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§13–209. IN EFFECT

(a) (1) Before any other distribution under this section, in any fiscal year that bonds secured by a pledge of the State transfer tax are outstanding, the revenue from the transfer tax shall be used to pay, as and when due, the principal of and interest on the bonds.

(2) The Department shall deduct the cost of administering the transfer tax from the taxes collected under this title and credit those revenues to the fund established under § 1–203.3 of the Corporations and Associations Article.

(3) Except as provided in paragraph (4) of this subsection, after deducting the revenues required under paragraphs (1) and (2) of this subsection, the revenue from transfer tax is payable to the Comptroller for deposit in a special fund.

(4) In any fiscal year in which transfer tax revenue is used to pay debt service on outstanding bonds under paragraph (1) of this subsection, the distribution of revenues in the special fund under this section and as specified in § 5–903(a)(2)(i)1A of the Natural Resources Article, for State land acquisition, or to the Agricultural Land Preservation Fund to the extent any debt service is attributable to that Fund, shall be reduced by an amount equal to the debt service for the fiscal year.

(b) For the fiscal year beginning July 1, 2002 and for subsequent fiscal years, up to 3% of the revenues in the special fund may be appropriated in the State budget for salaries and related expenses in the Departments of General Services and Natural Resources and in the Department of Planning necessary to administer Title 5, Subtitle 9 of the Natural Resources Article (Program Open Space).

(c) (1) Subject to subsection (e) of this section, of the balance of the revenue in the special fund, not required under subsection (b) of this section:

(i) for the fiscal year beginning July 1, 2002, $47,268,585 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in subsection (d) of this section;

(ii) for the fiscal year beginning July 1, 2003, $102,833,869 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in the State budget;

(iii) for the fiscal year beginning July 1, 2004, $147,374,444 shall be allocated to the General Fund of the State, and the remainder shall be allocated as provided in the State budget; and

(iv) for the fiscal year beginning July 1, 2005, $68,223,132 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in subsection (d) of this section.

(2) Subject to subsection (e) of this section, for the fiscal years beginning July 1, 2006 and each subsequent fiscal year, the balance of the revenue in the special fund, not required under subsection (b) of this section shall be allocated as provided in subsection (d) of this section.

(3) (i) Subject to subsection (e) of this section, for fiscal years 2026 through 2029, of the balance of the revenue in the special fund not required under subsection (b) of this section, $25,000,000 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in subsection (d) of this section.

(ii) For each of fiscal years 2026 through 2029, the allocation required under subparagraph (i) of this paragraph shall reduce the amount allocated for Program Open Space land acquisition purposes identified in subsection (d)(1)(ii) of this section and § 5–903(a)(2)(i)1A of the Natural Resources Article, the Agricultural Land Preservation Fund identified in subsection (d)(2) of this section, and the Rural Legacy Program identified in subsection (d)(3) of this section and § 5–903(a)(2)(iii) of the Natural Resources Article by an amount that is proportional to the amount of revenue each program is estimated to receive for the fiscal year.

(d) Subject to subsections (d–1) and (e) of this section, for the fiscal year beginning July 1, 2002 and for each subsequent fiscal year, the balance of the revenue in the special fund, not required under subsection (b) of this section and not allocated to the General Fund under subsection (c)(1) and (3) of this section shall be allocated in the State budget as follows:

(1) (i) 75.15% for the purposes specified in Title 5, Subtitle 9 of the Natural Resources Article (Program Open Space); and

(ii) an additional 1% for Program Open Space, for land acquisition purposes as specified in § 5–903(a)(2) of the Natural Resources Article;

(2) 17.05% for the Agricultural Land Preservation Fund established under § 2–505 of the Agriculture Article;

(3) 5% for the Rural Legacy Program established under § 5–9A–01 of the Natural Resources Article; and

(4) 1.8% for the Heritage Conservation Fund established under § 5–1501 of the Natural Resources Article.

(d–1) (1) In this subsection, "eligible purpose" means a purpose, program, or fund to which revenue in the special fund is required to be allocated under subsection (d) of this section.

