SENATE BILL 362

By: The President (By Request – Administration)

Introduced and read first time: January 17, 2024
Assigned to: Budget and Taxation

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 28, 2024

CHAPTER ______

1 AN ACT concerning

Budget Reconciliation and Financing Act of 2024

2 FOR the purpose of altering or repealing certain required appropriations; authorizing the
3 use of certain funds for certain purposes; altering the maximum penalty for a civil
citation issued as a result of a recorded image produced by a work zone speed control
system; repealing a requirement that warning notices be issued for violations recorded
by a work zone speed control system during certain periods of time; authorizing
requiring the Maryland Community Health Resources Commission to procure a
certain referral and data reporting platform; prohibiting the State Department of
Education to make certain alterations to enrollment from increasing copayment
levels in the Child Care Scholarship Program in effect as of a certain date; altering
the Senator John A. Cade Funding Formula for community colleges; altering the
program of State aid to private nonprofit institutions of higher education known as
the Joseph A. Sellinger Program; authorizing the Developmental Disabilities
Administration to establish certain limits on certain goods and services provided to
certain recipients; clarifying a certain calculation for State aid to certain institutions
of higher education; authorizing or altering the distribution of certain revenue;
altering the purpose, contents, and sources of the funding of the Maryland Trauma
Physician Services Fund; altering the entities to which money from the Maryland
Trauma Physician Services Fund is transferred; altering the methodology used to
determine eligibility for disbursements from the Maryland Trauma Physician
Services Fund; imposing a transportation network company impact fee on passenger
trips that originate in the State; requiring a transportation network company to
collect the transportation network company impact fee from a passenger on behalf of

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.
Italics indicate opposite chamber/conference committee amendments.
a transportation network operator or pay the fee on behalf of a passenger; specifying
that a certain provision regarding interest earnings for certain special funds does
not apply for certain fiscal years; repealing the requirement for the Governor to
provide hard copies of the budget books; reducing certain commissions and fees for
licensed lottery sales agents; repealing certain provisions that authorized certain
offsets for administrative and operational expenses for the Board of Trustees for the
State Retirement and Pension System and the State Retirement Agency; requiring
certain corporations to compute Maryland taxable income using a certain method;
requiring, subject to regulations adopted by the Comptroller, certain groups of
corporations to file a combined income tax return reflecting the aggregate income tax
liability of all the members of the group; requiring the Comptroller to adopt certain
regulations consistent with certain regulations adopted by the Multistate Tax
Commission; pledging certain revenues from a transportation network company
impact fee to paying the principal of and interest on consolidated transportation
bonds issued by the Department of Transportation; establishing a Transportation
Network Company Impact Fee Account in the Transportation Trust Fund; requiring
the Department to allocate the Transportation Network Company Impact Fee Account
for certain transportation purposes; requiring a certain percentage of the Maryland
Transit Administration’s bus fleet purchases to be zero–emission buses; repealing
the requirement for the Motor Vehicle Administration to issue, and for vehicle owners
to display, a validation tab on a license plate to evidence payment of a vehicle’s annual
registration fee; requiring owners of electric vehicles to pay a certain annual surcharge
in addition to the annual registration fee; authorizing the surcharge to be paid in
installment payments; requiring the proceeds collected from the surcharge to be
deposited into the Transportation Trust Fund; requiring the Motor Vehicle
Administration to refuse to register or renew or transfer the registration of a motor
vehicle for failure to pay the surcharge or installments; increasing the annual
registration fees for certain motor vehicles; altering the weight classifications for
certain motor vehicles; altering the distribution of revenue from civil fines collected
through the use of work zone speed control systems; altering the highways on which a
work zone speed control system may be used; clarifying that a system operator does
not need to be present when a work zone speed control system is in use; clarifying that
multiple work zone speed control systems may be implemented and used in a work
zone; altering the amount of the motor vehicle registration surcharge and the amount
of the surcharge that is required to be paid into the Maryland Trauma Physician
Services Fund; increasing the fines for certain violations of the Maryland Vehicle Law
related to driving while impaired; altering the authorized uses of the Maryland
Emergency Medical System Operations Fund; altering the calculation of the vehicle
excise tax by altering an allowance against the total purchase price of a vehicle for the
value of a trade–in vehicle; increasing the vehicle excise tax rate; repealing the
requirement for the Motor Vehicle Administration to issue, and for vehicle owners to
display, a validation tab on a license plate to evidence payment of a vehicle’s annual
registration fee; repealing certain required appropriations to the Maryland Public
Broadcasting Commission; repealing the School Construction Revolving Loan Fund;
repealing the Commission on Transportation Revenue and Infrastructure Needs;
repealing a certain small business relief tax credit; requiring interest earnings for
certain special funds to accrue to the General Fund of the State during certain fiscal
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years; authorizing the transfer of certain funds; and generally relating to the
financing of State and local government.

