SENATE BILL 192

B1 0lr0183
CF HB 152

By: **The President (By Request – Administration)**
Introduced and read first time: January 15, 2020
Assigned to: Budget and Taxation

A BILL ENTITLED

AN ACT concerning

Budget Reconciliation and Financing Act of 2020

FOR the purpose of ~~repealing a requirement that the Comptroller publish, in a certain manner, certain notices regarding persons appearing to be the owners of abandoned property; requiring the Comptroller to establish and maintain a certain abandoned property database and publish notice of the database in a certain manner;~~ increasing a certain fee for certain supervisees in the Drinking Driver Monitor Program; repealing the termination date of a certain increase in the surcharge on certain recordable instruments that the State Court Administrator is required to establish for the Circuit Court Real Property Records Improvement Fund; reducing the amount the State is required to appropriate to the Maryland Agricultural and Resource–Based Industry Development Corporation in certain fiscal years; requiring the Corporation to use the appropriation for certain programs in certain amounts, subject to a certain contingency; altering the year by which the Corporation is to become self–sufficient and in no further need of certain operating support; expanding the authorized uses of certain funds; ~~altering, for certain fiscal years, the total State operating fund per full–time equivalent student for certain community colleges that the Governor is required to request; altering, for certain fiscal years, the total State operating funds required to be distributed to certain community colleges;~~ authorizing the Governor to include a certain mandated appropriation in either the operating budget or the capital budget; authorizing, rather than requiring, the Governor to include in certain budgets certain appropriations; altering, for certain fiscal years, the annual apportionment for each institution that qualifies for aid under the Joseph A. Sellinger Program; ~~repealing a requirement that the Governor include certain appropriations in the budget each year; reducing the rate increase for certain service providers the Governor is required to include in a certain budget;~~ requiring the State Department of Education to work with a certain office in developing certain rates; clarifying that a State contribution to a certain college investment plan may be made

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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.

to one account for each qualified beneficiary; limiting a certain qualified beneficiary from receiving more than one State contribution under certain circumstances; authorizing a certain board to adopt certain regulations; requiring the Maryland Department of Health to pay certain penalties into a certain fund; increasing the amount of funds in a certain fund over which certain funds shall revert to the General Fund; requiring the Maryland Department of Health to establish a certain program, establish certain criteria, carry out the program in a certain manner, and adopt certain regulations; providing that no more than a certain percentage of certain payments shall be subject to the collection of certain penalties; authorizing the Maryland Department of Health to modify the program in a certain manner; prohibiting a certain penalty or adjustment from being accomplished or implemented in a certain manner; altering the fiscal agent of the Children's Cabinet Interagency Fund; altering the amount the Governor is ~~authorized~~ required to appropriate to a certain fund in certain budgets in a certain fiscal year; ~~limiting the amount of a certain subsidy that a certain commission may receive each fiscal year; requiring that a certain subsidy for a certain program must be at least a certain amount each fiscal year; reducing the amount the State is required to appropriate in the State budget as a payment to a certain city for certain services; repealing a requirement that a certain appropriation to a certain city be increased each year by a certain amount;~~ authorizing the use of a certain fund to pay certain expenses only under certain circumstances; providing that for certain fiscal years a certain revenue estimate adjustment made by the Bureau of Revenue Estimates may not exceed certain amounts; ~~authorizing the Governor to provide copies of certain budget books in print or electronic form;~~ prohibiting the restoration of certain proposed appropriations struck or reduced by the General Assembly in the annual budget, except under certain circumstances; repealing the requirement for certain personnel detail and strategic plan information to be provided in certain budget books and requiring the information to be provided on the Department of Budget and Management's website; requiring that certain information be provided in a certain manner on the Department of Budget and Management's website; ~~repealing a requirement that the Governor submit certain budget books and provide certain information in a certain manner;~~ altering a requirement that for a certain fiscal year the Governor include in the budget bill a certain appropriation to the accumulation funds of the State Retirement and Pension System; ~~repealing~~ altering a requirement that if certain revenues exceed a certain estimate the Comptroller distribute a certain amount to a certain fund to be used for certain purposes; ~~repealing~~ altering a requirement that money in a certain fund be used for a certain purpose; repealing a requirement that the State pay a certain amount for certain fiscal years to a certain account as repayment for a certain transfer; clarifying that a certain distribution shall be made in an annual appropriation in a certain budget code; requiring the Comptroller to distribute a certain amount for certain fiscal years to a certain account; reducing for a certain fiscal year the total amount of film tax credit certificates that the Secretary of Commerce may issue; ~~increasing the percentage of certain costs for which each county and Baltimore City are responsible for reimbursing the State;~~ requiring certain third–party settlement organizations to report, under certain circumstances, certain payment information to the Comptroller and certain payees at least a certain number of days before federal income tax filing

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deadlines; altering certain requirements that for certain fiscal years the Governor appropriate certain amounts from the General Fund to a certain special fund; providing, for certain fiscal years, the budgeted Medicaid Deficit Assessment; altering the fiscal year budget that the Governor is required to begin reducing the budgeted Medicaid Deficit Assessment by a certain amount; ~~repealing a requirement that for certain fiscal years certain amounts be transferred between certain funds;~~ providing, for a certain fiscal year, that payments to providers with rates set by a certain committee may not increase by more than a certain amount; authorizing the Governor to transfer certain amounts from certain funds; ~~repealing provisions of law relating to the National Capital Strategic Economic Development Program;~~ reducing for a certain fiscal year a certain appropriation; ~~requiring that for certain fiscal years a certain distribution of revenue be used for a certain purpose;~~ authorizing the transfer of certain funds; requiring the transfer of certain funds; repealing certain obsolete provisions of law; making a certain provision of this Act contingent on the taking effect of another Act; providing for a delayed effective date for certain provisions of this Act; requiring the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, to correct any cross–references or terminology rendered incorrect by this Act and to describe any corrections made in an editor's note following the section affected; and generally relating to the financing of State and local government.

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~~BY repealing~~
~~Article – Economic Development~~
~~Section 4–513~~
~~Annotated Code of Maryland~~
~~(2018 Replacement Volume and 2019 Supplement)~~

~~BY repealing~~
~~Article – Housing and Community Development~~
~~Section 6–701 through 6–710 and the subtitle "Subtitle 7. National Capital Strategic Economic Development Program"~~
~~Annotated Code of Maryland~~
~~(2019 Replacement Volume and 2019 Supplement)~~

BY repealing
Article – Insurance
Section 19–801 through 19–808 and the subtitle "Subtitle 8. Maryland Health Care Provider Rate Stabilization Fund"
Annotated Code of Maryland
(2017 Replacement Volume and 2019 Supplement)

BY repealing
Article – Public Safety
Section 4–1006
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY repealing
Article – State Finance and Procurement
Section ~~7–116 and 7–329(b–1)~~ 6–226(a)(2)(ii)22.
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

~~BY repealing and reenacting, with amendments,~~
~~Article – Commercial Law~~
~~Section 17–311~~
~~Annotated Code of Maryland~~
~~(2013 Replacement Volume and 2019 Supplement)~~

BY renumbering
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)23. through 6–226(a)(2)(ii)122., respectively
to be Section 6–226(a)(2)(ii)22. through 6–226(a)(2)(ii)121., respectively
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

BY repealing
Chapter 193 of the Acts of the General Assembly of 2005
Section 3

1 cont

BY repealing and reenacting, with amendments,
Article – Correctional Services
Section 6–115
Annotated Code of Maryland
(2017 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Courts and Judicial Proceedings
Section 13–604
Annotated Code of Maryland
(2013 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 10–523
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 5–219(a)~~, 24–201, and 24–204(a)~~ and 18–19A–01(c)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Education
Section 5–219(g), ~~16–305(c)(1),~~ 8–417(b)(1), 16–320(c), ~~and 17–104(a)~~ 17–104(a), and 18–19A–04.1(a)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

BY adding to
Article – Education
Section 18–19A–04.1(h)
Annotated Code of Maryland
(2018 Replacement Volume and 2019 Supplement)

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~~BY repealing~~
~~Article – Education~~
~~Section 24–204(d)~~
~~Annotated Code of Maryland~~
~~(2018 Replacement Volume and 2019 Supplement)~~

~~BY repealing and reenacting, without amendments,~~
~~Article – Health – General~~
~~Section 7–307(a)(3), 16–201.3(a)(2), 16–201.4(a), and 19–2201(a) and (e)(1)~~
~~Annotated Code of Maryland~~
~~(2019 Replacement Volume)~~

BY repealing and reenacting, with amendments,
Article – Health – General
~~Section 7–307(d)(2), 16–201.3(d)(2), 16–201.4(b)(1), and 19–2201(e)(2)(iv)~~ Section 15–103.3(b)(1) and (c)(1) and (4)
Annotated Code of Maryland
(2019 Replacement Volume)

BY adding to
Article – Health – General
Section ~~19–2201(e)(2)(v)~~ 15–103.7
Annotated Code of Maryland
(2019 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–509(a)(1) and (4)
Annotated Code of Maryland
(2019 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–509(j)(3)

Annotated Code of Maryland
(2019 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Human Services
Section 8–508
Annotated Code of Maryland
(2019 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, without amendments,
Article – Insurance
Section 6–121(a)
Annotated Code of Maryland
(2017 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Insurance
Section ~~14–106(d) and (e)~~ 6–121(b)(1) and 31–107.2(a)
Annotated Code of Maryland
(2017 Replacement Volume and 2019 Supplement)

1 cont

BY repealing and reenacting, without amendments,
Article – Labor and Employment
Section 10–301(a) and (c)
Annotated Code of Maryland
(2016 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Labor and Employment
Section 10–314
Annotated Code of Maryland
(2016 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section ~~4–608,~~ 6–104(e), 7–115, 7–311(j)(1), ~~7–329(c) and (d)~~ 7–329(b–1), and 7–330(g) and (j)
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

BY adding to
Article – State Finance and Procurement
Section 7–114.3
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, without amendments,

Article – State Finance and Procurement
Section ~~7–329(b) and (e)~~ 7–329(b) and (c) through (e) and 7–330(b) through (f), (h), (i), and (k)
Annotated Code of Maryland
(2015 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Tax – General
Section ~~2–606~~ 2–202(b), 2–606, and 10–730(f)
Annotated Code of Maryland
(2016 Replacement Volume and 2019 Supplement)

BY adding to
Article – Tax – General
Section 10–825
Annotated Code of Maryland
(2016 Replacement Volume and 2019 Supplement) 1 cont

BY repealing and reenacting, with amendments,
Article – Tax – Property
Section ~~2–106 and~~ 13–209(g)(2), (3), and (4)
Annotated Code of Maryland
(2019 Replacement Volume)

BY repealing and reenacting, with amendments,
Chapter 397 of the Acts of the General Assembly of 2011, as amended by Chapter 425 of the Acts of the General Assembly of 2013, Chapter 464 of the Acts of the General Assembly of 2014, Chapter 489 of the Acts of the General Assembly of 2015, Chapter 23 of the Acts of the General Assembly of 2017, Chapter 10 of the Acts of the General Assembly of 2018, and Chapter 16 of the Acts of the General Assembly of 2019
Section 16(c)

~~BY repealing and reenacting, with amendments,~~
~~Chapter 364 of the Acts of the General Assembly of 2017~~
~~Section 3~~

~~BY repealing and reenacting, with amendments,~~
~~Chapter 365 of the Acts of the General Assembly of 2017~~
~~Section 3~~

~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 4–513 of Article – Economic Development of the Annotated Code of Maryland be repealed.~~ 2

