

HOUSE BILL 1010

P2, P1

5lr3511

By: **Delegate A. Jones**

Introduced and read first time: February 3, 2025

Assigned to: Appropriations

A BILL ENTITLED

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.

19 (2) “AAHP Grant Fund” means the African American Heritage
20 Preservation Grant Fund of the Trust.

21 (3) “African American Heritage Grant” means a grant made under the
22 Program **FOR AN AFRICAN AMERICAN HERITAGE PRESERVATION PROJECT OR THAT**
23 **IS AN AFRICAN AMERICAN HERITAGE PRESERVATION NONCAPITAL GRANT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(4) “AFRICAN AMERICAN HERITAGE PRESERVATION NONCAPITAL**
2 **GRANT” MEANS A GRANT AWARDED UNDER THIS SECTION FOR THE PURPOSE OF**
3 **PRESERVING OR SHARING AFRICAN AMERICAN HISTORY OR CULTURE IN THE**
4 **STATE.**

5 **[(4)] (5)** “African American Heritage Preservation Project” means a
6 capital project that:

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

9 (ii) is for:

10 1. the acquisition of land or buildings; or

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

12 **[(5)] (6)** “Commission” means the Commission on African American
13 History and Culture.

14 **[(6)] (7)** “Construction or improvement” means planning, design,
15 engineering, alteration, construction, reconstruction, enlargement, expansion, extension,
16 improvement, replacement, rehabilitation, renovation, upgrading, repair, or capital
17 equipping.

18 **[(7)] (8)** “Program” means the African American Heritage Preservation
19 Program.

20 **[(8)] (9)** “Secretary” means the Secretary of Planning.

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

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

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

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

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

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

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

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

7 (5) The AAHP Grant Fund consists of:

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

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

10 **(iii) GRANTS AND DONATIONS TO THE AAHP GRANT FUND;**

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

13 **[(iv) (V)** money received from the sale of State general obligation
14 bonds.

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

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

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

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

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

27 (2) An application shall include:

28 (i) a description of the scope and purpose of the project;

29 (ii) a building plan that includes the estimated total cost of the
30 project; and

1 (iii) any other information required by the Trust and the
2 Commission.

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

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

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

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

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

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

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

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

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

18 (iv) geographic diversity; and

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

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

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

28 (3) The Trust and the Commission shall:

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

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

1 (h) (1) The Secretary shall:

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

4 (ii) consider:

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

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

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

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

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

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

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

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

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

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

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

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

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

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
15 1, 2025.