BY repealing and reenacting, with amendments,
Article — Agriculture
Section 10–407(d)
Annotated Code of Maryland
(2016 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,
Article — Commercial Law
Section 14–4101(a) and (c)
Annotated Code of Maryland
(2013 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article — Commercial Law
Section 14–4104(a)
Annotated Code of Maryland
(2013 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article — Courts and Judicial Proceedings
Section 7–302(e)(2) and (4)(i)
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,
Article — Education
Section 5–315(a), 7–447.1(a)(1) and (3) through (6), 7–447.1(a)(1) and (3) through (6),
9.5–111(a)(1) and (3), 16–305(a), and 17–101
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article — Education
Section 5–315(l), 7–447.1(p), 7–447.1(p), 9.5–111(d)(2) and (3), 16–305(b) through (d),
16–512, and 17–104
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

BY adding to
Article — Education
Section 7–447.1(p) and 9.5–111(d)(4)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)
BY repealing and reenacting, without amendments,
Article – Health – General
Section 7–101(a), (b), and (l) 15–1004(a) and 19–101
Annotated Code of Maryland
(2023 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Health – General
Section 7–409(e) 15–1004(f) and 19–130
Annotated Code of Maryland
(2023 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 6–1101(a) and (b)
Annotated Code of Maryland
(2019 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 6–1102(e)
Annotated Code of Maryland
(2019 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 4–209(k), 5–207(f), and 8–2A–02(f)(4)(i)
Annotated Code of Maryland
(2023 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,
Article – Natural Resources
Section 5–207(a) and 8–2A–02(a)
Annotated Code of Maryland
(2023 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,
Article – Public Safety
Section 4–1011(a)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Safety
Section 4–1011(b)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)
BY adding to

Article – Public Utilities
Section 10–408
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–104(e), 6–226(a)(2)(i), 7–115(b), and 7–311(j) and 6–226(a)(2)(i)
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 7–115(a) and 7–311(a)(1) and (2)
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,
Article – State Government
Section 9–101(a), (b), (d), and (g)
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 9–117(a)
Annotated Code of Maryland
(2021 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
Article – State Personnel and Pensions
Section 21–308(a)
Annotated Code of Maryland
(2015 Replacement Volume and 2023 Supplement)

BY repealing
Article – State Personnel and Pensions
Section 21–316(e)(6)
Annotated Code of Maryland
(2015 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,
Article – Tax – General
Section 2–606(e)
Annotated Code of Maryland
BY repealing and reenacting, with amendments,
Article – Tax – General
Section 2–606(h), 10–811, and 11–101(l)(3)(ii) and (iii)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

BY adding to
Article – Tax – General
Section 10–402.1 and 11–101(l)(3)(iv)
Annotated Code of Maryland
(2022 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 7–101(a) and (b), 11–101 through 11–103, and 13–413(a)
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,
Article – Transportation
Section 7–205(e)(1)
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)
(As enacted by Chapters 11 and 20 of the Acts of the General Assembly of the 2021 Special Session)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–205(e)(2)
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)
(As enacted by Chapters 11 and 20 of the Acts of the General Assembly of the 2021 Special Session)

BY repealing and reenacting, with amendments,
Article – Transportation
Section 7–406(e)(1) and (2), 8–403(b), 13–410(e), 13–411(d) and (e), 13–412(a), (b)(1), and (e), 13–413(b), and 13–415(a) through (e), (g), and (h) and 8–403(b)
Annotated Code of Maryland
(2020 Replacement Volume and 2023 Supplement)

BY repealing
Article – Education
Section 24–204(d)
Annotated Code of Maryland
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(2022 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,

Article – Transportation

Section 3–215, 3–216(c)(2)(i), 7–406(c)(1) and (2), 12–118(c) and (e), 13–410(e),
13–411(d) and (e), 13–412(a), (b)(1), and (c), 13–413(b), 13–415(a) through (c),
(g), and (h), 13–809, 13–901, 13–912 through 13–917, 13–919(f), 13–920(d),
13–923, 13–927(d), 13–932 through 13–934, 13–936(d), 13–937, 13–937.1(c),
13–939, 13–954(b), 21–810(b)(1) and (2), (c), and (k), and 21–902(a) through
(d)

Annotated Code of Maryland

(2020 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, without amendments,

Article – Transportation

Section 3–216(a), 7–101(a) and (b), 11–101 through 11–103, 11–125.1, 11–145.1,
12–118(a), 13–413(a), 13–815(a)(1) and (4), 13–919(a), 13–920(a) through (c),
13–936(a) through (c), and 13–937.1(a) and (b)

Annotated Code of Maryland

(2020 Replacement Volume and 2023 Supplement)

BY adding to

Article – Transportation

Section 3–216(d)(5), 13–956, and 21–810(k)

Annotated Code of Maryland

(2020 Replacement Volume and 2023 Supplement)

BY renumbering

Article – Education

Section 7–447.1(q) through (s)
to be Section 7–447.1(r) through (t), respectively

Annotated Code of Maryland

(2022 Replacement Volume and 2023 Supplement)

BY repealing

Article – Education

Section 5–315

Annotated Code of Maryland

(2022 Replacement Volume and 2023 Supplement)

BY repealing

Article – Tax – General

Section 10–748

Annotated Code of Maryland

(2022 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,
By repealing Chapter 455 of the Acts of the General Assembly of 2023
Section 2

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

Article – Agriculture

10–407.

