company to recapture any amounts owed;

17 (i) due to misappropriation, overpayment, or fraud; or

18 (ii) in accordance with paragraph ~~(2)~~ (4) of this subsection.

19 (6) To carry out the programs established under subsections (b) through (d)
20 of this section, on request and subject to applicable federal and State law, a unit of State or
21 local government shall provide to the Maryland Department of Labor and the Department
22 of Commerce information relevant to determining the identity and eligibility of an
23 applicant of a program for the purpose of preventing and combating fraud.

24 (f) (1) Notwithstanding § 7-311(i) of the State Finance and Procurement
25 Article, after providing the Legislative Policy Committee at least 7 days to review and
26 comment, the Governor may transfer by budget amendment ~~any amounts necessary~~
27 increments not greater than \$25,000,000 to fund and administer the temporary relief
28 programs established under subsections (b) through (d) of this section from the existing
29 fund balances within the Maryland Department of Labor and the Department of Commerce
30 or the Revenue Stabilization Account established under § 7-311 of the State Finance and
31 Procurement Article to:

32 (i) for the ~~program~~ programs established under ~~subsection (b)~~
33 subsections (b) and (c) of this section, the expenditure account of the Maryland Department
34 of Labor; or

35 (ii) for the program established under subsection ~~(c)~~ (d) of this
36 section, the expenditure account of the Department of Commerce; ~~or~~

1 ~~(iii) for the program established under subsection (d) of this section,~~
2 ~~the Economic Development Opportunities Program Account established under § 7-314 of~~
3 ~~the State Finance and Procurement Article.~~

4 (2) (i) The Governor shall provide monthly reports to the Legislative
5 Policy Committee, in accordance with § 2-1257 of the State Government Article, on funds
6 distributed under this subsection from the Revenue Stabilization Account established under
7 § 7-311 of the State Finance and Procurement Article and funds distributed under Executive
8 Order 01.01.2024.11.

9 (ii) The reports required under subparagraph (i) of this paragraph
10 shall include:

11 1. a full accounting of all federal and State funds provided
12 for assistance for the immediately preceding month and in total, in the aggregate and
13 disaggregated by program and by recipient of assistance in each program including
14 jurisdiction of each recipient;

15 2. a delineation of assistance paid, loans distributed, and
16 loans forgiven or uncollectible by each recipient of assistance for the immediately preceding
17 month and in total;

18 3. a description of actions taken by State agencies in relation
19 to expenditures of federal and State assistance, including outreach efforts and requirements
20 the State has placed on the distribution of funds, if any;

21 4. a description of actions taken by businesses with assistance
22 provided under this Act, including how the funds are being used to assist the business and
23 workers impacted by reduced operations of the Port;

24 5. a description of layoffs, if any, undertaken by businesses
25 that received assistance under this Act; and

26 6. a description of plans to allocate any remaining balance.

27 (iii) If the Legislative Policy Committee requests, the Governor shall
28 provide a briefing to the Legislative Policy Committee on funds distributed under this section
29 from the Revenue Stabilization Account established under § 7-311 of the State Finance and
30 Procurement Article.

31 (3) A copy of the budget amendment shall be sent to the Senate Finance
32 Committee and the House Economic Matters Committee.

33 ~~(2) (4) (i) It is the intent of the General Assembly that;~~

1 ~~(i)~~ ~~if~~ *Except as otherwise provided in this section*, federal funds
 2 ~~become~~ *made* available for any purpose for which a program is established under this Act,
 3 ~~the federal funds may~~ *shall* be used to:

4 ~~(i)~~ 1. supplant, rather than supplement, any funds otherwise
 5 used for the programs established under this Act; and

6 ~~(ii)~~ 2. to the extent authorized by federal law, reimburse the
 7 Revenue Stabilization Account, established under § 7-311 of the State Finance and
 8 Procurement Article, for any funds transferred under paragraph (1) of this subsection, ~~and~~.

9 (ii) ~~the~~ *The Maryland Department of Labor and the Department of*
 10 *Commerce shall* prioritize the use of existing and available budgetary resources before
 11 *requesting funds be transferred from the Revenue Stabilization Account.*

12 (5) *Unspent funds distributed under this subsection from the Revenue*
 13 *Stabilization Account established under § 7-311 of the State Finance and Procurement*
 14 *Article shall revert back to the Revenue Stabilization Account.*

15 (6) *Funds received by the State from a lawsuit or, in the instance of a*
 16 *subrogation claim, that are related to the collapse of the Francis Scott Key Bridge shall be*
 17 *deposited in the Revenue Stabilization Account established under § 7-311 of the State*
 18 *Finance and Procurement Article.*

19 ~~(3)~~ (7) *Notwithstanding any other provision of law, the Maryland*
 20 *Department of Labor and the Department of Commerce may transfer available funding*
 21 *from their existing programs and special funds to support the programs established under*
 22 *subsections (b) through (d) of this section.*

23 (g) *The Attorney General shall:*

24 (1) *pursue all available options, including filing actions against the*
 25 *applicable parties, to recover for the State all possible economic damages arising from the*
 26 *closure of the Port and the collapse of the Francis Scott Key Bridge; and*

27 (2) *beginning July 1, 2024, and each month thereafter until all available*
 28 *options pursued under item (1) of this subsection are exhausted or resolved, report to the*
 29 *General Assembly, in accordance with § 2-1257 of the State Government Article, on the*
 30 *status of pursuing and recovering the economic damages.*

31 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
 32 measure, is necessary for the immediate preservation of the public health or safety, has
 33 been passed by a yea and nay vote supported by three-fifths of all the members elected to
 34 each of the two Houses of the General Assembly, and shall take effect from the date it is
 35 enacted.