~~SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 6–701 through 6–710 and the subtitle "Subtitle 7. National Capital Strategic Economic Development~~ 3

~~Program" of Article – Housing and Community Development of the Annotated Code of Maryland be repealed.~~ 3 cont

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 19–801 through 19–808 and the subtitle "Subtitle 8. Maryland Health Care Provider Rate Stabilization Fund" of Article – Insurance and Section(s) 6–226(a)(2)(ii)22 of Article – State Finance and Procurement of the Annotated Code of Maryland be repealed. 18

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 4–1006 of Article – Public Safety of the Annotated Code of Maryland be repealed. 43

SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 6–226(a)(2)(ii)23 through 6–226(a)(2)(ii)122, respectively, of Article – State Finance and Procurement of the Annotated Code of Maryland be renumbered to be Section(s) 6–226(a)(2)(ii)22 through 6–226(a)(2)(ii)121, respectively. 18 cont

~~SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 7–116 of Article – State Finance and Procurement of the Annotated Code of Maryland be repealed.~~ 23

SECTION 4. AND BE IT FURTHER ENACTED, That Section(s) 3 of Chapter 193 of the Acts of the General Assembly of 2005 be repealed. 15

SECTION ~~4.~~ 5. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

~~Article – Commercial Law~~

~~17–311.~~

[~~(a) (1) Within 365 days from the filing of the report required by § 17–310 of this subtitle, the Administrator shall cause notice to be published in a newspaper of general circulation in the county in the State within which is located the last known address of any person to be named in the notice.~~

~~(2) If an address is not listed or if the address is outside the State, the notice shall be published in the county within which the person who held the abandoned property has the principal place of business in this State.~~ 4

~~(b) The published notice shall be entitled "Notice of Names of Persons Appearing to Be Owners of Abandoned Property" and shall contain:~~

~~(1) The names in alphabetical order and last known addresses, if any, of persons listed in the report and entitled to notice in the county specified in this section;~~

~~(2) A statement that information concerning the amount or description of the property and the name and address of the person who held the property may be~~

~~obtained by any person who possesses an interest in the property, by addressing an inquiry to the Administrator; and~~

~~(3) A statement that a proof of claim may be presented by the owner to the Administrator.~~

~~(c) The Administrator is not required to publish in the notice any item valued at less than $100 unless the Administrator considers the publication to be in the public interest.~~**]**

~~(A) IN THIS SECTION, "ABANDONED PROPERTY DATABASE" MEANS AN ELECTRONIC DATABASE CONTAINING THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY.~~

~~(B) (1) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE MAINTAINED, AN ABANDONED PROPERTY DATABASE.~~

~~(2) WITHIN 365 DAYS AFTER THE FILING OF THE REPORT REQUIRED BY § 17–310 OF THIS SUBTITLE, THE ADMINISTRATOR SHALL ADD TO THE ABANDONED PROPERTY DATABASE THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS LISTED IN THE REPORT.~~ **4 cont**

~~(3) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE MAINTAINED, AN INTERNET WEBSITE THAT:~~

~~(I) PROVIDES REASONABLE MEANS BY WHICH A PERSON MAY SEARCH THE ABANDONED PROPERTY DATABASE REQUIRED BY THIS SUBSECTION;~~

~~(II) CONTAINS A STATEMENT THAT INFORMATION CONCERNING THE AMOUNT OR DESCRIPTION OF THE PROPERTY AND THE NAME AND ADDRESS OF THE PERSON WHO HELD THE PROPERTY MAY BE OBTAINED BY ANY PERSON WHO POSSESSES AN INTEREST IN THE PROPERTY, BY ADDRESSING AN INQUIRY TO THE ADMINISTRATOR;~~

~~(III) CONTAINS A STATEMENT THAT A PROOF OF CLAIM MAY BE PRESENTED BY THE OWNER TO THE ADMINISTRATOR; AND~~

~~(IV) INCLUDES A LINK TO AN ABANDONED PROPERTY CLAIM FORM.~~

~~(C) (1) THE ADMINISTRATOR SHALL PUBLISH NOTICE ON THE INTERNET WEBSITE REQUIRED BY SUBSECTION (B)(3) OF THIS SECTION.~~

~~(2) THE NOTICE SHALL:~~

~~(I) BE PUBLISHED AT LEAST ONCE EACH CALENDAR QUARTER IN ONE OR MORE NEWSPAPERS OF GENERAL CIRCULATION IN EACH COUNTY OF THE STATE; AND~~

~~(II) CONTAIN:~~

~~1. A STATEMENT THAT THE ADMINISTRATOR MAINTAINS RECORDS OF THE NAMES AND LAST KNOWN ADDRESSES, IF ANY, OF PERSONS WHO APPEAR TO BE OWNERS OF ABANDONED PROPERTY;~~

~~2. A STATEMENT THAT ANY PERSON MAY SEARCH THE ADMINISTRATOR'S ABANDONED PROPERTY RECORDS THROUGH THE ADMINISTRATOR'S INTERNET WEBSITE;~~ **4 cont**

~~3. THE ADDRESS OF THE INTERNET WEBSITE; AND~~

~~4. A PHONE NUMBER THAT A PERSON MAY CALL FOR ASSISTANCE IF THE PERSON DOES NOT HAVE INTERNET ACCESS.~~

~~(d) Within 120 days from the receipt of the report required by § 17–310 of this subtitle, the Administrator shall mail a notice to each person who has an address listed in the report who appears entitled to property valued at $100 or more and presumed abandoned under this subtitle.~~

~~(e) The mailed notice shall contain:~~

~~(1) A statement that, according to a report filed with the Administrator, property is being held to which the addressee appears entitled;~~

~~(2) The name and address of the person who held the property and any necessary information regarding any change of the name or address of the holder; and~~

~~(3) A statement that a proof of claim may be presented by the owner to the Administrator.~~

<u>Article – Correctional Services</u>

<u>6–115.</u>

<u>(a) (1) In this section the following words have the meanings indicated.</u>

<u>(2) "Program fee" means any fee the Division assesses on a supervisee the Division places in the Drinking Driver Monitor Program.</u> **5**

<u>(3) "Supervisee" means a person that the court places under the supervision of the Division.</u>

(4) "Supervision fee" means the fee the court orders under § 6–226 of the Criminal Procedure Article.

(b) All supervisees placed in the Drinking Driver Monitor Program by the Division shall be:

(1) subject to a monthly supervision fee in accordance with § 6–226 of the Criminal Procedure Article; and

(2) assessed a monthly Program fee of [$55] **$75** by the Division.

(c) (1) The Program fee imposed under this section shall be paid to the Division by all supervisees in the Drinking Driver Monitor Program.

(2) The Division shall pay the Program fees collected under this section into the Drinking Driver Monitor Program Fund. **5 cont**

(d) Notwithstanding subsections (b) and (c) of this section, the Division may exempt a supervisee as a whole or in part from the Program fee imposed under this section if:

(1) the supervisee has diligently tried but has been unable to obtain employment that provides sufficient income for the supervisee to pay the fee;

(2) (i) the supervisee is a student in a school, college, or university or is enrolled in a course of vocational or technical training designed to prepare the student for gainful employment; and

(ii) certification of student status is supplied to the Division by the institution in which the supervisee is enrolled;

(3) the supervisee has a handicap limiting employment, as determined by a physical or psychological examination accepted by the Division;

(4) the supervisee is responsible for the support of dependents and the payment of the fee is an undue hardship on the supervisee; or

(5) other extenuating circumstances exist.

Article – Courts and Judicial Proceedings

13–604.

(a) (1) Except as provided in paragraph (2) of this subsection, the Administrator shall establish a surcharge of $20 for each type of recordable instrument to be recorded among the land records and the financing statement records. **7**

(2) For recordable instruments executed on or after July 1, 2011, [but before July 1, 2020,] the surcharge established under this subsection shall be $40 for each type of recordable instrument to be recorded among the land records and the financing statement records.

7 cont

(b) The surcharge shall be collected by the office of the clerk of the circuit court for each county.

(c) The surcharge may not be charged to an entity that is exempt from the payment of fees under § 3–603 of the Real Property Article.

(d) Receipts from the surcharge shall be placed in the Fund and used by the Administrator for the purposes of the Fund.

Article – Economic Development

10–523.

(a) (1) The Corporation may receive annual funding through an appropriation in the State budget.

(2) The Corporation may also receive money for projects included in the budgets of State units.

(3) (i) To assist the Corporation in complying with subsection (c) of this section, the Governor shall include each year in the State budget bill an appropriation to the Corporation for rural business development and assistance as follows:

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1. for fiscal year [2015] **2021**, $2,875,000; and

2. for each of the fiscal years [2016] **2022** through [2024] **2025**, [$2,875,000] **$2,735,000**.

(ii) In addition to any money provided under subparagraph (i) of this paragraph, the Governor may include each year in the State budget bill an appropriation to the Corporation in an amount not exceeding $5,000,000 for rural land acquisition and easement programs, including programs to assist young and beginning farmers.

(b) **(1) THE FUNDS APPROPRIATED TO THE CORPORATION UNDER SUBSECTION (A)(3)(I)2 OF THIS SECTION SHALL BE USED TO SUPPORT THE CORPORATION'S RURAL BUSINESS LOAN PROGRAMS AND SMALL MATCHING GRANT PROGRAMS.**

(2) All unexpended and unencumbered money appropriated to the Corporation shall remain with the Corporation for future use.

(c) The Corporation shall conduct its financial affairs so that, by fiscal year [2025] **2026**, it is self–sufficient and in no further need of general operating support by the State. **8 cont**

(d) The Corporation may use up to 3% of the money received under § 13–306(a)(3)(ii)2 of the Tax – Property Article for administrative costs associated with the Next Generation Farmland Acquisition Program.

Article – Education

5–219.

(a) In this section, "Fund" means The Blueprint for Maryland's Future Fund.

(g) The Fund may be used only to assist in providing adequate funding for [early]**:**

(1) EARLY childhood education and primary and secondary education based on the recommendations of the Commission on Innovation and Excellence in Education, including revised education funding formulas**; AND**

(2) MARYLAND PREKINDERGARTEN EXPANSION GRANTS.

8–417.

(b) (1) The Department, [as] **IN COLLABORATION WITH** the fiscal agent of the Children's Cabinet Fund under Title 8, Subtitle 5 of the Human Services Article, shall administer and implement a redesigned rate setting process for nonpublic general education schools, residential child care programs, and nonresidential child care programs. **6**

~~16–305.~~

~~(c) (1) (i) Except as provided in subparagraphs (iii), (iv), [and] (v), **(VI), AND (VII)** of this paragraph, the total State operating fund per full–time equivalent student to the community colleges for each fiscal year as requested by the Governor shall be:~~

~~1. In fiscal year 2009, not less than an amount equal to 26.25% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the previous fiscal year;~~ **9**

~~2. In fiscal year 2010, not less than an amount equal to 23.6% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~3. In fiscal year 2011, not less than an amount equal to 21.8% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~4. In fiscal year 2012, not less than an amount equal to 20% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~5. In fiscal year 2014, an amount that is the greater of 19.7% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year or $1,839.47 per full–time equivalent student;~~

~~6. In fiscal year 2015, an amount that is the greater of 19.7% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year or $1,839.47 per full–time equivalent student;~~

9 cont

~~7. In fiscal year 2017, not less than an amount equal to 20.5% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~8. In fiscal year 2018, not less than an amount equal to 21.0% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~9. In fiscal year 2019, not less than an amount equal to 22.0% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~ ~~**AND**~~

~~10. In fiscal year 2020, not less than an amount equal to 23% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for~~

~~the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year~~**[**~~;~~

~~11. In fiscal year 2021, not less than an amount equal to 25% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;~~

~~12. In fiscal year 2022, not less than an amount equal to 27% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year; and~~

~~13. In fiscal year 2023 and each fiscal year thereafter, not less than an amount equal to 29% of the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year~~**]**.