(d) For fiscal year 2025 and each fiscal year thereafter, the Governor [shall] MAY include in the annual budget bill an appropriation of $150,000 for the University of Maryland Extension to hire one extension agent as a Native Plant Specialist and $100,000 for the Department to hire staff to administer the Program.

Article – Commercial Law

14–4101.

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

(c) “Office” means the Office of the Attorney General.

14–4104.

(a) (1) (I) For fiscal years 2020 through 2024, and for fiscal years 2026 and each fiscal year thereafter, the Governor shall include in the annual budget bill an appropriation of at least $700,000 in general funds for the Office for the purposes of enforcement of:

[(i)] 1. Consumer protection laws under this title;

[(ii)] 2. Consumer protection laws under Title 13 of this article;

and

[(iii)] 3. Financial consumer protection laws.

(ii) For fiscal year 2025 and each fiscal year thereafter, and each fiscal year thereafter, the Governor may include in the annual budget bill an appropriation of at least $700,000 in special funds for the Office for the purposes of enforcement of:
1. CONSUMER PROTECTION LAWS UNDER THIS TITLE;

2. CONSUMER PROTECTION LAWS UNDER TITLE 13 OF THIS ARTICLE; AND

3. FINANCIAL CONSUMER PROTECTION LAWS.

(2) The Office shall use the funds under paragraph (1) of this subsection for:

(i) Staffing costs associated with hiring new employees; and

(ii) Investigations of alleged violations of consumer protection laws in the State.

Article – Courts and Judicial Proceedings

7–302.

(e) (2) (i) A citation issued as the result of a vehicle height monitoring system, a traffic control signal monitoring system, [or] a speed monitoring system, [including] OR a work zone speed control system, controlled by a political subdivision, a school bus monitoring camera, or a bus lane monitoring system shall provide that, in an uncontested case, the penalty shall be paid directly to that political subdivision.

(ii) A citation issued as the result of a traffic control signal monitoring system or a work zone speed control system controlled by a State agency, or as a result of a vehicle height monitoring system, a traffic control signal monitoring system, a speed monitoring system, a school bus monitoring camera, or a bus lane monitoring system in a case contested in District Court, shall provide that the penalty shall be paid directly to the District Court.

(4) (i) [Except as provided in paragraph (5) of this subsection, from]

FROM the fines collected by a political subdivision as a result of violations enforced by speed monitoring systems, WORK ZONE SPEED CONTROL SYSTEMS, school bus monitoring cameras, or bus lane monitoring systems, a political subdivision:

1. May recover the costs of implementing and administering the speed monitoring systems, WORK ZONE SPEED CONTROL SYSTEMS, school bus monitoring cameras, or bus lane monitoring systems; and

2. Subject to subparagraphs (ii), (iii), and (iv) of this paragraph, may spend any remaining balance solely for public safety purposes, including pedestrian OR HIGHWAY safety programs.
Article – Education

5–315.

(a) In this section, “Fund” means the School Construction Revolving Loan Fund.

(l) (1) In fiscal year 2023, the Governor shall include in the annual budget bill an appropriation of at least $40,000,000 to the Fund.

(2) In fiscal year 2024, the Governor shall include in the annual budget bill an appropriation of at least $20,000,000 to the Fund.

(3) In each of fiscal years [2025 and] 2026 AND 2027, the Governor [shall] MAY include in the annual budget bill OR THE CAPITAL BUDGET BILL an appropriation of at least $10,000,000 to the Fund.

7–447.1.

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

(2) “Commission” means the Maryland Community Health Resources Commission.

(4) “Consortium” means the Maryland Consortium on Coordinated Community Supports established under subsection (b) of this section.

(5) “Coordinated community supports” means a holistic, nonstigmatized, and coordinated approach, including among the following persons, to meeting students’ behavioral health needs, addressing related challenges, and providing community services and supports to the students:

(i) Teachers, school leadership, and student instructional support personnel;

(ii) Local school systems;

(iii) Local community schools;

(iv) Behavioral health coordinators appointed under § 7–447 of this subtitle;

(v) Local health departments;

(vi) Nonprofit hospitals;

(vii) Other youth-serving governmental entities;
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(viii) Other local youth-serving community entities;

(ix) Community behavioral health providers;

(x) Telemedicine providers;

(xi) Federally-qualified health centers; and

(xii) Students, parents, and guardians.

(6) “Coordinated community supports partnership” means an entity formed to deliver coordinated community supports.

(p) (1) In this subsection, “Fund” means the Coordinated Community Supports Partnership Fund.

(2) There is a Coordinated Community Supports Partnership Fund.

(3) The purpose of the Fund is to support the delivery of services and supports provided to students to meet their holistic behavioral health needs and address other related challenges.

(4) The Commission shall administer the Fund and the provision of grants AND REIMBURSEMENTS under the Fund.

(5) (i) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

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

(6) The Fund consists of:

(i) Money appropriated in the State budget to the Fund;

(ii) Interest earnings; and

(iii) Any other money from any other source accepted for the benefit of the Fund.