(2) For any fiscal year beginning on or after July 1, 2010, but before July 1, 2013, for which funding is provided for an eligible purpose through the State Consolidated Capital Bond Funding Program or other bond enabling act:

(i) from the balance of the special fund, before the allocations under subsection (d) of this section are made, an amount shall be allocated to the General Fund of the State equal to the total amount of funding provided for eligible purposes through the bond enabling act; and

(ii) except as otherwise expressly provided under the bond enabling act through which the funding is provided, the allocations provided under subsection (d) of this section shall be adjusted to reduce the amount that would otherwise be allocated for each eligible purpose by the amount of funding provided for that purpose under the bond enabling act.

(3) Notwithstanding any other provision of law, a transfer under this subsection may not be taken into account for purposes of determining any allocation or appropriation required under subsection (f) or (g) of this section.

(e) The sums allocated in subsection (d) of this section may not revert to the General Fund of the State.

(f) (1) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, for any fiscal year in which the actual transfer tax revenue collections are greater than the revenue estimates used as the basis for the appropriations required under this section for the fiscal year, the amount of the excess shall be allocated to the special fund under subsection (a) of this section as provided under subsections (c) and (d) of this section for the second fiscal year following the fiscal year in which there is an excess.

(ii) 1. Notwithstanding subparagraph (i) of this paragraph or any other provision of law, $21,776,868 of the transfer tax collected but not appropriated or transferred in fiscal 2004 shall be transferred to the General Fund of the State.

2. Notwithstanding subparagraph (i) of this paragraph or any other provision of law, if in fiscal year 2023 the actual transfer tax revenue collections are greater than the revenue estimates used as the basis for the appropriations required under this section for fiscal year 2023, the amount of the excess may be allocated to the Local Land Trust Revolving Loan Fund in fiscal year 2025.

(iii) Notwithstanding subparagraph (i) of this paragraph or any other provision of law, in any fiscal year in which an appropriation or transfer is made from the special fund to the General Fund, if the actual transfer tax revenue collections for the prior fiscal year exceed the budget estimate for the prior fiscal year, the excess shall be allocated in the current fiscal year for Program Open Space, the Agricultural Land Preservation Fund, the Rural Legacy Program, and the Heritage Conservation Fund. Funds made available under this subparagraph shall be allocated as provided under subsection (d) of this section.

(2) For any fiscal year in which the actual transfer tax revenue collections are less than the revenue estimates used as the basis for the appropriations required under this section, the amount of the deficiency shall be reconciled as follows:

(i) for the first $3,000,000 of any deficiency, the allocation to the special fund under subsection (a) of this section as provided under subsections (c) and (d) of this section for the second fiscal year following the deficiency shall be reduced by either the amount of the deficiency or $3,000,000, whichever is less;

(ii) for any deficiency in excess of $3,000,000, the amount in excess of $3,000,000 shall be reconciled either by the reduction of the allocation to the special fund under subsection (a) of this section as provided under subsections (c) and (d) of this section for the second fiscal year following the deficiency or by the deauthorization of projects authorized in prior fiscal years;

(iii) for the allocation of the special fund under subsection (a) of this section, in the fiscal year beginning July 1, 2016, transfer tax revenue under–attainment from the fiscal year beginning July 1, 2014, will not be applied; and

(iv) transfer tax revenue in fiscal year 2015, that is in excess of $161,016,000 may be transferred by budget amendment in fiscal year 2016 for:

1. administrative expenses related to land acquisition for Program Open Space;

2. critical maintenance projects in the Department of Natural Resources;

3. Natural Resources Development Fund projects in the Department of Natural Resources; and

4. replacement of General Fund appropriations in the Maryland Park Service.

(3) (i) Any amounts to be deauthorized from prior fiscal years under paragraph (2)(ii) of this subsection shall be proposed by the Governor in the budget of the second fiscal year following the fiscal year in which there is a deficiency.

(ii) An amount may be deauthorized under this paragraph only as provided in the State budget bill, as enacted.

(g) (1) (i) The Governor shall include in the annual budget bill for fiscal year 2023 a General Fund appropriation to the special fund in the amount of $12,500,000.