9 cont

~~(ii) For purposes of this subsection, the State's General Fund appropriation per full–time equivalent student to the 4–year public institutions of higher education in the State for a fiscal year shall include noncapital appropriations from the Higher Education Investment Fund.~~

~~(iii) Notwithstanding the provisions of subparagraph (i) of this paragraph, the total State operating funds to be distributed under this subsection to the community colleges for each of fiscal years 2011 and 2012 shall be $194,407,432.~~

~~(iv) In fiscal year 2013, the total State operating funds for community colleges shall be $199,176,114, to be distributed as follows:~~

~~1. Allegany College ....$4,773,622;~~

~~2. Anne Arundel Community College ....$27,235,329;~~

~~3. Community College of Baltimore County.......$34,398,366;~~

~~4. Carroll Community College ....$6,851,515;~~

~~5. Cecil Community College ....$4,645,751;~~

~~6. College of Southern Maryland ....$10,902,580;~~

~~7. Chesapeake College..$5,675,815;~~

~~8. Frederick Community College .... $8,145,648;~~

~~9. Garrett College .... $2,246,709;~~

~~10. Hagerstown Community College .... $6,965,064;~~

~~11. Harford Community College .... $9,990,806;~~

~~12. Howard Community College .... $12,584,485;~~

~~13. Montgomery College .... $35,998,553;~~

~~14. Prince George's Community College....... $22,013,074; and~~

~~15. Wor–Wic Community College .... $6,748,796.~~

~~(v) In fiscal year 2016, the total State operating funds for community colleges shall be $222,744,620, to be distributed as follows:~~ 9 cont

~~1. Allegany College .... $4,850,443;~~

~~2. Anne Arundel Community College .... $28,715,483;~~

~~3. Community College of Baltimore County....... $38,637,668;~~

~~4. Carroll Community College .... $7,345,653;~~

~~5. Cecil Community College .... $5,108,064;~~

~~6. College of Southern Maryland .... $13,017,885;~~

~~7. Chesapeake College .... $6,142,473;~~

~~8. Frederick Community College .... $8,975,284;~~

~~9. Garrett College .... $2,561,002;~~

~~10. Hagerstown Community College .... $7,620,412;~~

~~11. Harford Community College .... $10,865,634;~~

~~12. Howard Community College .... $15,723,055;~~

~~13. Montgomery College .... $40,000,786;~~

~~14. Prince George's Community College....... $26,072,537; and~~

~~15. Wor–Wic Community College ....$7,108,241.~~

~~**(VI) IN FISCAL YEAR 2021, THE TOTAL STATE OPERATING FUNDS FOR THE COMMUNITY COLLEGES SHALL BE $267,916,591 TO BE DISTRIBUTED AS FOLLOWS:**~~

~~**1. ALLEGANY COLLEGE OF MARYLAND ....$5,603,130;**~~

~~**2. ANNE ARUNDEL COMMUNITY COLLEGE ....$31,690,223;**~~

~~**3. COMMUNITY COLLEGE OF BALTIMORE COUNTY ....$45,623,299;**~~

~~**4. CARROLL COMMUNITY COLLEGE............$8,195,322;**~~

~~**5. CECIL COLLEGE.......................................$5,755,092;**~~

~~**6. COLLEGE OF SOUTHERN MARYLAND.....$15,088,436;**~~

~~**7. CHESAPEAKE COLLEGE ....$6,589,636;**~~

~~**8. FREDERICK COMMUNITY COLLEGE ....$12,042,368;**~~

~~**9. GARRETT COLLEGE ....$3,027,853;**~~

~~**10. HAGERSTOWN COMMUNITY COLLEGE .....$9,316,385;**~~

~~**11. HARFORD COMMUNITY COLLEGE ....$12,990,121;**~~

~~**12. HOWARD COMMUNITY COLLEGE...........$21,459,934;**~~

~~**13. MONTGOMERY COLLEGE ....$48,388,449;**~~

~~**14. PRINCE GEORGE'S COMMUNITY COLLEGE ....$33,586,778; AND**~~

~~**15. WOR–WIC COMMUNITY COLLEGE............$8,559,565.**~~

~~**(VII) BEGINNING IN FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE TOTAL STATE OPERATING FUNDS TO BE DISTRIBUTED UNDER THIS SUBSECTION TO EACH COMMUNITY COLLEGE SHALL BE THE AMOUNT OF AID PROVIDED IN THE CURRENT FISCAL YEAR AS APPROVED IN THE STATE BUDGET AS ENACTED BY THE GENERAL ASSEMBLY INCREASED BY THE PERCENTAGE BY WHICH THE PROJECTED TOTAL GENERAL FUND REVENUES FOR THE UPCOMING FISCAL**~~

9 cont

~~YEAR EXCEED THE REVISED ESTIMATE OF TOTAL GENERAL FUND REVENUES FOR THE CURRENT FISCAL YEAR, AS CONTAINED IN THE DECEMBER REPORT OF ESTIMATED STATE REVENUES SUBMITTED BY THE BOARD OF REVENUE ESTIMATES TO THE GOVERNOR UNDER § 6–106 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~ **9 cont**

16–320.

(c) (1) (I) In ~~fiscal year 2019 and in each fiscal year thereafter~~ FISCAL YEARS 2019 THROUGH 2021, the Governor ~~[~~shall~~]~~ ~~MAY~~ annually appropriate in the operating budget ~~OR CAPITAL BUDGET~~ of the Commission an amount equal to 5% of the appropriation to the Community College Construction Grant Program in the same fiscal year.

10

(II) IN FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL ANNUALLY APPROPRIATE IN THE OPERATING OR CAPITAL BUDGET OF THE COMMISSION AN AMOUNT EQUAL TO 5% OF THE APPROPRIATION TO THE COMMUNITY COLLEGE CONSTRUCTION GRANT PROGRAM IN THE SAME FISCAL YEAR.

(2) ~~[~~The appropriation required~~]~~ ~~IF AN APPROPRIATION IS PROPOSED BY THE GOVERNOR~~ under paragraph (1) of this subsection~~, THE APPROPRIATION~~ shall be in addition to and may not supplant the amount appropriated to the Community College Construction Grant Program in the State budget.

17–104.

(a) (1) Except as provided in paragraphs (2), (3), **[**and**]** (4)**, AND (5)**~~, AND (6)~~ of this subsection, the Maryland Higher Education Commission shall compute the amount of the annual apportionment for each institution that qualifies under this subtitle by multiplying the number of full–time equivalent students enrolled at the institution during the fall semester of the fiscal year preceding the fiscal year for which the aid apportionment is made, as determined by the Maryland Higher Education Commission by: **11**

(i) In fiscal year 2009, an amount not less than 16% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in this State for the preceding fiscal year;

(ii) In fiscal year 2010, an amount not less than 12.85% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in the State for the same fiscal year;

(iii) In fiscal year 2011, an amount not less than 9.8% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in this State for the same fiscal year;

(iv) In fiscal year 2012, an amount not less than 9.2% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in this State for the same fiscal year;

(v) In fiscal year 2014, an amount that is the greater of 9.4% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in this State for the same fiscal year or $875.53 per full–time equivalent student;

(vi) In fiscal year 2015, an amount that is the greater of 9.4% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in this State for the same fiscal year or $875.53 per full–time equivalent student;

(vii) In fiscal year 2017, an amount not less than 10.1% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in this State for the same fiscal year;

(viii) In fiscal year 2018, an amount not less than 10.5% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in this State for the same fiscal year;

(ix) In fiscal year 2019, an amount not less than 10.8% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in this State for the same fiscal year; ~~**AND**~~

(x) In fiscal year 2020, an amount not less than 11.1% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in this State for the same fiscal year**[**; ~~and~~

11 cont

(XI) IN FISCAL YEAR 2022, AN AMOUNT NOT LESS THAN 14% OF THE STATE'S GENERAL FUND PER FULL–TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4–YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR;

(XII) IN FISCAL YEAR 2023, AN AMOUNT NOT LESS THAN 15% OF THE STATE'S GENERAL FUND PER FULL–TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4–YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THIS STATE FOR THE SAME FISCAL YEAR; AND

~~(xi)~~ **(XIII)** In fiscal year ~~2021~~ **2024** and each fiscal year thereafter, an amount not less than 15.5% of the State's General Fund per full–time equivalent student appropriation to the 4–year public institutions of higher education in this State for the same fiscal year**]**.

(2) For each of fiscal years 2011 and 2012, the total amount of the aid provided under this subtitle shall be $38,445,958, to be allocated among the institutions that qualify under this subtitle in proportion to the number of full–time equivalent students enrolled at each institution during the fall semester of the fiscal year preceding the fiscal year for which the aid apportionment is made, as determined by the Maryland Higher Education Commission.

(3) In fiscal year 2013, the total amount of aid due to all institutions shall be $38,056,175.

(4) In fiscal year 2016, the total amount of the aid provided under this subtitle shall be $42,822,240, to be allocated among the institutions that qualify under this subtitle in proportion to the number of full–time equivalent students enrolled at each institution during the fall semester of fiscal year 2015, as determined by the Maryland Higher Education Commission.

~~(5) IN FISCAL YEAR 2021, THE TOTAL AMOUNT OF AID DUE TO ALL INSTITUTIONS SHALL BE $59,024,905 TO BE DISTRIBUTED AS FOLLOWS:~~

~~(I) CAPITOL TECHNOLOGY UNIVERSITY .... $670,957;~~

~~(II) GOUCHER COLLEGE .... $2,466,084;~~

~~(III) HOOD COLLEGE .... $1,834,286;~~

~~(IV) JOHNS HOPKINS UNIVERSITY .... $29,019,524;~~

~~(V) LOYOLA UNIVERSITY MARYLAND .... $6,534,728;~~

~~(VI) MARYLAND INSTITUTE COLLEGE OF ART .... $2,823,062;~~

~~(VII) MCDANIEL COLLEGE .... $2,771,043;~~

~~(VIII) MOUNT ST. MARY'S UNIVERSITY .... $2,676,349;~~

~~(IX) NOTRE DAME OF MARYLAND UNIVERSITY .... $1,842,589;~~

~~(X) ST. JOHN'S COLLEGE .... $843,131;~~

~~(XI) STEVENSON UNIVERSITY .... $4,358,920;~~

~~(XII) WASHINGTON ADVENTIST UNIVERSITY .... $1,171,808; AND~~

~~(XIII) WASHINGTON COLLEGE .... $2,012,424.~~

11 cont

~~(6) BEGINNING IN FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE TOTAL AMOUNT OF AID PROVIDED TO EACH ELIGIBLE INSTITUTION UNDER THIS SUBTITLE SHALL BE THE AMOUNT OF AID PROVIDED IN THE CURRENT FISCAL YEAR INCREASED BY ONE PERCENTAGE POINT LESS THAN THE PERCENTAGE BY WHICH THE PROJECTED TOTAL GENERAL FUND REVENUES FOR THE UPCOMING FISCAL YEAR EXCEED THE REVISED ESTIMATE OF TOTAL GENERAL FUND REVENUES FOR THE CURRENT FISCAL YEAR, AS CONTAINED IN THE DECEMBER REPORT OF ESTIMATED STATE REVENUES SUBMITTED BY THE BOARD OF REVENUE ESTIMATES TO THE GOVERNOR UNDER § 6–106 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.~~ **11 cont**

(5) IN FISCAL YEAR 2021, THE TOTAL AMOUNT OF THE AID PROVIDED UNDER THIS SUBTITLE SHALL BE $70,159,994, TO BE ALLOCATED AMONG THE INSTITUTIONS THAT QUALIFY UNDER THIS SUBTITLE IN PROPORTION TO THE NUMBER OF FULL–TIME EQUIVALENT STUDENTS ENROLLED AT EACH INSTITUTION DURING THE FALL SEMESTER OF FISCAL YEAR 2020, AS DETERMINED BY THE MARYLAND HIGHER EDUCATION COMMISSION.