(7) The Fund may be used [only] by the Commission for:

(i) Providing reimbursement, under a memorandum of understanding, to the National Center for School Mental Health and other technical assistance providers to support the work of the Consortium;
Providing grants to coordinated community supports partnerships to deliver services and supports to meet students’ holistic behavioral health needs and to address other related challenges; [and]

(III) PROVIDING SCHOOL-BASED BEHAVIORAL HEALTH SERVICES; AND

[(iii)] (IV) Paying any associated administrative costs.

(8) THE FUND MAY BE USED TO REIMBURSE THE MEDICAL CARE PROGRAMS ADMINISTRATION FOR SCHOOL-BASED BEHAVIORAL HEALTH SERVICES PROVIDED ON A FEE-FOR-SERVICE BASIS THROUGH A MEDICAID WAIVER.

[(8)] (9) The Governor shall include in the annual budget bill the following appropriations for the Fund:

(i) $25,000,000 in fiscal year 2022;
(ii) $50,000,000 in fiscal year 2023;
(iii) $85,000,000 in fiscal year 2024;
(iv) $110,000,000 in fiscal year 2025; and
(v) $130,000,000 in fiscal year 2026 and each fiscal year thereafter.

[(9)] (10) (i) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(ii) Any interest earnings of the Fund shall be credited to the Fund.

[(10)] (11) Expenditures from the Fund may be made only in accordance with the State budget.

Article – Education

7–447.1.

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

(3) “Commission” means the Maryland Community Health Resources Commission.

(4) “Consortium” means the Maryland Consortium on Coordinated Community Supports established under subsection (b) of this section.
“Coordinated community supports” means a holistic, nonstigmatized, and coordinated approach, including among the following persons, to meeting students’ behavioral health needs, addressing related challenges, and providing community services and supports to the students:

(i) Teachers, school leadership, and student instructional support personnel;

(ii) Local school systems;

(iii) Local community schools;

(iv) Behavioral health coordinators appointed under § 7–447 of this subtitle;

(v) Local health departments;

(vi) Nonprofit hospitals;

(vii) Other youth-serving governmental entities;

(viii) Other local youth-serving community entities;

(ix) Community behavioral health providers;

(x) Telemedicine providers;

(xi) Federally qualified health centers; and

(xii) Students, parents, and guardians.

“Coordinated community supports partnership” means an entity formed to deliver coordinated community supports.

(P) (1) THE COMMISSION SHALL PROCURE A CLOSED–LOOP REFERRAL AND DATA REPORTING PLATFORM.

(2) THE CLOSED–LOOP REFERRAL AND DATA REPORTING PLATFORM SHALL:

(1) ENSURE THAT INDIVIDUALS ARE REFERRED TO APPROPRIATE BEHAVIORAL HEALTH SERVICES; AND

(II) ALLOW THE COMMISSION TO ENSURE THAT SERVICES HAVE BEEN RENDERED THROUGH ACCURATE, CONSISTENT, AND TIMELY SUBMISSION OF KEY REPORTING METRICS ASSOCIATED WITH THE CONSORTIUM’S PROGRAMS.
(3) In procuring the closed-loop referral and data reporting platform, the Commission shall take into account the following:

(I) The scalability of the platform;

(II) The ease of implementation for community providers;

(III) Person-centered longitudinal records;

(IV) Bi-directional referral capabilities; and

(V) Reporting and analytics tools available.

(p) (Q) (1) In this subsection, “Fund” means the Coordinated Community Supports Partnership Fund.

(2) There is a Coordinated Community Supports Partnership Fund.

(3) The purpose of the Fund is to support the delivery of services and supports provided to students to meet their holistic behavioral health needs and address other related challenges.

(4) The Commission shall administer the Fund and the provision of grants and reimbursements under the Fund.

(5) (i) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

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

(6) The Fund consists of:

(i) Money appropriated in the State budget to the Fund;

(ii) Interest earnings; and

(iii) Any other money from any other source accepted for the benefit of the Fund.

(7) The Fund may be used [only] by the Commission for:
(i) Providing reimbursement, under a memorandum of understanding, to the National Center for School Mental Health and other technical assistance providers to support the work of the Consortium;

(ii) Providing grants to coordinated community supports partnerships to deliver services and supports to meet students’ holistic behavioral health needs and to address other related challenges; [and]

(iii) Providing school-based behavioral health services; and

(iv) Paying any associated administrative costs.

The Fund may be used to reimburse the Medical Care Programs Administration for school-based behavioral health services provided on a fee-for-service basis through a Medicaid waiver.

The Governor shall include in the annual budget bill the following appropriations for the Fund:

(i) $25,000,000 in fiscal year 2022;

(ii) $50,000,000 in fiscal year 2023;

(iii) $85,000,000 in fiscal year 2024;

(iv) $110,000,000 in fiscal year 2025; and

(v) $130,000,000 in fiscal year 2026 and each fiscal year thereafter.

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

Any interest earnings of the Fund shall be credited to the Fund.

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

In this section the following words have the meanings indicated.