(ii) The appropriation required under subparagraph (i) of this paragraph:

1. is not subject to the provisions of subsections (a), (b), (c), and (f) of this section;

2. shall be allocated as provided in subsection (d) of this section and § 5–903 of the Natural Resources Article; and

3. shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

A. exceeds the required appropriation under this paragraph; and

B. is identified as an appropriation for reimbursement under this paragraph.

(2) (i) The Governor shall include in the annual budget bill for fiscal year 2023 a General Fund appropriation to the special fund in the amount of $6,000,000 for park development and the critical maintenance of State projects located on lands managed by the Department of Natural Resources for public purposes.

(ii) The appropriation required under subparagraph (i) of this paragraph:

1. is not subject to the provisions of subsections (a), (b), (c), and (f) of this section; and

2. shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

A. exceeds the required appropriation under this paragraph;

B. is identified as an appropriation for reimbursement under this paragraph; and

C. supplements rather than supplants the Department of Natural Resources funding for the critical maintenance of State projects on State lands, based on the average critical maintenance budget of the 10 years preceding the appropriation.

(3) (i) 1. For fiscal year 2023, the Governor shall include in the annual budget bill a General Fund appropriation in the amount of $2,500,000 to the Maryland Agricultural and Resource–Based Industry Development Corporation for the Next Generation Farmland Acquisition Program authorized under § 10–523(a)(3)(ii) of the Economic Development Article.

2. For fiscal year 2025 only, the Governor shall include in the annual budget bill a General Fund appropriation in the amount of $2,735,000 to the Maryland Agricultural and Resource–Based Industry Development Corporation established under Title 10, Subtitle 5 of the Economic Development Article to be used as follows:

A. $2,300,000 to support the Corporation's rural business loan programs and small matching grant programs; and

B. $435,000 for grants and near–equity investments to:

I. support the creation or expansion of agricultural product aggregation and storage sites; and

II. facilitate participation in the Certified Local Farm and Fish Program.

3. For each of fiscal years 2024, 2025, 2026, and 2027, the Governor shall include in the annual budget bill a General Fund appropriation of $500,000 to the Urban Agriculture Water and Power Infrastructure Grant Fund established under § 2–2103 of the Agriculture Article.

(ii) The appropriations required under subparagraph (i) of this paragraph:

1. are not subject to the provisions of subsections (a), (b), (c), and (f) of this section;

2. shall be allocated as provided in subsection (d) of this section and § 5–903 of the Natural Resources Article; and

3. shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

A. exceeds the required appropriation under this paragraph; and

B. is identified as an appropriation for reimbursement under this paragraph.

(h) (1) Except as provided in paragraph (3) of this subsection, if an appropriation or a transfer from the special fund to the General Fund occurs after the fiscal year ending June 30, 2018, the Governor shall include in the annual budget bills for each of the 3 successive fiscal years following the fiscal year in which a transfer is made a General Fund appropriation to the special fund equal to one–third of the cumulative amount of the appropriation or transfer from the special fund to the General Fund for the applicable fiscal year.

(2) The appropriation required under paragraph (1) of this subsection:

(i) represents reimbursement for the cumulative amount of any appropriation or transfer from the special fund to the General Fund for the applicable fiscal year;

(ii) is not subject to the provisions of subsections (a), (b), (c), and (f) of this section;

(iii) shall be allocated as provided in subsection (d) of this section and § 5–903 of the Natural Resources Article;

(iv) shall be made until the cumulative total appropriated under paragraph (1) of this subsection is equal to the cumulative amount of any appropriation or transfer from the special fund to the General Fund for the applicable fiscal year; and

(v) shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

1. exceeds the required appropriation under this subsection; and

2. is identified as an appropriation for reimbursement under this subsection.

(3) The appropriation required under paragraph (1) of this subsection does not apply to transfers from the special fund to the General Fund that occur in fiscal years 2026 through 2029.

(i) (1) The distributions required under this subsection may not be utilized or considered for the purposes of calculating any allocation or appropriation under subsection (f) or (g) of this section.

(2) Notwithstanding any other provision of law, the Governor may transfer funds from the special fund established under this section to the General Fund as follows:

(i) on or before June 30, 2014, $89,198,555;

(ii) for the fiscal year beginning July 1, 2014, $144,188,544;

(iii) for the fiscal year beginning July 1, 2015, $115,366,700;

(iv) for the fiscal year beginning July 1, 2016, $62,771,000; and

(v) for the fiscal year beginning July 1, 2017, $46,028,000.

