

HOUSE BILL 1010

P2, P1

5lr3511

By: **Delegate A. Jones**

Introduced and read first time: February 3, 2025

Assigned to: Appropriations

Committee Report: Favorable

House action: Adopted

Read second time: February 25, 2025

CHAPTER _____

1 AN ACT concerning

2 **African American Heritage Preservation Program and Grant Fund – Noncapital**
3 **Grants and Donations**

4 FOR the purpose of altering the purpose of the African American Heritage Preservation
5 Program and Grant Fund to provide funding for certain noncapital grants; requiring
6 certain noncapital grants to be made using certain money received by the Fund;
7 authorizing the Fund to receive certain funding; and generally relating to the African
8 American Heritage Preservation Program and Grant Fund.

9 BY repealing and reenacting, with amendments,
10 Article – State Finance and Procurement
11 Section 5A–330
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2024 Supplement)

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

16 **Article – State Finance and Procurement**

17 5A–330.

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

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) "AAHP Grant Fund" means the African American Heritage
2 Preservation Grant Fund of the Trust.

3 (3) "African American Heritage Grant" means a grant made under the
4 Program **FOR AN AFRICAN AMERICAN HERITAGE PRESERVATION PROJECT OR THAT**
5 **IS AN AFRICAN AMERICAN HERITAGE PRESERVATION NONCAPITAL GRANT.**

6 (4) **"AFRICAN AMERICAN HERITAGE PRESERVATION NONCAPITAL**
7 **GRANT" MEANS A GRANT AWARDED UNDER THIS SECTION FOR THE PURPOSE OF**
8 **PRESERVING OR SHARING AFRICAN AMERICAN HISTORY OR CULTURE IN THE**
9 **STATE.**

10 [(4)] (5) "African American Heritage Preservation Project" means a
11 capital project that:

12 (i) preserves buildings, communities, and sites of historical and
13 cultural importance to the African American experience in the State; and

14 (ii) is for:

15 1. the acquisition of land or buildings; or

16 2. the construction or improvement of land or buildings.

17 [(5)] (6) "Commission" means the Commission on African American
18 History and Culture.

19 [(6)] (7) "Construction or improvement" means planning, design,
20 engineering, alteration, construction, reconstruction, enlargement, expansion, extension,
21 improvement, replacement, rehabilitation, renovation, upgrading, repair, or capital
22 equipping.

23 [(7)] (8) "Program" means the African American Heritage Preservation
24 Program.

25 [(8)] (9) "Secretary" means the Secretary of Planning.

26 (b) (1) There is an African American Heritage Preservation Program in the
27 Trust.

28 (2) The purpose of the Program is to identify and preserve buildings,
29 communities, and sites of historical and cultural importance to the African American
30 experience in the State.

31 (3) The Trust shall develop and administer the Program in partnership
32 with the Commission.

1 (c) (1) There is an African American Heritage Preservation Grant Fund in the
2 Trust.

3 (2) The Trust shall administer the AAHP Grant Fund.

4 (3) The AAHP Grant Fund may be used only for African American Heritage
5 Grants.

6 (4) (i) The AAHP Grant Fund is a special, nonlapsing fund that is not
7 subject to reversion under § 7-302 of this article.

8 (ii) The State Treasurer shall hold the AAHP Grant Fund separately
9 and the Comptroller shall account for the AAHP Grant Fund.

10 (5) The AAHP Grant Fund consists of:

11 (i) money appropriated in the State budget to the Program;

12 (ii) investment earnings of the AAHP Grant Fund;

13 **(III) GRANTS AND DONATIONS TO THE AAHP GRANT FUND;**

14 **[(iii)] (IV)** any other money from any other source accepted for the
15 benefit of the AAHP Grant Fund; and

16 **[(iv)] (V)** money received from the sale of State general obligation
17 bonds.

18 (6) For each fiscal year, the Governor shall include in the annual operating
19 or capital budget an appropriation of \$5,000,000 to the AAHP Grant Fund.

20 (7) (i) The State Treasurer shall invest the money of the AAHP Grant
21 Fund in the same manner as other State money.

22 (ii) Any investment earnings of the AAHP Grant Fund shall be paid
23 into the AAHP Grant Fund.

24 (8) Expenditures from the AAHP Grant Fund may be made only in
25 accordance with the State budget.

26 (d) (1) On or before a date established annually by the Trust and the
27 Commission and subject to availability of money in the AAHP Grant Fund, an individual
28 or a business entity, nonprofit organization, or political subdivision may submit an
29 application for an African American Heritage Grant to the Trust.

30 (2) An application shall include:

- 1 (i) a description of the scope and purpose of the project;
- 2 (ii) a building plan that includes the estimated total cost of the
3 project; and
- 4 (iii) any other information required by the Trust and the
5 Commission.