“Program” means the Child Care Scholarship Program.
(d) (2) Except as provided in paragraphs (3) and (4) of this subsection, the Department may not make the following alterations to the Program in effect as of January 1, 2023:

(i) Increase the copayment levels;

(ii) Reduce the reimbursement rates; OR

(iii) Reduce the income eligibility requirements; or

(iv) Implement a freeze in Program enrollment.

(3) (i) The Department may alter the Program in effect as of January 1, 2023, by increasing the copayment levels, reducing the reimbursement rates, OR reducing the income eligibility requirements, or implementing a freeze in Program enrollment, if:

1. The Department submits a notification to the Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and the Environment, the House Appropriations Committee, and the House Ways and Means Committee, in accordance with § 2–1257 of the State Government Article, on the intended Program alterations, including the reason for, and expected duration of, the proposed actions; and

2. The Program alterations identified in the notification are not implemented until the completion of the regular legislative session immediately following the submission of the notification.

(ii) If the Board of Public Works approves budget reductions for the Program under § 7–213 of the State Finance and Procurement Article for a certain fiscal year, the Department may increase the copayment levels, reduce the reimbursement rates, OR reduce the income eligibility requirements, or implement a freeze in Program enrollment at any time during the fiscal year.

(4) The Department may alter the Program in effect as of January 1, 2023, by implementing a freeze in Program enrollment if the Department submits a notification to the Senate Budget and Taxation Committee, the Senate Committee on Education, Energy, and the Environment, the House Appropriations Committee, and the House Ways and Means Committee, in accordance with § 2–1257 of the State Government Article, at least 60 days before implementing a freeze in Program enrollment and including the reason for, and expected duration of, the enrollment freeze not increase the copayment levels of the Program in effect as of January 1, 2024.
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16–305.

(a) The formula used for the distribution of funds to the community colleges in the State shall be known as the Senator John A. Cade Funding Formula.

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

(2) “Assessed valuation of real property” means assessed valuation of real property as determined for purposes of the State aid calculated under § 5–202 of this article.

(3) “Board” means:

(i) In a county that has one or more community colleges, the board of community college trustees for the county; or

(ii) Where two or more counties establish a region to support a regional community college, the board of regional community college trustees.

(4) “Community college” means a community college established under this title but does not include Baltimore City Community College.

(5) “County share” means the total amount of money for operating funds to be provided each fiscal year to a board by the county that supports the community college or colleges or, in the case of a regional community college, the total amount of money for operating funds to be provided each fiscal year to the board by all counties that support the regional community college.

(6) “Direct grants” means the sum of the following components of the State share:

(i) [Fixed costs;

(ii) Marginal] Base costs; and

[(iii)] (II) Size factor.

(7) “Full–time equivalent student” for each community college is [the quotient of the number of student credit hours produced in the fiscal year 2 years prior to the fiscal year for which the State share is calculated divided by 30, as certified by the Maryland Higher Education Commission] the greater of:

(i) [The quotient of the number of student credit hours produced in the fiscal year 2 years prior to the fiscal year for which the State share is calculated divided by 30, as certified by the Maryland Higher Education Commission; or]
(ii) The 3-year moving average quotient of the number of student credit hours produced in the fiscal years 2 years prior, 3 years prior, and 4 years prior to the fiscal year for which the State share is calculated divided by 30, as certified by the Maryland Higher Education Commission.

(8) “Population” means population as determined for purposes of calculating the State share of the library program using the definition in § 23–501 of this article.

(9) “Region” means the counties supporting a regional community college established under Subtitle 2 of this title.

(10) “Small community college” means:

(i) Allegany College of Maryland;

(ii) Garrett College;

(iii) Hagerstown Community College;

(iv) Carroll Community College;

(v) Cecil Community College;

(vi) Chesapeake College; or

(vii) Wor-Wic Community College.

(11) “State share” means the amount of money for community college operating funds to be provided each fiscal year to a board by the State.

(12) “State’s General Fund per Full–Time Equivalent Student Appropriation to the 4–Year Public Institutions of Higher Education” has the meaning stated in § 17–104(a)(1) of this article.

(13) “Student credit hours” means student credit hours, including those earned by a P–TECH student as provided in § 7–1804(c) of this article, or contact hours, which are eligible, under the regulations issued by the Maryland Higher Education Commission, for inclusion in State funding calculations.

(14) “Total State operating fund” means the sum of community college State appropriations for direct grants.
(c) (1) (i) Except as provided in subparagraphs (iii), (iv), and (v) 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;

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;

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;

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] AND FISCAL YEAR 2024, 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; AND

14. IN FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, NOT LESS THAN AN AMOUNT EQUAL TO 26.5% 27.2% 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.
(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:

1. Noncapital appropriations from the Higher Education Investment Fund; and

2. Appropriations, regardless of where they are budgeted, designated for the general operation of 4–year public institutions of higher education in the State, including personnel–related appropriations.

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

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

(2) The State share shall be distributed to each board and shall be limited by the provisions of subsection (d) of this section.