18–19A–01.

(c) "Board" means the Maryland 529 Board established under § 18–1904 of this title.

18–19A–04.1.

(a) **(1)** [For] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FOR** investment accounts established after December 31, 2016, a State contribution may be made to [an] **ONE** investment account **FOR EACH QUALIFIED BENEFICIARY** as provided in this section if:

[(1)] **(I)** The qualified beneficiary of the investment account is a Maryland resident; **12**

[(2)] **(II)** The account holder submits an application to the Board or its designee between January 1 and June 1 of each year; and

[(3)] **(III)** The account holder has Maryland taxable income in the previous taxable year no greater than $112,500 for an individual or $175,000 for a married couple filing a joint return.

(2) FOR STATE CONTRIBUTION APPLICATION PERIODS AFTER DECEMBER 31, 2020, A QUALIFIED BENEFICIARY MAY NOT RECEIVE MORE THAN ONE STATE CONTRIBUTION FOR EACH YEAR THE QUALIFIED BENEFICIARY IS ELIGIBLE FOR THE STATE CONTRIBUTION UNDER THIS SECTION.

(H) THE BOARD MAY ADOPT ANY REGULATIONS THAT THE BOARD CONSIDERS NECESSARY TO CARRY OUT THE PROVISIONS OF THIS SECTION. **12 cont**

~~24–201.~~

~~There is a Maryland Public Broadcasting Commission.~~

~~24–204.~~

~~(a) (1) The Commission annually shall prepare a budget request to provide funds to perform its duties under this subtitle.~~

~~(2) The Commission may receive and spend any grant or gift budgeted or provided for it.~~

~~(3) (i) The Commission is encouraged to make use of its facilities, equipment, and other resources to provide services that may generate additional income. Any income earned in that manner shall be considered special funds for use by the Commission.~~ **13**

~~(ii) Unexpended funds may be carried forward and expended in any subsequent fiscal year, subject to the approval of the Board of Public Works.~~

[~~(d) (1) Beginning in fiscal year 2019, and for each fiscal year thereafter, the Governor shall include in the annual budget bill a General Fund appropriation to the Commission in an amount not less than the General Fund appropriation for the current fiscal year as approved in the State budget as enacted by the General Assembly and increased by the percentage by which the projected total General Fund revenues for the upcoming fiscal year exceed the revised estimate of total General Fund revenues for the current fiscal year, as contained in the December report of estimated State revenues submitted by the Board of Revenue Estimates to the Governor under § 6–106 of the State Finance and Procurement Article.~~

~~(2) (i) In addition to the appropriation required under paragraph (1) of this subsection, if the actual amount of special funds in special fund code R15304 Community Services Grant and CPB Grant in budget code R15P00 Maryland Public Broadcasting Commission received by the Commission in the second previous fiscal year is lower than the amount that was budgeted for the Commission as approved in the State budget as enacted by the General Assembly for the second previous fiscal year, the Governor shall include in the annual budget bill, for the upcoming fiscal year, a General Fund appropriation to the Commission in an amount not less than the difference between the actual funds and the budgeted funds.~~

~~(ii) The general funds appropriated under subparagraph (i) of this paragraph may not be included in the calculation under paragraph (1) of this subsection for any subsequent fiscal year.~~**]**

Article – Health – General

~~7–307.~~

~~(a) (3) "Community provider" means a community–based agency or program funded by the Administration to serve individuals with developmental disabilities.~~

~~(d) (2) The Governor's proposed budget for fiscal year 2021 shall include a **[**4%**]** **2%** rate increase for community service providers over the funding provided in the legislative appropriation for Object 08 Contractual Services in Program M00M01.02 Community Services for fiscal year 2020.~~

14

~~16–201.3.~~

~~(a) (2) "Community provider" means a community–based agency or program funded by the Behavioral Health Administration or the Medical Care Programs Administration to serve individuals with mental disorders, substance–related disorders, or a combination of these disorders.~~

~~(d) (2) The Governor's proposed budget for fiscal year 2021 shall include a **[**4%**]** **2%** rate increase for community providers over the funding provided in the legislative appropriation for the immediately preceding fiscal year for each of the following:~~

~~(i) Object 08 Contractual Services in Program M00Q01.10 Medicaid Behavioral Health Provider Reimbursement — Medical Care Programs Administration;~~

~~(ii) Object 08 Contractual Services in Program M00L01.02 Community Services — Behavioral Health Administration; and~~

~~(iii) Object 08 Contractual Services in Program M00L01.03 Community Services for Medicaid State Fund Recipients — Behavioral Health Administration.~~

~~16–201.4.~~

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

~~(2) "Provider" means a provider of:~~

~~(i) Nursing home services;~~

~~(ii) Medical day care services;~~

~~(iii) Private duty nursing services;~~

~~(iv) Personal care services;~~

~~(v) Home– and community–based services; and~~

~~(vi) Services provided through the Community First Choice program.~~

~~(3) "Rate" means the reimbursement rate paid by the Department to providers of nursing home, medical day care, private duty nursing, personal care, and home– and community–based services and services provided through the Community First Choice program from the State General Fund, Maryland Medical Assistance Program funds, other State or federal funds, or a combination of these funds.~~ **14 cont**

~~(b) (1) The Governor's proposed budget for fiscal year 2021 shall include a **[**4%**]** **2%** rate increase for providers over the funding provided in the legislative appropriation for the immediately preceding fiscal year in Program M00Q01.03 Medical Care Provider Reimbursements — Medical Care Programs Administration and Program M00Q01.07 Maryland Children's Health Program — Medical Care Programs Administration.~~

15–103.3.

(b) (1) The Department shall pay all fines collected under § 15–103(b)(12)(v) of this subtitle **AND PENALTIES COLLECTED UNDER § 15–103.7(E)(2)(IV) OF THIS SUBTITLE** to the Comptroller of the State.

(c) (1) **[**(i) Except as otherwise provided in this paragraph, the**]** **THE** Fund shall be used exclusively for the provider reimbursement budget under the HealthChoice Program, including providing financial incentives designed to improve the quality of care to managed care organizations that exceed performance targets. **15 cont**

[(ii) For fiscal years 2004 through 2006, the Fund shall be used exclusively to provide grants to Medbank of Maryland, Inc.

(iii) The grant to Medbank of Maryland, Inc. under this section may not exceed:

1. $1,200,000 in fiscal 2004;

2. $1,000,000 in fiscal 2005; and

3. $500,000 in fiscal 2006.**]**

(4) At the end of each fiscal year, any amount in excess of **[**$3**]** **$5** million shall revert to the General Fund.

15–103.7.

(A) IN THIS SECTION, “PROGRAM” MEANS THE PROGRAM ESTABLISHED BY THE DEPARTMENT UNDER SUBSECTION (B) OF THIS SECTION.

(B) (1) THE DEPARTMENT SHALL ESTABLISH A VALUE–BASED PURCHASING PROGRAM THAT AWARDS FINANCIAL INCENTIVES TO AND ASSESSES PENALTIES ON MANAGED CARE ORGANIZATIONS BASED ON THE ORGANIZATION’S PERFORMANCE ON HEALTH MEASURES ESTABLISHED BY THE DEPARTMENT.

(2) THE DEPARTMENT SHALL, IN ACCORDANCE WITH THIS SECTION, ESTABLISH CRITERIA TO IMPLEMENT THE PROGRAM, INCLUDING THE ESTABLISHMENT OF PERFORMANCE TARGETS, AWARD OF INCENTIVES, AND COLLECTION OF PENALTIES.

(C) NOT MORE THAN 1% OF THE AMOUNT OF CAPITATED PAYMENTS RECEIVED BY A MANAGED CARE ORGANIZATION EACH YEAR SHALL BE SUBJECT TO THE COLLECTION OF PENALTIES UNDER THE PROGRAM.

15 cont

(D) FOR EACH MEASUREMENT YEAR, BEGINNING JANUARY 1, 2021, THE DEPARTMENT MAY NOT IN ANY CALENDAR YEAR PAY A TOTAL AMOUNT OF INCENTIVES TO MANAGED CARE ORGANIZATIONS UNDER THE PROGRAM IN AN AMOUNT THAT EXCEEDS:

(1) THE TOTAL AMOUNT OF PENALTIES THE DEPARTMENT COLLECTS FROM MANAGED CARE ORGANIZATIONS UNDER THE PROGRAM; AND

(2) ANY ADDITIONAL FUNDS ALLOCATED BY THE DEPARTMENT TO SUPPORT THE PROGRAM.

(E) (1) FOR EACH MEASUREMENT YEAR, BEGINNING JANUARY 1, 2021, THE DEPARTMENT SHALL BASE THE INITIAL DISTRIBUTION OF FUNDING AWARDED UNDER THE PROGRAM TO A MANAGED CARE ORGANIZATION IN EACH CALENDAR YEAR ON THE NUMBER OF PERFORMANCE TARGETS THAT THE MANAGED CARE ORGANIZATION MEETS OR EXCEEDS.

(2) FOR EACH MEASUREMENT YEAR, BEGINNING JANUARY 1, 2021, IF THE TOTAL AMOUNT OF PENALTIES THAT THE DEPARTMENT COLLECTS UNDER THE PROGRAM EXCEEDS THE TOTAL AMOUNT OF INCENTIVE FUNDING AWARDED IN THE INITIAL DISTRIBUTION OF FUNDS IN A CALENDAR YEAR UNDER THE PROGRAM, THE REMAINING FUNDS SHALL BE ALLOCATED AS FOLLOWS:

(I) 40% TO MANAGED CARE ORGANIZATIONS THAT HAVE MET OR EXCEEDED MORE PERFORMANCE TARGETS THAN THE MANAGED CARE ORGANIZATION HAS NOT MET;

(II) 25% TO MANAGED CARE ORGANIZATIONS THAT THE DEPARTMENT DETERMINES HAVE DEMONSTRATED PERFORMANCE IMPROVEMENT IN THE MEASUREMENT YEAR, IF THE MANAGED CARE ORGANIZATIONS USE THE FUNDING TO TARGET PERFORMANCE IMPROVEMENT IN AREAS IDENTIFIED BY THE DEPARTMENT;

(III) 25% FOR HEALTH IMPROVEMENT PROGRAMS UNDER THE MARYLAND MEDICAID MANAGED CARE PROGRAM, WITH THE FUNDING USED TO FUND ENHANCEMENTS IN:

1. AREAS WHERE THE MARYLAND MEDICAID MANAGED CARE PROGRAM AS A WHOLE UNDERPERFORMS AS COMPARED TO EQUIVALENT PROGRAMS IN OTHER STATES; OR

15 cont

2. AREAS DETERMINED BY THE DEPARTMENT TO BE A STATE HEALTH PRIORITY;

(IV) EXCEPT AS PROVIDED IN ITEM (V) OF THIS SUBSECTION, 10% TO ESTABLISH A RESERVE IN THE HEALTHCHOICE PERFORMANCE INCENTIVE FUND TO BE USED IN ANY CALENDAR YEAR IN WHICH THE AMOUNT OF PENALTIES THE DEPARTMENT COLLECTS UNDER THE PROGRAM ARE INSUFFICIENT TO PAY INCENTIVES EARNED BY MANAGED CARE ORGANIZATIONS; AND

(V) IF THE DEPARTMENT MAY NOT ALLOCATE FUNDS, IN WHOLE OR IN PART, IN ACCORDANCE WITH ITEM (IV) OF THIS PARAGRAPH BECAUSE OF THE LIMITATION IN PARAGRAPH (3) OF THIS SUBSECTION, THE DEPARTMENT SHALL EQUALLY ALLOCATE THE REMAINING FUNDS FOR USE UNDER ITEMS (I), (II), AND (III) OF THIS PARAGRAPH.