§13–209. // EFFECTIVE SEPTEMBER 30, 2026 PER CHAPTER 546 OF 2023 //

(a) (1) Before any other distribution under this section, in any fiscal year that bonds secured by a pledge of the State transfer tax are outstanding, the revenue from the transfer tax shall be used to pay, as and when due, the principal of and interest on the bonds.

(2) The Department shall deduct the cost of administering the transfer tax from the taxes collected under this title and credit those revenues to the fund established under § 1–203.3 of the Corporations and Associations Article.

(3) Except as provided in paragraph (4) of this subsection, after deducting the revenues required under paragraphs (1) and (2) of this subsection, the revenue from transfer tax is payable to the Comptroller for deposit in a special fund.

(4) In any fiscal year in which transfer tax revenue is used to pay debt service on outstanding bonds under paragraph (1) of this subsection, the distribution of revenues in the special fund under this section and as specified in § 5–903(a)(2)(i)1A of the Natural Resources Article, for State land acquisition, or to the Agricultural Land Preservation Fund to the extent any debt service is attributable to that Fund, shall be reduced by an amount equal to the debt service for the fiscal year.

(b) For the fiscal year beginning July 1, 2002 and for subsequent fiscal years, up to 3% of the revenues in the special fund may be appropriated in the State budget for salaries and related expenses in the Departments of General Services and Natural Resources and in the Department of Planning necessary to administer Title 5, Subtitle 9 of the Natural Resources Article (Program Open Space).

(c) (1) Subject to subsection (e) of this section, of the balance of the revenue in the special fund, not required under subsection (b) of this section:

(i) for the fiscal year beginning July 1, 2002, $47,268,585 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in subsection (d) of this section;

(ii) for the fiscal year beginning July 1, 2003, $102,833,869 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in the State budget;

(iii) for the fiscal year beginning July 1, 2004, $147,374,444 shall be allocated to the General Fund of the State, and the remainder shall be allocated as provided in the State budget; and

(iv) for the fiscal year beginning July 1, 2005, $68,223,132 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in subsection (d) of this section.

(2) Subject to subsection (e) of this section, for the fiscal years beginning July 1, 2006 and each subsequent fiscal year, the balance of the revenue in the special fund, not required under subsection (b) of this section shall be allocated as provided in subsection (d) of this section.

(3) (i) Subject to subsection (e) of this section, for fiscal years 2026 through 2029, of the balance of the revenue in the special fund not required under subsection (b) of this section, $25,000,000 shall be allocated to the General Fund of the State and the remainder shall be allocated as provided in subsection (d) of this section.

(ii) For each of fiscal years 2026 through 2029, the allocation required under subparagraph (i) of this paragraph shall reduce the amount allocated for Program Open Space land acquisition purposes identified in subsection (d)(1)(ii) of this section and § 5–903(a)(2)(i)1A of the Natural Resources Article, the Agricultural Land Preservation Fund identified in subsection (d)(2) of this section, and the Rural Legacy Program identified in subsection (d)(3) of this section and § 5–903(a)(2)(iii) of the Natural Resources Article by an amount that is proportional to the amount of revenue each program is estimated to receive for the fiscal year.

(d) Subject to subsections (d–1) and (e) of this section, for the fiscal year beginning July 1, 2002 and for each subsequent fiscal year, the balance of the revenue in the special fund, not required under subsection (b) of this section and not allocated to the General Fund under subsection (c)(1) and (3) of this section shall be allocated in the State budget as follows:

(1) (i) 75.15% for the purposes specified in Title 5, Subtitle 9 of the Natural Resources Article (Program Open Space); and

(ii) an additional 1% for Program Open Space, for land acquisition purposes as specified in § 5–903(a)(2) of the Natural Resources Article;

(2) 17.05% for the Agricultural Land Preservation Fund established under § 2–505 of the Agriculture Article;

(3) 5% for the Rural Legacy Program established under § 5–9A–01 of the Natural Resources Article; and

(4) 1.8% for the Heritage Conservation Fund established under § 5–1501 of the Natural Resources Article.

(d–1) (1) In this subsection, "eligible purpose" means a purpose, program, or fund to which revenue in the special fund is required to be allocated under subsection (d) of this section.