(3) Subject to subsection (d) of this section, the total State share for each board shall be the sum of:

(i) The [fixed costs component;]

(ii) The marginal] BASE costs component; AND

[(iii)] (II) The size factor component[; and

(iv) A hold harmless component].
The funds available for the fixed costs component shall be a set percentage of the year's total State operating fund as follows:

1. For fiscal year 1998, 36% of total funding;
2. For fiscal year 1999, 37% of total funding; and
3. For fiscal year 2000 and each fiscal year thereafter, 38% of total funding.

The funds available for the fixed costs component shall be divided and distributed to the community colleges in the same proportion in which the direct grants were distributed in the prior fiscal year.

For each board, the BASE costs component shall be the product of the dollar amount TOTAL STATE OPERATING FUND per full-time equivalent student multiplied by the number of full-time equivalent students at the board’s community college or colleges.

The dollar amount per full-time equivalent student shall be calculated by dividing 60% of the total State operating fund for the fiscal year by the total number of full-time equivalent students at community colleges statewide.

In determining the marginal costs component for a board, the number of full-time equivalent students at all campuses and colleges operated by the board shall be added together TO THE COMMUNITY COLLEGES.

The size factor component shall be [2% of] the year’s total State operating fund MULTIPLIED BY 2%.

Except as provided in subparagraph (iii) of this paragraph, the funds available for the size factor component shall be divided and distributed equally to each board that operates a community college or colleges at which the total number of full-time equivalent students is less than or equal to 80% of the statewide median.

Beginning with the first fiscal year that a board no longer meets the eligibility requirements under subparagraph (ii) of this paragraph, the board shall continue to receive a percentage of the size factor component that the board received in the last fiscal year for which the board was eligible, as follows:

A. 80% for the first fiscal year;
B. 60% for the second fiscal year;
C. 40% for the third fiscal year;
D. 20% for the fourth fiscal year; and

E. 0% for the fifth and each subsequent fiscal year.

2. The distributions required under subparagraph (ii) of this paragraph shall be made from the remaining funds available for the size factor component after any distributions required under this subparagraph.

(iv) In determining the eligibility of a board for a size factor component, the number of full–time equivalent students at all campuses and colleges operated by the board shall be added together.

[(7) (i) A board shall be eligible for a hold harmless component beginning in fiscal year 1998 if the sum of the board’s fixed costs, marginal costs, and size factor components for the fiscal year is less than the board’s total State share in the prior fiscal year.

(ii) The hold harmless component amount shall be determined by subtracting the sum of an eligible board’s fixed costs, marginal costs, and size factor components for the fiscal year from the board’s total State share for the prior fiscal year.]

[(8) (6) Any employer Social Security contributions required by federal law for any employee of a board of community college trustees shall remain the obligation of the employer.

[(9) (7) The State contribution to retirement and fringe benefit costs is not included in the calculations of amounts under this subsection.

(d) In each fiscal year, in order for a board to receive an increase in the State share of support [or a hold harmless component amount], the county share, in the aggregate, that supports the community college or colleges shall equal or exceed the aggregate amount of operating fund appropriations made to the board by the county or all of the counties supporting the college in the previous fiscal year.

16–512.

(A) IN THIS SECTION, “STATE’S GENERAL FUND PER FULL–TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4–YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION” HAS THE MEANING STATED IN § 17–104(A)(1) OF THIS ARTICLE.

[B] (1) The total State operating fund per full–time equivalent student appropriated to Baltimore City Community College for each fiscal year other than fiscal year 2013, as requested by the Governor shall be:
(i) In fiscal year 2009, not less than an amount equal to 67.25% 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;

(ii) In fiscal year 2010, not less than an amount equal to 65.1% 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;

(iii) In fiscal year 2011, not less than an amount equal to 65.5% 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;

(iv) In fiscal year 2012, not less than an amount equal to 63% 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;

(v) In fiscal year 2014, an amount that is the greater of 61% 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 $5,695.63 per full–time equivalent student;

(vi) In fiscal year 2015, an amount that is the greater of 61% 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 $5,695.63 per full–time equivalent student;

(vii) In fiscal year 2016, an amount that is the greater of 58% 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 $5,695.63 per full–time equivalent student;

(viii) In fiscal year 2017, an amount that is the greater of 58% 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 $5,695.63 per full–time equivalent student;
(ix) In fiscal year 2018, not less than an amount equal to 60% 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;

(x) In fiscal year 2019, not less than an amount equal to 61% 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;

(xi) In fiscal year 2020, not less than an amount equal to 62.5% 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;

(xii) In fiscal year 2021, not less than an amount equal to 64.5% 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;

(xiii) In fiscal year 2022, not less than an amount equal to 66.5% 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; and

(xiv) In fiscal year 2023 and each fiscal year thereafter, not less than an amount equal to 68.5% 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].

(2) 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:

(i) Noncapital appropriations from the Higher Education Investment Fund; and

(ii) Appropriations, regardless of where they are budgeted, designated for the general operation of 4–year public institutions of higher education in the State, including personnel–related appropriations.
(3) Notwithstanding the provisions of paragraph (1) of this subsection, the total State operating fund appropriated to Baltimore City Community College under this section for each of fiscal years 2011 and 2012 shall be $40,187,695.