(3) THE DEPARTMENT MAY NOT ALLOCATE FUNDS UNDER PARAGRAPH (2)(IV) OF THIS SUBSECTION IN A MANNER THAT CAUSES THE BALANCE IN THE HEALTHCHOICE PERFORMANCE INCENTIVE FUND TO EXCEED $5 MILLION.

(F) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE DEPARTMENT MAY MODIFY THE PROGRAM IF THE DEPARTMENT:

(1) ADOPTS BY REGULATION ANY CHANGES TO THE CORE SET OF PERFORMANCE MEASURES AND THE METHODOLOGY FOR PENALTIES, REWARDS, DISINCENTIVES, OR INCENTIVES UNDER SUBSECTION (E)(1) AND (2)(I) OF THIS SECTION BEFORE THE CALENDAR YEAR FOR WHICH THE MANAGED CARE ORGANIZATIONS WILL BE HELD ACCOUNTABLE FOR THE STANDARD COMPLIANCE WITH THE PERFORMANCE MEASURES; AND

(2) NOTIFIES EACH MANAGED CARE ORGANIZATION OF THE CORE SET OF PERFORMANCE MEASURES AND TARGETS UNDER SUBSECTION (E)(1) AND (2)(I) OF THIS SECTION AT LEAST 3 MONTHS BEFORE THE CALENDAR YEAR FOR WHICH THE MANAGED CARE ORGANIZATION WILL BE HELD ACCOUNTABLE TO THE STANDARD FOR COMPLIANCE WITH THE PERFORMANCE MEASURES.

15 cont

(G) ANY PENALTY OR CAPITATION ADJUSTMENT IMPOSED UNDER THIS SECTION ON A MANAGED CARE ORGANIZATION MAY NOT BE ACCOMPLISHED OR IMPLEMENTED BY WITHHOLDING A CAPITATION PAYMENT.

(H) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THIS SECTION.

~~19–2201.~~

~~(a) In this section, "Fund" means the Community Health Resources Commission Fund.~~

~~(c) (1) Subject to paragraph (2) of this subsection, the Fund may be used only to:~~

~~(i) Cover the administrative costs of the Commission;~~

16

~~(ii) Cover the actual documented direct costs of fulfilling the statutory and regulatory duties of the Commission in accordance with the provisions of this subtitle;~~

~~(iii) Provide operating grants to qualifying community health resources; and~~

~~(iv) Provide funding for the development, support, and monitoring of a unified data information system among primary and specialty care providers, hospitals, and other providers of services to community health resource members.~~

~~(2) (iv) For fiscal **[**year**]** **YEARS** 2019 **[**and each fiscal year thereafter,**]** **AND 2020,** the Fund may be used for any project or initiative authorized under Title 10, Subtitle 2 and Title 13, Subtitle 3 of this article and approved by the Commission if no less than $8,000,000 of the subsidy required under § 14–106(d)(2)(ii)2 of the Insurance Article is used in each fiscal year for the purposes under paragraph (1) of this subsection.~~

~~**(V) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE FUND MAY BE USED FOR ANY PROJECT OR INITIATIVE AUTHORIZED UNDER TITLE 10, SUBTITLE 2 AND TITLE 13, SUBTITLE 3 OF THIS ARTICLE AND APPROVED BY THE COMMISSION IF NO MORE THAN $8,000,000 OF THE SUBSIDY REQUIRED UNDER § 14–106(D)(2)(II)2 OF THE INSURANCE ARTICLE IS**~~

~~USED IN EACH FISCAL YEAR FOR THE PURPOSES UNDER PARAGRAPH (1) OF THIS SUBSECTION.~~ 16 cont

Article – Housing and Community Development

4–509.

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

(4) "Fund" means the Seed Community Development Anchor Institution Fund.

(j) (3) **(I)** For fiscal year 2021 ~~and each fiscal year thereafter~~, the Governor ~~[~~shall~~]~~ ~~**MAY**~~ include in the annual budget bill or the capital budget bill an appropriation of **[**$10,000,000**]** **$5,000,000** for the Fund. 17

(II) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL OR THE CAPITAL BUDGET BILL AN APPROPRIATION OF $10,000,000 FOR THE FUND.

Article – Human Services

8–508.

The **[**State Department of Education**]** **GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES** is the fiscal agent for the Fund. 6 cont

Article – Insurance

6–121.

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

(2) "Nonprofit health maintenance organization" means a health maintenance organization authorized by Title 19, Subtitle 7 of the Health – General Article that is exempt from taxation under § 501(c)(3) of the Internal Revenue Code.

(3) "Premium tax exemption value" means the amount of premium taxes that a nonprofit health maintenance organization would have been required to pay if the nonprofit health maintenance organization were not exempt from taxation under § 6–101(b)(5) of this subtitle. 18 cont

(b) (1) **[**A**]** **BEGINNING IN FISCAL YEAR 2022, A** nonprofit health maintenance organization shall transfer funds in an amount equal to the premium tax exemption value of the nonprofit health maintenance organization to the **[**Medical Assistance Program Account established under Title 19, Subtitle 8 of this article to be used to support the provision of health care to eligible individuals**] COMMISSIONER TO DISTRIBUTE TO THE GENERAL FUND OF THE STATE TO BE USED TO SUPPORT THE PROVISION OF HEALTH CARE TO ELIGIBLE INDIVIDUALS IN THE MEDICAL ASSISTANCE PROGRAM**.

18 cont

~~14–106.~~

~~(d) (1) Notwithstanding subsection (c) of this section, a nonprofit health service plan that is subject to this section and issues comprehensive health care benefits in the State shall:~~

~~(i) offer health care products in the individual market;~~

~~(ii) offer health care products in the small employer group market in accordance with Title 15, Subtitle 12 of this article;~~

~~(iii) subsidize the Senior Prescription Drug Assistance Program established under Title 15, Subtitle 10 of the Health – General Article;~~

16 cont

~~(iv) subsidize the Kidney Disease Program under Title 13, Subtitle 3 of the Health – General Article;~~

~~(v) support the costs of the Community Health Resources Commission under Title 19, Subtitle 21 of the Health – General Article, including:~~

~~1. operating grants to community health resources;~~

~~2. funding for a unified data information system;~~

~~3. the documented direct costs of fulfilling the statutory and regulatory duties of the Commission; and~~

~~4. the administrative costs of the Commission; and~~

~~(vi) subsidize the provision of mental health services to the uninsured under Title 10, Subtitle 2 of the Health – General Article.~~

~~(2) (i) Except as provided in subparagraph (ii) of this paragraph, the support provided under paragraph (1)(iv), (v), and (vi) of this subsection to the Kidney Disease Program, the Community Health Resources Commission, and the Maryland Department of Health, respectively, shall be the value of the premium tax exemption less the subsidy required under this subsection for the Senior Prescription Drug Assistance Program.~~

~~(ii) **[**The**]** **SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH, THE** subsidy provided under this subsection to the Community Health Resources Commission may not be less than:~~

~~1. $3,000,000 for each of fiscal years 2012 and 2013; and~~

~~2. $8,000,000 for **EACH OF** fiscal **[**year**]** **YEARS** 2014 **[**and each fiscal year thereafter**]** **THROUGH 2020**.~~

~~**(III) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE SUBSIDY PROVIDED UNDER THIS SUBSECTION TO THE COMMUNITY HEALTH RESOURCES COMMISSION MAY NOT EXCEED $8,000,000.**~~

~~(3) For any year, the subsidy and funding required under this subsection by a nonprofit health service plan subject to this section may not exceed the value of the nonprofit health service plan's premium tax exemption under § 6–101(b) of this article.~~ **16 cont**

~~(e) The subsidy that a nonprofit health service plan is required to provide to the Senior Prescription Drug Assistance Program under subsection (d)(1)(iii) of this section **[**may not exceed**]**:~~

~~(1) for the period of January 1, 2006 through June 30, 2006, **MAY NOT EXCEED** $8,000,000;~~

~~(2) for fiscal years 2008 through **[**2025**]** **2020**, **MAY NOT EXCEED** $14,000,000; **[**and**]**~~

~~(3) **FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, MAY NOT BE LESS THAN $14,000,000; AND**~~

~~**(4)** for any year, **MAY NOT EXCEED** the value of the nonprofit health service plan's premium tax exemption under § 6–101(b) of this article.~~

31–107.2.

(a) (1) For State fiscal year 2015 and for each State fiscal year thereafter, from the funds received from the distribution of the premium tax under § 6–103.2 of this article, the Governor shall provide an appropriation in the State budget adequate to fully fund the operations of the Exchange.

(2) (i) For State fiscal year 2015, the appropriation shall be no less than $10,000,000.

[(ii) For each State fiscal year thereafter, the appropriation shall be no less than $35,000,000.**]**

(II) FOR STATE FISCAL YEAR 2021 ~~AND EACH FISCAL YEAR THEREAFTER~~, THE APPROPRIATION SHALL BE $32,000,000. 19

(III) FOR EACH STATE FISCAL YEAR THEREAFTER, THE APPROPRIATION SHALL BE NO LESS THAN $35,000,000.

Article – Labor and Employment

10–301.

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

(c) "Fund" means the Uninsured Employers' Fund.

10–314.

(a) The Fund shall consist of:

(1) the money credited to the Fund under Title 9 of this article;

(2) income from investments that the State Treasurer makes for the Fund; and 20

(3) interest on deposits or investments of money from the Fund.

(b) **[**The**] SUBJECT TO SUBSECTION (D) OF THIS SECTION, THE** Director shall use the Fund to pay:

(1) each award under Title 9 of this article charged against the Fund;

(2) the amount that the Director authorizes for an expert or witness hired under § 10–310(c) of this subtitle;

(3) other proper charges that the Director authorizes;

(4) whenever an employer who is self–insured in accordance with § 9–404 or § 9–405 of this article becomes insolvent, any outstanding obligations of the employer; and

(5) hearing loss claims for retirees of the Bethlehem Steel Corporation.

(c) The liability of the Board, Director, Fund, State Treasurer, and State for all proper charges against the Fund is limited to the assets of the Fund.

