

Chapter 16

(Senate Bill 860)

AN ACT concerning

Department of Aging – Aging Resilience Fund – Establishment

FOR the purpose of establishing the Aging Resilience Fund as a special, nonlapsing fund; providing for the purposes of the Fund; requiring interest earnings of the Fund to be credited to the Fund; requiring the Secretary of Aging to administer the Fund; and generally relating to the Aging Resilience Fund.

BY repealing and reenacting, without amendments,

Article – Human Services

Section 10–101(a), (d), and (f)

Annotated Code of Maryland

(2019 Replacement Volume and 2025 Supplement)

(As enacted by Chapters 33 and 34 of the Acts of the General Assembly of 2025)

BY repealing and reenacting, with amendments,

Article – Human Services

Section 10–204

Annotated Code of Maryland

(2019 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(i) and (ii)

Annotated Code of Maryland

(2021 Replacement Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,

Article – State Finance and Procurement

Section 6–226(a)(2)(iii)212. and 213.

Annotated Code of Maryland

(2021 Replacement Volume and 2025 Supplement)

BY adding to

Article – State Finance and Procurement

Section 6–226(a)(2)(iii)214.

Annotated Code of Maryland

(2021 Replacement Volume and 2025 Supplement)

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

Article – Human Services

10–101.

- (a) In this title the following words have the meanings indicated.
- (d) “Department” means the Department of Aging.
- (f) “Secretary” means the Secretary of Aging.

10–204.

(a) The Secretary shall administer the programs and activities that the federal government delegates to the State under the Older Americans Act of 1965 that are not otherwise committed by law to another unit of State government.

(b) The Secretary:

- (1) is a member of the Governor’s Executive Council; and
- (2) shall cooperate with and receive the cooperation of State, federal, and local governmental units to carry out the purposes of this title.

(c) The Secretary shall:

- (1) evaluate the service needs of seniors in the State;
- (2) determine the extent to which existing public and private programs meet the needs of seniors;
- (3) establish priorities for meeting the needs of seniors;
- (4) coordinate, subject to existing law, assess and evaluate, and educate the public and professionals about all State and local programs and services, both public and private, that relate and are important to the well-being of seniors in the State, including programs and services in the areas of:
 - (i) income maintenance;
 - (ii) public health;
 - (iii) mental health;
 - (iv) housing and urban development;
 - (v) employment;

- (vi) education;
- (vii) recreation; and
- (viii) rehabilitation of seniors with physical or mental disabilities; and

(5) develop a statewide plan incorporating local plans for a comprehensive and coordinated system of health, social, and community services for seniors, including housing and institutional and noninstitutional care.

(d) The Secretary shall:

(1) represent the interests of seniors by serving as an advocate at all levels of government;

(2) consult with and advise the secretaries of the principal departments of State government about the programs and services for seniors that are the primary responsibility of those departments;

(3) consult with the Commission on Aging on all matters pertaining to programs for seniors;

(4) provide consultation and technical assistance to communities and civic groups developing local services for seniors;

(5) maintain a clearinghouse of information related to the interests of seniors; and

(6) review and recommend policies to the Governor on publicly funded plans and programs that affect seniors.

(e) The Secretary may adopt regulations to carry out the provisions of law that are within the jurisdiction of the Secretary.

(F) (1) IN THIS SUBSECTION, “FUND” MEANS THE AGING RESILIENCE FUND.

(2) THERE IS AN AGING RESILIENCE FUND.

(3) THE PURPOSE OF THE FUND IS TO SUPPORT THE IMPLEMENTATION OF THE DEPARTMENT’S MISSION UNDER THIS TITLE.

(4) THE SECRETARY SHALL ADMINISTER THE FUND.

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

(II) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(6) (I) THE FUND CONSISTS OF:

~~(I)~~ 1. INVESTMENT EARNINGS OF THE FUND;

~~(II)~~ 2. ANY FEES COLLECTED UNDER THIS SUBTITLE; AND

~~(III)~~ 3. ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(II) MONEY RECEIVED BY THE DEPARTMENT FROM THE FUND IN ACCORDANCE WITH THIS SECTION IS SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT OTHERWISE WOULD BE APPROPRIATED IN THE ANNUAL STATE OPERATING OR CAPITAL BUDGET BILL FOR PROJECTS OR ACTIVITIES OF THE DEPARTMENT.

(7) THE FUND MAY BE USED FOR ~~ADMINISTRATIVE~~ EXPENSES THAT ALIGN WITH THE DEPARTMENT'S MISSION UNDER THIS TITLE, INCLUDING:

~~(I)~~ ~~PERSONNEL;~~

~~(II)~~ (I) PARTNERSHIP DEVELOPMENT; AND

~~(III)~~ (II) ANY PROGRAMS, SERVICES, OR ACTIVITIES WITHIN THE DEPARTMENT.

(8) (I) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(II) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

(9) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE WITH THE STATE BUDGET.

(10) (I) NOTWITHSTANDING THE PROVISIONS OF § 7-213 OF THE STATE FINANCE AND PROCUREMENT ARTICLE, THE GOVERNOR MAY NOT REDUCE

AN APPROPRIATION FOR THE FUND IN THE STATE BUDGET AS APPROVED BY THE GENERAL ASSEMBLY.

(II) EXCEPT AS PROVIDED IN THIS SUBSECTION, MONEY APPROPRIATED FOR THE FUND SHALL REMAIN IN THE FUND.

(11) ON OR BEFORE JANUARY 1 EACH YEAR, THE SECRETARY SHALL REPORT TO THE SENATE FINANCE COMMITTEE AND THE HOUSE HEALTH COMMITTEE, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, ON THE ADMINISTRATION OF THE FUND FOR THE PREVIOUS FISCAL YEAR, INCLUDING:

(I) THE TOTAL AMOUNT IN THE FUND;

(II) THE TOTAL NUMBER OF DEPOSITS MADE TO THE FUND, INCLUDING AMOUNTS AND SOURCES; AND

(III) THE TOTAL NUMBER OF EXPENDITURES MADE FROM THE FUND, INCLUDING AMOUNTS AND PURPOSES.

Article – State Finance and Procurement

6-226.

(a) (2) (i) This paragraph does not apply in fiscal years 2024 through 2028.

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

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

212. the Department of Social and Economic Mobility Special Fund; [and]

213. the Population Health Improvement Fund; AND

214. THE AGING RESILIENCE FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.

Approved by the Governor, April 14, 2026.