(4) In fiscal year 2013, the total State operating funds appropriated to Baltimore City Community College under this section shall be $39,863,729.

(b) (C) Notwithstanding subsection (a) (B) of this section, the State appropriation to Baltimore City Community College requested by the Governor may not be less than the State appropriation to the College in the previous fiscal year.

(c) (D) The State shall distribute the State appropriation under this subsection to the Board of Trustees of Baltimore City Community College on a quarterly basis.

(d) (E) (1) (i) Through June 30, 1999, the City of Baltimore shall be responsible for providing at least $600,000 in each fiscal year to support education at the College.

(ii) Of this amount, in each fiscal year, at least $300,000 shall be expended and administered by the College for tuition reimbursement or scholarships to attend classes at the College, and the remaining balance shall be expended in a manner consistent with the educational mission of the College.

(iii) The source of the $600,000 is not limited to tax or fee revenues generated by the City of Baltimore.

(2) (i) Beginning on July 1, 1999, the City of Baltimore shall be responsible for providing at least $800,000 in each fiscal year to support education at the College.

(ii) Of this amount, in each fiscal year, at least $500,000 shall be expended and administered by the College for tuition reimbursement or scholarships to attend classes at the College, and the remaining balance shall be expended in a manner consistent with the educational mission of the College.

(iii) The source of the $800,000 is not limited to tax or fee revenues generated by the City of Baltimore.

(3) (i) Beginning on July 1, 2006, the City of Baltimore shall be responsible for providing at least $1,000,000 in each fiscal year to support education at the College.

(ii) Of this amount, in each fiscal year, at least $400,000 shall be expended and administered by the College for tuition reimbursement or scholarships to attend classes at the College, and the remaining balance shall be expended in a manner consistent with the educational mission of the College.
(iii) The source of the $1,000,000 is not limited to tax or fee revenues generated by the City of Baltimore.

(iv) The Board of Trustees shall submit an annual report on or before December 31 to the Director of Finance for the City of Baltimore regarding the expenditures made under this paragraph.

17–101.

There is a program of State aid to private nonprofit institutions of higher education known as the Joseph A. Sellinger Program.

17–104.

(a) [(1) Except as provided in paragraphs (2), (3), (4), and (5) 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:

(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;

(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

(xi) In fiscal year 2022 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 the aid provided under this subtitle shall be $69,624,905, 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.

(1) **IN THIS SUBSECTION, “STATE’S GENERAL FUND PER FULL–TIME EQUIVALENT STUDENT APPROPRIATION TO THE 4–YEAR PUBLIC INSTITUTIONS OF HIGHER EDUCATION” SHALL BE CALCULATED USING THE:**
(I) **General Fund Actual Expenditures for the Second Previous Fiscal Year; And**

(II) **Number of Student Credit Hours Produced in the Fall and Spring Semesters in the Second Previous Fiscal Year Divided by 30.**

(2) **In Fiscal Year 2025 and Each Fiscal Year Thereafter, the Maryland Higher Education Commission shall compute the amount of this subtitle by multiplying the number of full–time equivalent undergraduate 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 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.**

(b) (1) Full–time equivalent students enrolled in seminarian or theological programs shall be excluded from the computation required by subsection (a) of this section.

(2) Full–time equivalent students enrolled in programs that are part of an agreement or contract with for–profit educational services entities shall be excluded from the computation required by subsection (a) of this section.

(c) Payments of State general funds under Subtitle 3 of this title shall be excluded from the computation required by subsection (a) of this section.

(d) For purposes of this section, 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:

(1) Noncapital appropriations from the Higher Education Investment Fund; and

(2) Appropriations, regardless of where they are budgeted, designated for the general operation of 4–year public institutions of higher education in the State, including personnel–related appropriations.

**Article – Health – General**

(a) In this title the following words have the meanings indicated.
(b) “Administration” means the Developmental Disabilities Administration.

(1) “Individual–directed and family–directed goods and services” means services, equipment, activities, or supplies for individuals who self–direct services that:

(i) Relate to a need or goal identified in the person–centered plan of service;

(ii) Maintain or increase independence;

(iii) Promote opportunities for community living and inclusion; and

(iv) Are not available under another waiver service or services provided under the State plan established in Subtitle 3 of this title.

(2) “Individual–directed and family–directed goods and services” includes all goods or services authorized by regulations adopted or guidance issued by the federal Centers for Medicare and Medicaid Services under § 1915(c) of the Social Security Act.

(c) Subject to paragraph (2) of this subsection, the Administration may not establish a limit on:

(i) The dollar amount of individual–directed and family–directed goods and services provided to a recipient; or

(ii) The number of hours of personal support services provided to a recipient who receives self–directed services that:

[1.] (I) Are necessary for the health and safety of the recipient; and

[2.] (II) Are authorized by regulations adopted or guidance issued by the federal Centers for Medicare and Medicaid Services under § 1915(c) of the Social Security Act.

(2) A recipient may not receive services or supports in excess of the recipient’s annual approved budget.

15–1004.

(a) There is a Senior Prescription Drug Assistance Program Fund.