(2) For any fiscal year beginning on or after July 1, 2010, but before July 1, 2013, for which funding is provided for an eligible purpose through the State Consolidated Capital Bond Funding Program or other bond enabling act:

(i) from the balance of the special fund, before the allocations under subsection (d) of this section are made, an amount shall be allocated to the General Fund of the State equal to the total amount of funding provided for eligible purposes through the bond enabling act; and

(ii) except as otherwise expressly provided under the bond enabling act through which the funding is provided, the allocations provided under subsection (d) of this section shall be adjusted to reduce the amount that would otherwise be allocated for each eligible purpose by the amount of funding provided for that purpose under the bond enabling act.

(3) Notwithstanding any other provision of law, a transfer under this subsection may not be taken into account for purposes of determining any allocation or appropriation required under subsection (f) or (g) of this section.

(e) The sums allocated in subsection (d) of this section may not revert to the General Fund of the State.

(f) (1) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph, for any fiscal year in which the actual transfer tax revenue collections are greater than the revenue estimates used as the basis for the appropriations required under this section for the fiscal year, the amount of the excess shall be allocated to the special fund under subsection (a) of this section as provided under subsections (c) and (d) of this section for the second fiscal year following the fiscal year in which there is an excess.

(ii) Notwithstanding subparagraph (i) of this paragraph or any other provision of law, $21,776,868 of the transfer tax collected but not appropriated or transferred in fiscal 2004 shall be transferred to the General Fund of the State.

(iii) Notwithstanding subparagraph (i) of this paragraph or any other provision of law, in any fiscal year in which an appropriation or transfer is made from the special fund to the General Fund, if the actual transfer tax revenue collections for the prior fiscal year exceed the budget estimate for the prior fiscal year, the excess shall be allocated in the current fiscal year for Program Open Space, the Agricultural Land Preservation Fund, the Rural Legacy Program, and the Heritage Conservation Fund. Funds made available under this subparagraph shall be allocated as provided under subsection (d) of this section.

(2) For any fiscal year in which the actual transfer tax revenue collections are less than the revenue estimates used as the basis for the appropriations required under this section, the amount of the deficiency shall be reconciled as follows:

(i) for the first $3,000,000 of any deficiency, the allocation to the special fund under subsection (a) of this section as provided under subsections (c) and (d) of this section for the second fiscal year following the deficiency shall be reduced by either the amount of the deficiency or $3,000,000, whichever is less;

(ii) for any deficiency in excess of $3,000,000, the amount in excess of $3,000,000 shall be reconciled either by the reduction of the allocation to the special fund under subsection (a) of this section as provided under subsections (c) and (d) of this section for the second fiscal year following the deficiency or by the deauthorization of projects authorized in prior fiscal years;

(iii) for the allocation of the special fund under subsection (a) of this section, in the fiscal year beginning July 1, 2016, transfer tax revenue under–attainment from the fiscal year beginning July 1, 2014, will not be applied; and

(iv) transfer tax revenue in fiscal year 2015, that is in excess of $161,016,000 may be transferred by budget amendment in fiscal year 2016 for:

1. administrative expenses related to land acquisition for Program Open Space;

2. critical maintenance projects in the Department of Natural Resources;

3. Natural Resources Development Fund projects in the Department of Natural Resources; and

4. replacement of General Fund appropriations in the Maryland Park Service.

(3) (i) Any amounts to be deauthorized from prior fiscal years under paragraph (2)(ii) of this subsection shall be proposed by the Governor in the budget of the second fiscal year following the fiscal year in which there is a deficiency.

(ii) An amount may be deauthorized under this paragraph only as provided in the State budget bill, as enacted.

(g) (1) (i) The Governor shall include in the annual budget bill for fiscal year 2023 a General Fund appropriation to the special fund in the amount of $12,500,000.

(ii) The appropriation required under subparagraph (i) of this paragraph:

1. is not subject to the provisions of subsections (a), (b), (c), and (f) of this section;

2. shall be allocated as provided in subsection (d) of this section and § 5–903 of the Natural Resources Article; and

3. shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

A. exceeds the required appropriation under this paragraph; and

B. is identified as an appropriation for reimbursement under this paragraph.

(2) (i) The Governor shall include in the annual budget bill for fiscal year 2023 a General Fund appropriation to the special fund in the amount of $6,000,000 for park development and the critical maintenance of State projects located on lands managed by the Department of Natural Resources for public purposes.