(D) BEGINNING IN FISCAL YEAR 2021, THE DIRECTOR MAY USE THE FUND TO PAY FOR THE ADMINISTRATION OF THE FUND ONLY IF AN APPROPRIATION IS INCLUDED IN THE STATE BUDGET FOR THIS PURPOSE. 20 cont

Article – State Finance and Procurement

~~4–608.~~

~~**[**(a)**]** Annually, the State shall appropriate in the State budget and pay to the Mayor and Aldermen of the City of Annapolis at least **[**$750,000**]** **$367,000** as payment for services provided to the State by the City of Annapolis.~~ 21

~~**[**(b) For fiscal year 2022 and each fiscal year thereafter, the appropriation required under subsection (a) of this section shall be increased by the percent increase in the Consumer Price Index for All Urban Consumers for the Baltimore Metropolitan Statistical Area.**]**~~

6–104.

(e) (1) Beginning with the revenue estimate for fiscal year 2020, the Bureau shall calculate the share of General Fund revenues represented by nonwithholding income tax revenues in accordance with this subsection.

(2) (i) For each fiscal year, the Bureau shall calculate the 10–year average share of General Fund revenues represented by nonwithholding income tax revenues.

(ii) 1. For each fiscal year, the 10–year average shall use the 10 most recently completed fiscal years for which data are available when the estimate is prepared in the September before the beginning of the fiscal year.

2. The same 10–year average shall be used in all subsequent revisions to the revenue estimate for that fiscal year.

(3) (i) Subject to subparagraph (ii) of this paragraph, for each fiscal year, if the Bureau's estimate of the share of General Fund revenues from nonwithholding income tax revenues is above the 10–year average share, the Bureau shall adjust the revenue estimate by reducing General Fund revenues from nonwithholding income tax revenues by an amount sufficient to align the estimated share of General Fund revenues from nonwithholding income tax revenues with the 10–year average share of General Fund revenues from nonwithholding income taxes.

(ii) The adjustment made under subparagraph (i) of this paragraph may not exceed the following percentage of total General Fund revenues **OR DOLLAR VALUE IN A SPECIFIED FISCAL YEAR**:

1. 0.225% for fiscal year 2020;

2. **[**1%**]** **$60,000,000** for fiscal year 2021; **[**and**]**

3. **[**2%**]** **$80,000,000** for fiscal year 2022 **[**and each fiscal year thereafter**];**

4. $100,000,000 FOR FISCAL YEAR 2023;

5. $120,000,000 FOR FISCAL YEAR 2024;

6. $140,000,000 FOR FISCAL YEAR 2025; AND

7. 2% FOR FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER.

(iii) The capped estimate calculated under this paragraph shall be incorporated in the revenue estimate the Bureau shall report to the Board in the report required under subsection (b)(2) of this section.

7–114.3.

(A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, A PROPOSED APPROPRIATION IN THE ANNUAL BUDGET BILL FOR A UNIT OF STATE GOVERNMENT THAT THE GENERAL ASSEMBLY HAS STRUCK OR REDUCED MAY NOT BE RESTORED FOR THE SAME PURPOSE AS ORIGINALLY PROPOSED. 22

(B) A PROPOSED APPROPRIATION THAT THE GENERAL ASSEMBLY HAS STRUCK OR REDUCED MAY BE RESTORED FOR THE SAME PURPOSE AS ORIGINALLY PROPOSED IF THE GENERAL ASSEMBLY, IN STRIKING OR REDUCING THE APPROPRIATION, EXPRESSLY AUTHORIZED THE RESTORATION.

7–115.

(a) On submission of the budget bill to the presiding officers of the General Assembly, the Governor shall provide the supporting material specified in this section.

(b) ~~(1)~~ The Governor shall provide budget books that include the information required in this section.

~~**(2) ANY COPIES OF BUDGET BOOKS REQUIRED BY THIS ARTICLE MAY, AT THE DISCRETION OF THE GOVERNOR, BE PROVIDED IN EITHER PRINT OR ELECTRONIC FORMAT.**~~ 23 cont

(c) The budget books for a fiscal year shall:

(1) (i) state each source of State revenues for the year, from which the proposed appropriations are to be paid; and

(ii) state the amount that the Governor estimates will be collected from each source;

(2) contain a summary of the annuity bond accounts of the State as of the end of the last full fiscal year; and

(3) (i) include a copy of the statewide cost allocation plan filed with the federal government for federal reimbursement of the costs of indirect State services that benefit federally funded programs; and

(ii) list, by unit of the State government, the amount of reimbursement received under the plan during the last full fiscal year.

(d) The budget books shall contain personnel detail in a section that, by unit of the State government, sets forth, for each program or purpose of that unit:

(1) the total number of officers and employees and the number in each job classification:

(i) authorized in the State budget for the last full fiscal year and the current fiscal year; and

(ii) requested for the next fiscal year; **AND**

(2) ~~the total amount for salaries of officers and employees and the amount for salaries of each job classification:~~ **23 cont**

~~(i)~~ ~~spent during the last full fiscal year;~~

~~(ii)~~ ~~authorized in the State budget for the current fiscal year; and~~

~~(iii)~~ ~~requested for the next fiscal year; and~~

~~(3)~~ an itemized statement of the expenditures for contractual services, supplies and materials, equipment, land and structures, fixed charges, and other operating expenses:

(i) made in the last full fiscal year;

(ii) authorized in the State budget for the current fiscal year; and

(iii) requested for the next fiscal year.

(e) The ~~budget books shall include~~ **FOLLOWING INFORMATION SHALL BE PROVIDED ON THE WEBSITE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT SIMULTANEOUSLY WITH THE SUBMISSION OF THE ANNUAL STATE BUDGET:**

(1) the StateStat or managing for results agency strategic plan required under this article, ~~but shall be~~ limited to a description of the agency's mission, goals, objectives, and performance measures**; AND**

23 cont

(2) PERSONNEL DETAIL, BY UNIT OF STATE GOVERNMENT, THAT SETS FORTH, FOR EACH PROGRAM OR PURPOSE OF THE UNIT, THE TOTAL AMOUNT FOR SALARIES OF OFFICERS AND EMPLOYEES AND THE AMOUNT FOR SALARIES OF EACH JOB CLASSIFICATION:

(I) SPENT DURING THE LAST FULL FISCAL YEAR;

(II) AUTHORIZED IN THE STATE BUDGET FOR THE CURRENT FISCAL YEAR; AND

(III) REQUESTED FOR THE NEXT FISCAL YEAR.

(f) Whenever a proposed budget exceeds the recommendations of the Spending Affordability Committee, the budget books shall:

(1) indicate the degree to which the proposed budget and recommendations differ; and

(2) set forth the Governor's reasons for exceeding the recommendations.

(g) The budget books shall include supporting data and the results of the calculations required under § 5–202(l) of the Education Article.

(H) THE INFORMATION REQUIRED UNDER THIS SECTION SHALL BE PROVIDED ON THE WEBSITE OF THE DEPARTMENT OF BUDGET AND MANAGEMENT SIMULTANEOUSLY WITH THE SUBMISSION OF THE ANNUAL STATE BUDGET.

7–311.

(j) (1) Except as provided in paragraph (2) of this subsection, for fiscal year 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation:

(i) for fiscal year 2017, to the accumulation funds of the State Retirement and Pension System an amount, up to a maximum of $50,000,000, that is equal to one–half of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds $10,000,000;

(ii) for fiscal year 2020:

1. to the accumulation funds of the State Retirement and Pension System an amount, up to a maximum of $50,000,000, that is equal to one–half of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds $10,000,000; and

2. to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds $10,000,000, less the amount of the appropriation under item 1 of this item; **[**and**]**

(iii) for fiscal year 2021 **[**and each fiscal year thereafter**]**, **TO THE** ~~**ACCOUNT EQUAL TO THE AMOUNT BY WHICH THE UNAPPROPRIATED GENERAL FUND SURPLUS AS OF JUNE 30 OF THE SECOND PRECEDING FISCAL YEAR EXCEEDS**~~ **24** ~~**$10,000,000; AND**~~ **ACCOUNT IN THE AMOUNT OF $291,439,149; AND**

(IV) FOR FISCAL YEAR 2022 AND EACH FISCAL YEAR THEREAFTER:

1. to the accumulation funds of the State Retirement and Pension System an amount, up to a maximum of $25,000,000, that is equal to one–quarter of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds $10,000,000;

2. to the Postretirement Health Benefits Trust Fund established under § 34–101 of the State Personnel and Pensions Article an amount, up to a maximum of $25,000,000, that is equal to one–quarter of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds $10,000,000; and

3. to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds $10,000,000, less the amount of the appropriations under items 1 and 2 of this item.

7–329.

(b) At the end of fiscal year 2020, and each fiscal year thereafter, if General Fund revenues for the fiscal year are less than the March estimate of the Board of Revenue Estimates, the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article shall be applied to close the gap in revenues for that fiscal year.

~~[~~(b–1) At the end of fiscal year 2020 only, if the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article **25** exceeds the amount necessary to close the gap in revenues under subsection (b) of this section, the State Comptroller shall distribute the remainder to the Fiscal Responsibility

Fund established under § 7–330 of this subtitle for the purpose of providing ~~a cost–of–living adjustment of up to 2%~~**,** beginning July 1, 2020, for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by one of the following exclusive representatives**, A COST–OF–LIVING ADJUSTMENT AS FOLLOWS**:

(1) **UP TO 3% FOR** the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859;

(2) **UP TO 2% FOR** AFT Healthcare–Maryland, AFT, AFL–CIO Local 5197; or

25 cont

(3) **UP TO 2% FOR** the Maryland Professional Employees Council/AFT/AFL–CIO Local 6197.]

(c) [Except as provided in subsection (b–1) of this section, if] ~~**IF**~~ the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article exceeds the amount necessary to close the gap in revenues under subsection (b) of this section, and if the balance of the Revenue Stabilization Account under § 7–311 of this subtitle is less than 6% of the estimated General Fund revenues for that fiscal year, the State Comptroller shall distribute to the Revenue Stabilization Account the lesser of:

(1) the remaining balance of nonwithholding income tax revenues in excess of the capped estimate determined under § 6–104(e) of this article; or

(2) the amount required for the Revenue Stabilization Account balance to equal 6% of the estimated General Fund revenues for that fiscal year.

(d) [Except as provided in subsection (b–1) of this section, if] ~~**IF**~~ the amount of nonwithholding income tax revenues that exceeds the capped estimate determined under § 6–104(e) of this article exceeds the amount the State Comptroller is required to distribute to the Revenue Stabilization Account under subsection (c) of this section, the State Comptroller shall distribute:

(1) subject to subsection (e) of this section, 50% of the remaining amount to the Revenue Stabilization Account; and

(2) the remainder to the Fiscal Responsibility Fund established under § 7–330 of this subtitle.

(e) The distribution to the Revenue Stabilization Account under subsection (d)(1) of this section does not apply if the amount in the Revenue Stabilization Account exceeds 10% of General Fund revenues.

7–330.

(b) There is a Fiscal Responsibility Fund.

(c) The purpose of the Fund is to retain the amount of nonwithholding income tax revenues deposited to the Fund in accordance with § 7–329(d)(2) of this subtitle until the revenues are appropriated in the State budget.

(d) The State Comptroller shall administer the Fund.

(e) (1) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of this subtitle.

(2) The State Treasurer shall hold the Fund separately, and the State Comptroller shall account for the Fund.

(f) The Fund consists of nonwithholding income tax revenues that exceed the capped estimate determined under § 6–104(e) of this article deposited into the Fund by the State Comptroller under § 7–329(d)(2) of this subtitle.