6 (e) An African American Heritage Grant to a business entity, an individual, or a
7 political subdivision may not exceed \$500,000.

8 (f) (1) The Trust and the Commission shall:

9 (i) review all grant applications submitted in accordance with
10 subsection (d) of this section;

11 (ii) except as provided under subsection (g) of this section, consider
12 a grant application competitively against all other grant applications submitted during the
13 same fiscal year; and

14 (iii) make recommendations regarding each application to the
15 Secretary for the award of African American Heritage Grants.

16 (2) In making recommendations under this subsection, the Trust and the
17 Commission shall consider:

18 (i) the public necessity and urgency of a project;

19 (ii) the need for additional sources of funding for a project;

20 (iii) the estimated cost and timeliness of executing a project;

21 (iv) geographic diversity; and

22 (v) any other criteria determined by the Trust and the Commission
23 to be relevant.

24 (g) (1) **[In] SUBJECT TO THE REQUIREMENTS OF SUBSECTION (H)(2) AND**
25 **(3) OF THIS SECTION,** in any fiscal year, the Secretary may reserve up to 20% of the money
26 available in the AAHP Grant Fund to award African American Heritage Grants to eligible
27 emergency African American Heritage Preservation Projects not otherwise applied for in
28 accordance with subsection (d) of this section.

29 (2) The application for an emergency grant shall include any information
30 required by the Trust.

1 (3) The Trust and the Commission shall:

2 (i) review all applications for emergency grants; and

3 (ii) for each application for an emergency grant, make
4 recommendations to the Secretary on whether to award the grant.

5 (h) (1) The Secretary shall:

6 (i) review each grant application submitted under subsection (d) or
7 (g) of this section and the recommendations of the Trust and the Commission;

8 (ii) consider:

9 1. the applications and recommendations under the criteria
10 set forth in subsection (f)(2) of this section; and

11 2. if the grant was submitted under subsection (g) of this
12 section, the nature of the emergency; and

13 (iii) subject to [paragraph] PARAGRAPHS (2) AND (3) of this
14 subsection, make the final decision to award the grant or deny the application.

15 (2) **[The] SUBJECT TO PARAGRAPH (3)(II) OF THIS SUBSECTION, THE**
16 **Secretary may award a grant under the Program FUNDED BY MONEY RECEIVED UNDER**
17 **SUBSECTION (C)(5)(I), (II), (IV), OR (V) OF THIS SECTION** only for an African American
18 **Heritage Preservation Project.**

19 **(3) (I) THE SECRETARY MAY AWARD A GRANT FUNDED BY MONEY**
20 **RECEIVED UNDER SUBSECTION (C)(5)(III) OF THIS SECTION AS AN AFRICAN**
21 **AMERICAN HERITAGE PRESERVATION NONCAPITAL GRANT.**

22 **(II) IF, AFTER THE AWARD OF ALL ELIGIBLE GRANTS UNDER**
23 **SUBPARAGRAPH (I) OF THIS PARAGRAPH HAVE BEEN MADE, THERE IS ADDITIONAL**
24 **MONEY IN THE AAHP GRANT FUND RECEIVED UNDER SUBSECTION (C)(5)(III) OF**
25 **THIS SECTION, THE SECRETARY MAY AWARD A GRANT FUNDED BY MONEY RECEIVED**
26 **UNDER SUBSECTION (C)(5)(III) OF THIS SECTION FOR AN AFRICAN AMERICAN**
27 **HERITAGE PRESERVATION PROJECT.**

28 (i) On or before December 31 of each year, the Trust and the Commission shall
29 report to the Governor and, in accordance with § 2–1257 of the State Government Article,
30 the General Assembly, on the financial status and the activities of the Program and the
31 AAHP Grant Fund for the prior fiscal year.

1 (j) (1) Except as provided in paragraph (3) of this subsection, the Trust shall
2 require a grantee awarded an African American Heritage Grant to enter into an agreement
3 to preserve and maintain the property for which the grant was awarded.

4 (2) If the property is historic real property, the agreement shall be a
5 recordable historic preservation easement.

6 (3) The Director may waive the agreement or easement requirement if the
7 Director determines that an agreement or easement is impracticable, infeasible, or not
8 necessary under the circumstances.

9 (k) (1) Subject to paragraph (2) of this subsection, the Secretary, in
10 consultation with the Commission, shall adopt regulations to implement the Program.

11 (2) A proposed regulation that relates to approval by the Board of Public
12 Works of grants to be financed through the sale of State general obligation bonds may not
13 be adopted under paragraph (1) of this subsection unless the regulation is approved by the
14 Board of Public Works.

15 (l) To the extent required by regulations adopted under subsection (k) of this
16 section, the Trust and the Commission shall submit to the Board of Public Works for the
17 Board's approval each African American Heritage Grant that is to be financed through the
18 sale of State general obligation bonds.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.