(ii) The appropriation required under subparagraph (i) of this paragraph:

1. is not subject to the provisions of subsections (a), (b), (c), and (f) of this section; and

2. shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

A. exceeds the required appropriation under this paragraph;

B. is identified as an appropriation for reimbursement under this paragraph; and

C. supplements rather than supplants the Department of Natural Resources funding for the critical maintenance of State projects on State lands, based on the average critical maintenance budget of the 10 years preceding the appropriation.

(3) (i) 1. For fiscal year 2023, the Governor shall include in the annual budget bill a General Fund appropriation in the amount of $2,500,000 to

the Maryland Agricultural and Resource–Based Industry Development Corporation for the Next Generation Farmland Acquisition Program authorized under § 10–523(a)(3)(ii) of the Economic Development Article.

2. For fiscal year 2025 only, the Governor shall include in the annual budget bill a General Fund appropriation in the amount of $2,735,000 to the Maryland Agricultural and Resource–Based Industry Development Corporation established under Title 10, Subtitle 5 of the Economic Development Article to be used as follows:

A. $2,300,000 to support the Corporation's rural business loan programs and small matching grant programs; and

B. $435,000 for grants and near–equity investments to:

I. support the creation or expansion of agricultural product aggregation and storage sites; and

II. facilitate participation in the Certified Local Farm and Fish Program.

3. For each of fiscal years 2024, 2025, 2026, and 2027, the Governor shall include in the annual budget bill a General Fund appropriation of $500,000 to the Urban Agriculture Water and Power Infrastructure Grant Fund established under § 2–2103 of the Agriculture Article.

(ii) The appropriations required under subparagraph (i) of this paragraph:

1. are not subject to the provisions of subsections (a), (b), (c), and (f) of this section;

2. shall be allocated as provided in subsection (d) of this section and § 5–903 of the Natural Resources Article; and

3. shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

A. exceeds the required appropriation under this paragraph; and

B. is identified as an appropriation for reimbursement under this paragraph.

(h) (1) Except as provided in paragraph (3) of this subsection, if an appropriation or a transfer from the special fund to the General Fund occurs after the fiscal year ending June 30, 2018, the Governor shall include in the annual budget bills for each of the 3 successive fiscal years following the fiscal year in which a transfer is made a General Fund appropriation to the special fund equal to one–third of the cumulative amount of the appropriation or transfer from the special fund to the General Fund for the applicable fiscal year.

(2) The appropriation required under paragraph (1) of this subsection:

(i) represents reimbursement for the cumulative amount of any appropriation or transfer from the special fund to the General Fund for the applicable fiscal year;

(ii) is not subject to the provisions of subsections (a), (b), (c), and (f) of this section;

(iii) shall be allocated as provided in subsection (d) of this section and § 5–903 of the Natural Resources Article;

(iv) shall be made until the cumulative total appropriated under paragraph (1) of this subsection is equal to the cumulative amount of any appropriation or transfer from the special fund to the General Fund for the applicable fiscal year; and

(v) shall be reduced by the amount of any appropriation from the General Fund to the special fund that:

1. exceeds the required appropriation under this subsection; and

2. is identified as an appropriation for reimbursement under this subsection.

(3) The appropriation required under paragraph (1) of this subsection does not apply to transfers from the special fund to the General Fund that occur in fiscal years 2026 through 2029.

(i) (1) The distributions required under this subsection may not be utilized or considered for the purposes of calculating any allocation or appropriation under subsection (f) or (g) of this section.

(2) Notwithstanding any other provision of law, the Governor may transfer funds from the special fund established under this section to the General Fund as follows:

(i) on or before June 30, 2014, $89,198,555;

(ii) for the fiscal year beginning July 1, 2014, $144,188,544;

(iii) for the fiscal year beginning July 1, 2015, $115,366,700;

(iv) for the fiscal year beginning July 1, 2016, $62,771,000; and

(v) for the fiscal year beginning July 1, 2017, $46,028,000.

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