25 cont

(g) **[**(1) Except as provided in paragraph (2) of this subsection, the**]** ~~**THE**~~ Fund may be used only to provide pay–as–you–go capital funds for:

[(i)**]** ~~**(1)**~~ public school construction and public school capital improvement projects, in accordance with Title 5, Subtitle 3 of the Education Article;

[(ii)**]** ~~**(2)**~~ capital projects at public community colleges; and

[(iii)**]** ~~**(3)**~~ capital projects at four–year public institutions of higher education.

[(2) For fiscal year 2021 only, money in the Fund shall be used to provide ~~a cost–of–living adjustment of up to 2%~~**,** beginning July 1, 2020, for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by one of the following exclusive representatives**, A COST–OF–LIVING ADJUSTMENT AS FOLLOWS**:

(i) **UP TO 3% FOR** the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859;

(ii) **UP TO 2% FOR** AFT Healthcare–Maryland, AFT, AFL–CIO Local 5197; or

(iii) **UP TO 2% FOR** the Maryland Professional Employees Council/AFT/AFL–CIO Local 6197.**]**

(h) (1) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(2) Any interest earnings of the Fund shall be credited to the General Fund of the State.

(i) Expenditures from the Fund may be made only in accordance with the State budget.

(j) (1) ~~[~~Except as provided in paragraph (3) of this subsection, the~~]~~ ~~**THE**~~ Governor shall include in the budget bill for the second following fiscal year an appropriation equal to the amount in the Fund for pay–as–you–go capital projects.

(2) Money expended from the Fund for pay–as–you–go capital projects is supplemental to and is not intended to take the place of funding that otherwise would be appropriated for capital projects, including those funded with pay–as–you–go funds and the proceeds from the sale of general obligation bonds.

~~[~~(3) The Governor shall include in the budget bill submitted at the 2021 Session of the General Assembly an appropriation equal to the amount distributed to the Fund in accordance with § 7–329(b–1) of this subtitle to provide ~~a cost–of–living adjustment of up to 2%,~~ beginning July 1, 2020, for permanent employees in the Executive Branch of State government who are in a bargaining unit that is represented by one of the following exclusive representatives**, A COST–OF–LIVING ADJUSTMENT AS FOLLOWS**: **25 cont**

(i) **UP TO 3% FOR** the American Federation of State, County and Municipal Employees, AFL–CIO, excluding a bargaining unit represented by the American Federation of State, County and Municipal Employees, AFL–CIO Local 1859;

(ii) **UP TO 2% FOR** AFT Healthcare–Maryland, AFT, AFL–CIO Local 5197; or

(iii) **UP TO 2% FOR** the Maryland Professional Employees Council/AFT/AFL–CIO Local 6197.~~]~~

(k) At the end of a fiscal year, the unspent balance of each appropriation that was made for that fiscal year from the Fund reverts to the Fund.

Article – Tax – General

2–202.

(b) **(1)** [From] **SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, FROM** the revenue from the State admissions and amusement tax on electronic bingo and electronic tip jars in Calvert County under § 4–102(e) of this article, the Comptroller shall distribute from: **26**

[(1)] **(I)** the revenue attributable to a tax rate of 1.5%:

[(i)] **1.** $50,000 to the Boys and Girls Club of the Town of North Beach; and

[(ii)] **2.** the remainder to the Town of North Beach;

[(2)] **(II)** the revenue attributable to a tax rate of 2.5% to the Town of Chesapeake Beach; and

[(3)] **(III)** the revenue attributable to a tax rate of 4% to the Calvert County Youth Recreational Opportunities Fund under Title 5, Subtitle 19 of the Natural Resources Article.

26 cont

(2) FUNDS REQUIRED TO BE DISTRIBUTED TO THE ENTITIES IN PARAGRAPH (1) OF THIS SUBSECTION SHALL BE PROVIDED THROUGH AN APPROPRIATION IN THE ANNUAL STATE BUDGET UNDER BUDGET CODE A15O00.03 PAYMENTS TO CIVIL DIVISIONS OF THE STATE.

2–606.

(a) After making the distributions required under §§ 2–604, 2–605, and 2–605.1 of this subtitle, from the remaining income tax revenue from individuals, the Comptroller shall distribute to an unallocated individual revenue account the income tax revenue:

(1) with respect to which an income tax return is not filed; and

(2) that is attributable to:

(i) income tax withheld from salary, wages, or other compensation for personal services under Title 10 of this article; or

(ii) estimated income tax payments by individuals.

(b) (1) In June of each year, from current collections, the Comptroller shall reserve an amount of unallocated revenue that the Comptroller estimates will be claimed on returns and refunded to taxpayers within 3 years of the date the income tax return was due to be filed, and distribute to each county, municipal corporation, and special taxing district a pro rata share of the balance of the unallocated individual income tax revenue.

(2) The Comptroller shall adjust the amount distributed under paragraph (1) of this subsection to a county, municipal corporation, or special taxing district to allow for the proportionate part of tax claim payments for a prior calendar year made after a distribution is made to the county, municipal corporation, or special taxing district for that year.

(c) (1) To compute the pro rata share for a county, the Comptroller shall:

(i) compute the amount equal to the product of multiplying the unallocated individual income tax revenue by a fraction:

1. the numerator of which is the income tax for the county collected for a calendar year; and

2. the denominator of which is the total income tax from individuals collected for that year; and

(ii) reduce the amount computed under item (i) of this paragraph by the pro rata share computed under paragraph (2) of this subsection for municipal corporations and special taxing districts that are located in the county.

(2) To compute the pro rata share for a municipal corporation or special taxing district, the Comptroller shall compute the amount equal to the product of multiplying the pro rata share for a calendar year for the county where the municipal corporation or district is located by a fraction:

(i) the numerator of which is the amount distributed under § 2–607 of this subtitle to that municipal corporation or special taxing district for that year; and

(ii) the denominator of which is the total income tax for that county collected for that year.

(d) On or before June 30, 2009, the Comptroller shall distribute $366,778,631 from the Local Reserve Account established to comply with this section to the General Fund of the State.

(e) On or before June 30, 2010, the Comptroller shall distribute $350,000,000 from the Local Reserve Account established to comply with this section to the Education Trust Fund established under § 9–1A–30 of the State Government Article.

(f) **[**(1)**]** On or before June 30, 2011, the Comptroller shall distribute $200,000,000 from the Local Reserve Account established to comply with this section to the General Fund of the State for use in funding the Maryland Medicaid Program for fiscal year 2011.

[(2) In each of fiscal years 2021 through 2026, the State shall pay to the Local Reserve Account $33,333,333 to repay the $200,000,000 transfer to the General Fund authorized under paragraph (1) of this subsection.**]**

(g) (1) On or before June 30, 2013, the Comptroller shall distribute $15,379,979 from the Local Reserve Account established to comply with this section to a special fund established in the Department of Transportation for the purpose of providing transportation grants to municipalities.

(2) The grants authorized under this subsection shall be allocated to eligible municipalities as provided in § 8–405 of the Transportation Article.

(h) For fiscal year 2017 and each fiscal year thereafter, in addition to the amounts distributed under subsection (b) of this section, the Comptroller shall distribute $10,000,000 of the remaining income tax revenue from individuals to the Local Reserve Account established to comply with this section.

(I) FOR FISCAL YEARS ~~2021 THROUGH 2040~~ 2024 THROUGH 2043, IN ADDITION TO THE AMOUNTS DISTRIBUTED UNDER SUBSECTIONS (B) AND (H) OF THIS SECTION, THE COMPTROLLER SHALL DISTRIBUTE $10,000,000 OF THE REMAINING INCOME TAX REVENUE FROM INDIVIDUALS TO THE LOCAL RESERVE ACCOUNT ESTABLISHED TO COMPLY WITH THIS SECTION. 27

10–730.

(f) (1) Except as provided in paragraph (2) of this subsection, the Secretary may not issue tax credit certificates for credit amounts in the aggregate totaling more than:

(i) for fiscal year 2014, $25,000,000;

(ii) for fiscal year 2015, $7,500,000;

(iii) for fiscal year 2016, $7,500,000;

(iv) for fiscal year 2019, $8,000,000;

(v) for fiscal year 2020, $11,000,000;

(vi) for fiscal year 2021, **[**$14,000,000**]** ~~$10,000,000~~ **$12,000,000**; 28

(vii) for fiscal year 2022, $17,000,000; and

(viii) for fiscal year 2023 and each fiscal year thereafter, $20,000,000.

(2) If the aggregate credit amounts under the tax credit certificates issued by the Secretary total less than the maximum provided under paragraph (1) of this subsection in any fiscal year, any excess amount may be carried forward and issued under tax credit certificates in a subsequent fiscal year.

(3) The Secretary may not issue tax credit certificates for credit amounts totaling more than $10,000,000 in the aggregate for a single film production activity.

(4) (i) For fiscal year 2019 and each fiscal year thereafter, the Secretary shall make 10% of the credit amount authorized under paragraph (1) of this subsection available for Maryland small or independent film entities.

(ii) If the total amount of credits applied for by Maryland small or independent film entities is less than the amount made available under subparagraph (i) of this paragraph, the Secretary shall make available the unused amount of credits for use by qualified film production entities.

10–825.

(A) IN THIS SECTION, "PARTICIPATING PAYEE", "REPORTABLE PAYMENT TRANSACTION", AND "THIRD–PARTY SETTLEMENT ORGANIZATION" HAVE THE MEANINGS STATED IN § 6050W OF THE INTERNAL REVENUE CODE.

(B) NOTWITHSTANDING THE FILING THRESHOLD UNDER § 6050W OF THE INTERNAL REVENUE CODE, A THIRD–PARTY SETTLEMENT ORGANIZATION SHALL REPORT TO THE COMPTROLLER AND A PARTICIPATING PAYEE REQUIRED TO FILE A RETURN OR DECLARATION UNDER PART II OF THIS SUBTITLE THE GROSS AMOUNT 29 OF REPORTABLE PAYMENT TRANSACTIONS MADE TO THE PARTICIPATING PAYEE IF THE AMOUNT OF REPORTABLE PAYMENT TRANSACTIONS MEETS OR EXCEEDS THE FILING THRESHOLD UNDER § 6041(A) OF THE INTERNAL REVENUE CODE.

(C) THE THIRD–PARTY SETTLEMENT ORGANIZATION SHALL REPORT THE INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS SECTION TO THE COMPTROLLER AND THE PARTICIPATING PAYEE AT LEAST 30 DAYS BEFORE THE FEDERAL FILING DEADLINES FOR THE INFORMATION.

Article – Tax – Property

~~2–106.~~

~~(a) Each county shall provide the supervisor of the county with an office in the county seat or in Baltimore City, for the supervisor of Baltimore City. The Department is responsible for providing each supervisor with clerical staff, equipment, and other facilities and assistance that the Department considers necessary and as provided in the State budget.~~ 30

~~(b) (1) Except as provided in paragraph (2) of this subsection, each county and Baltimore City shall be responsible for reimbursing the State for the costs of administering the Department as follows:~~

~~(i) [50%] **60%** of the costs of real property valuation;~~

~~(ii) [50%] **60%** of the costs of business personal property valuation; and~~

~~(iii) [50%] **60%** of the costs of the Office of Information Technology within the Department, including any funding for departmental projects in the Major Information Technology Development Project Fund established under § 3A–309 of the State Finance and Procurement Article.~~

~~(2) For each of fiscal years 2012 and 2013, each county and Baltimore City shall be responsible for reimbursing the State 90% instead of 50% of the costs of administering the Department described in paragraph (1) of this subsection.~~

~~(c) Costs under subsection (b) of this section shall be allocated among the counties and Baltimore City as follows:~~

~~(1) costs under subsection (b)(1)(i) and (iii) of this section will be allocated based on the number of real property accounts of a county or Baltimore City as a percentage of the total number of real property accounts statewide as of July 1 of the preceding fiscal year; and~~

30 cont

~~(2) costs under subsection (b)(1)(ii) of this section will be allocated based on the business personal property assessable base of a county or Baltimore City as a percentage of the total business personal property assessable bases statewide as of July 1 of the preceding fiscal year.~~

~~(d) Each county and Baltimore City shall remit a quarterly payment to the Comptroller for 25% of the jurisdiction's share of costs on the following dates:~~

~~(1) July 1;~~

~~(2) October 1;~~

~~(3) January 1; and~~

~~(4) April 1.~~

~~(e) The Comptroller may withhold a portion of a local income tax distribution of a county or Baltimore City that fails to make timely payment in accordance with this section.~~

13–209.

(g) (2) (i) The Governor shall include in each of the annual budget bills for fiscal years [2020, 2021, and] **2021,** 2022**, AND 2023** a General Fund appropriation to the special fund in the amount of $12,500,000.

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

1. cumulatively represent reimbursement for 50% of the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal year 2006;

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

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

4. 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.

(3) (i) The Governor shall include in each of the annual budget bills for fiscal year 2019 **[**through fiscal year 2024**]** **AND FISCAL YEARS 2021 THROUGH 2025** a General Fund appropriation to the special fund in the amount of $6,000,000 and for fiscal year **[**2025**]** **2026** a General Fund appropriation to the special fund in the amount of $4,000,000 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 appropriations required under subparagraph (i) of this paragraph:

1. represent reimbursement for 44.4% of the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal year 2006;

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

3. shall be made until the cumulative total amount appropriated under subparagraph (i) of this paragraph is equal to $40,000,000; and

4. 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.

(4) (i) Subject to subparagraph (ii) of this paragraph, the Governor shall appropriate from the General Fund to the special fund **[**an amount equal to**]** **$152,165,700, WHICH EQUALS** the cumulative amount of the appropriations or transfers from the special fund to the General Fund for fiscal years 2016, 2017, and 2018, less $72,000,000.

(ii) The Governor shall appropriate at least:

1. **[**one–third of the amount required under subparagraph (i) of this paragraph**]** **$25,360,950** on or before June 30, 2021;

2. **[**two–thirds of the amount required under subparagraph (i) of this paragraph**]** **AN ADDITIONAL $50,721,900** on or before June 30, 2025; **[**and**]**

3. **[**the total amount required under subparagraph (i) of this paragraph**]** **AN ADDITIONAL $50,721,900** on or before June 30, 2029**; AND**

4. AN ADDITIONAL $25,360,950 ON OR BEFORE JUNE 30, 2030.

(iii) The appropriations required under subparagraphs (i) and (ii) of this paragraph:

1. represent reimbursement for the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal years 2016, 2017, and 2018, less $72,000,000;

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

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

4. shall be made until the cumulative total appropriated under subparagraphs (i) and (ii) of this paragraph is equal to the cumulative amount of any appropriation or transfer from the special fund to the General Fund for fiscal years 2016, 2017, and 2018, less $72,000,000; and

5. 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.

SECTION 6. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Economic Development

10–523.

(b) **(1) THE FUNDS APPROPRIATED TO THE CORPORATION UNDER SUBSECTION (A)(3)(I)2 OF THIS SECTION SHALL BE USED AS FOLLOWS:**

(I) $2,300,000 TO SUPPORT THE CORPORATION'S RURAL BUSINESS LOAN PROGRAMS AND SMALL MATCHING GRANT PROGRAMS; AND

8 cont

(II) $435,000 TO MAKE GRANTS AND NEAR–EQUITY INVESTMENTS TO:

1. SUPPORT THE CREATION OR EXPANSION OF FOOD AGGREGATION AND STORAGE SITES; AND

2. FACILITATE PARTICIPATION IN THE CERTIFIED LOCAL FARM ENTERPRISE PROGRAM.

Chapter 397 of the Acts of 2011, as amended by Chapter 425 of the Acts of 2013, Chapter 464 of the Acts of 2014, Chapter 489 of the Acts of 2015, Chapter 23 of the Acts of 2017, Chapter 10 of the Acts of 2018, and Chapter 16 of the Acts of 2019

SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other revenue generated under § 19–214 of the Health – General Article, as amended by this Act:

(c) (1) For fiscal year 2015 and 2016, the Commission and the Maryland Department of Health shall adopt policies that will provide up to $389,825,000 in special fund revenues from hospital assessment and remittance revenue.

(2) For fiscal year 2017, the Governor shall reduce the budgeted Medicaid Deficit Assessment by $25,000,000 over the assessment level for the prior year.

(3) For fiscal year 2018, the budgeted Medicaid Deficit Assessment shall be $364,825,000.

(4) For fiscal year 2019, the budgeted Medicaid Deficit Assessment shall be $334,825,000.

(5) For fiscal year 2020, the budgeted Medicaid Deficit Assessment shall be $309,825,000.

(6) FOR FISCAL YEAR 2021, THE BUDGETED MEDICAID DEFICIT ASSESSMENT SHALL BE $294,825,000.

(7) FOR FISCAL YEAR 2022, THE BUDGETED MEDICAID DEFICIT ASSESSMENT SHALL BE $259,825,000.

[(6)**] (8)** Beginning with the state budget submission for fiscal year **[**2021**] 2023**, the Governor shall reduce the budgeted Medicaid Deficit Assessment annually by $25,000,000 over the assessment level for the prior fiscal year.

[(7)**] (9)** To the extent that the Commission takes other actions that reduce Medicaid costs, those savings shall also be used to reduce the budgeted Medicaid Deficit Assessment.

[(8)**] (10)** To the maximum extent possible, the Commission and the Maryland Department of Health shall adopt policies that preserve the State's Medicare waiver.

~~Chapter 364 of the Acts of 2017~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal years 2018, 2019, AND 2020, [2021, and 2022,] in each year, $1,500,000 shall be transferred from the Strategic Energy Investment Fund established under § 9–20B–05 of the State Government Article to the Maryland Energy Innovation Fund established under § 10–835 of the Economic Development Article, as enacted by Section 2 of this Act.~~ **31**

~~Chapter 365 of the Acts of 2017~~

~~SECTION 3. AND BE IT FURTHER ENACTED, That for fiscal years 2018, 2019, AND 2020, [2021, and 2022,] in each year, $1,500,000 shall be transferred from the Strategic Energy Investment Fund established under § 9–20B–05 of the State Government Article to the Maryland Energy Innovation Fund established under § 10–835 of the Economic Development Article, as enacted by Section 2 of this Act.~~

SECTION ~~5.~~ 7. AND BE IT FURTHER ENACTED, That, for fiscal year 2021, payments to providers with rates set by the Interagency Rates Committee under § 8–417 of the Education Article may not increase by more than 2% over the rates in effect on June 30, 2020. **1 cont**

~~SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2021, the Governor may transfer to the Office of the Secretary in the Maryland Department of Health $199,517 of the fund balance in the Board of Physicians Fund established under § 14–207 of the Health Occupations Article.~~ 32

SECTION ~~7.~~ 8. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal year 2021 only, $400,000 from the balance in the Board of Physicians Fund under § 14–207 of the Health Occupations Article may be used for the Loan Assistance Repayment Program for Physicians and Physician Assistants administered by the Maryland Higher Education Commission. 1 cont

SECTION ~~8.~~ 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, the fiscal year 2021 appropriation for the Revenue Stabilization Account established under § 7–311 of the State Finance and Procurement Article is reduced by $284,439,149. 1 cont

~~SECTION 9. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, for fiscal years 2021 through 2024, $5,000,000 of the distribution to Baltimore City under § 8–403 of the Transportation Article shall instead be distributed to the Maryland Department of Transportation to support capital improvements for the Howard Street Tunnel.~~ 33

SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2021, the Governor may transfer $43,860,950 of the balance designated for Program Open Space Repayment in the Dedicated Purpose Account to the General Fund.

SECTION 11. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2020, the Governor may ~~revert to the General Fund~~ transfer from the Dedicated Purpose Account to the Annuity Bond Fund established under § 8–132 of the State Finance and Procurement Article: 34

(1) $50,000,000 of funding for the State Retirement and Pension System reinvestment contributions; and

(2) $12,000,000 of funding for the Washington Metropolitan Area Transit Authority's capital program.

SECTION 12. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2021, the Governor shall transfer $54,000,000 of the fund balance in the Revenue Stabilization Fund established under § 7–311 of the State Finance and Procurement Article to the General Fund. 35

SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, in each of fiscal years 2021 and 2022, the Governor may transfer to the Maryland Medical Assistance Program $750,000 of the fund balance in the State Board of Pharmacy Fund established under § 12–206 of the Health Occupations Article. 36

SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, in each of fiscal years 2021 and 2022, the Governor may transfer $800,000 of the fund balance in the Board of Physicians Fund established under § 14–207 of the Health Occupations Article to support the Maryland Primary Care Program. 37

SECTION 15. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the premium subsidy payments for the federal Dairy Margin Protection Program in Marketing and Agricultural Development (L00A12.10) within the Office of Marketing, Animal Industries, and Consumer Services in the Maryland Department of Agriculture, that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by $216,253 in general funds, which shall revert to the General Fund. 38

SECTION 16. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Maryland Department of Health Behavioral Health Administration fiscal year 2020 contract with the Administrative Services Organization that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by $287,500 in federal funds and $287,500 in general funds, which shall revert to the General Fund. 39

SECTION 17. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Concentration of Poverty Grants from the Blueprint for Maryland's Future Fund established under § 5–219 of the Education Article and that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by $5,971,992 in special funds, which shall revert to the Blueprint for Maryland's Future Fund. 40

SECTION 18. AND BE IT FURTHER ENACTED, That the unexpended appropriation for the Maryland Community College Promise Scholarship established under § 18–3602 of the Education Article and that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by $3,000,000, which shall revert to the General Fund. 41

SECTION 19. AND BE IT FURTHER ENACTED, That the unexpended appropriation for personnel in the Department of Public Safety and Correctional Services that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) is reduced by $2,500,000 in general funds, which shall revert to the General Fund. 42

SECTION 20. AND BE IT FURTHER ENACTED, That the unexpended appropriation required under § 4–1006 of the Public Safety Article and that was included in the fiscal year 2020 operating budget (Chapter 565 of the Acts of 2019) that has not been awarded by the Governor's Office of Crime Prevention, Youth, and Victim Services to a grantee is reduced by $156,500, which shall revert to the General Fund. 43 cont

SECTION 21. AND BE IT FURTHER ENACTED, That the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the

Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross–references and terminology rendered incorrect by this Act. The publisher shall adequately describe any correction that is made in an editor's note following the section affected. **43 cont**

SECTION 22. AND BE IT FURTHER ENACTED, That Section 6 of this Act shall take effect October 1, 2020, contingent on the taking effect of Chapter ____ (S.B. 985/H.B. 1488) of the Acts of the General Assembly of 2020, and if Chapter ____ (S.B. 985/H.B. 1488) does not take effect, Section 6 of this Act, with no further action required by the General Assembly, shall be null and void. **8 cont**

SECTION 23. AND BE IT FURTHER ENACTED, That Sections 1 and 3 of this Act shall take effect July 1, 2021. **18 cont**

SECTION ~~12.~~ 24. AND BE IT FURTHER ENACTED, That, except as provided in Sections 22 and 23 of this Act, this Act shall take effect June 1, 2020. **1 cont**