(f) (1) Except as provided in paragraph (2) of this subsection, the Fund may be used only for the administration, operation, and activities of the Program.
For fiscal year 2018 only 2025 AND EACH FISCAL YEAR THEREAFTER, excess funds not required for the administration, operation, and activities of the Program may be used only to subsidize:

(i) The Kidney Disease Program under Title 13, Subtitle 3 of this article; or

(ii) The provision of mental health services to the uninsured under Title 10, Subtitle 2 of this article.

In this subtitle, “Commission” means the Maryland Health Care Commission.

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

(2) “Fund” means the Maryland Trauma Physician Services Fund.

(3) “Maryland Trauma Specialty Referral Centers” means:

(i) The Johns Hopkins Health System Burn Program;

(ii) The Eye Trauma Center at the Wilmer Eye Institute at The Johns Hopkins Hospital; and

(iii) The Curtis National Hand Center at Union Memorial Hospital.

(4) “Reasonable Compensation Equivalent” means the limitation on the cost established by the Centers for Medicare and Medicaid Services that a provider may claim for compensation of services.

(5) “Rehabilitation hospital” means a facility classified as a special rehabilitation hospital as described in § 19–307 of this title that is affiliated with a trauma center by common ownership.

(i) “Trauma center” means a facility designated by the Maryland Institute for Emergency Medical Services Systems as:

1. The State primary adult resource center;

2. A Level I trauma center;

3. A Level II trauma center;
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4. A Level III trauma center;

5. A pediatric trauma center; or

6. The Maryland Trauma Specialty Referral Centers.

(ii) “Trauma center” includes an out-of-state pediatric trauma center that has entered into an agreement with the Maryland Institute for Emergency Medical Services Systems.

(7) “TRAUMA HEALTH CARE PRACTITIONER” means a health care practitioner licensed under the Health Occupations Article who provides care in a trauma center or in a rehabilitation hospital to trauma patients on the State trauma registry as defined by the Maryland Institute for Emergency Medical Services Systems.

[(6)] (8) “Trauma physician” means a physician who provides care in a trauma center or in a rehabilitation hospital to trauma patients on the State trauma registry as defined by the Maryland Institute for Emergency Medical Services Systems.

[(7)] (9) “Uncompensated care” means care provided by a trauma physician OR A TRAUMA HEALTH CARE PRACTITIONER to a trauma patient on the State trauma registry who:

(i) Has no health insurance, including Medicare Part B coverage;

(ii) Is not eligible for medical assistance coverage; and

(iii) Has not paid the trauma physician OR TRAUMA HEALTH CARE PRACTITIONER for care provided by the trauma physician OR TRAUMA HEALTH CARE PRACTITIONER, after documented attempts by the trauma physician OR TRAUMA HEALTH CARE PRACTITIONER to collect payment.

(b) (1) There is a Maryland Trauma Physician Services Fund.

(2) The purpose of the Fund is to subsidize the documented costs:

(i) Of uncompensated care incurred by a trauma physician OR A TRAUMA HEALTH CARE PRACTITIONER in providing trauma care to a trauma patient on the State trauma registry;

(ii) Of undercompensated care incurred by a trauma physician OR A TRAUMA HEALTH CARE PRACTITIONER in providing trauma care to an enrollee of the Maryland Medical Assistance Program who is a trauma patient on the State trauma registry;
(iii) Incurred by a trauma center to maintain trauma physicians on-call as required by the Maryland Institute for Emergency Medical Services Systems;

(iv) Incurred by the State primary adult resource center to maintain trauma surgeons, orthopedic surgeons, neurosurgeons, and anesthesiologists on-call and on standby as required by the Maryland Institute for Emergency Medical Services Systems; and

(v) Incurred by the Commission and the Health Services Cost Review Commission to administer the Fund and audit reimbursement requests to assure appropriate payments are made from the Fund.

(3) The Commission and the Health Services Cost Review Commission shall administer the Fund.

(4) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(5) Interest on and other income from the Fund shall be separately accounted for and credited to the Fund, and are not subject to § 6–226(a) of the State Finance and Procurement Article.

(c) The Fund consists of:

(1) MOTOR vehicle registration surcharges paid into the Fund in accordance with § 13–954(b)(2) of the Transportation Article;

(2) AT LEAST 20% OF THE FINES COLLECTED UNDER § 21–902(A)(1), (B)(2), (C)(2), AND (D)(1) OF THE TRANSPORTATION ARTICLE; AND

(3) ANY OTHER MONEY TRANSFERRED FROM THE GENERAL FUND OF THE STATE.

(d) (1) Disbursements from the Fund shall be made in accordance with a methodology established jointly by the Commission and the Health Services Cost Review Commission to calculate costs incurred by trauma physicians and trauma centers that are eligible to receive reimbursement under subsection (b) of this section.

(2) The Fund shall transfer to the Maryland Department of Health an amount sufficient to fully cover the State’s share of expenditures for the costs of undercompensated care incurred by a trauma physician in providing trauma care to an enrollee of the Maryland Medical Assistance Program who is a trauma patient on the State trauma registry.

(3) The methodology developed under paragraph (1) of this subsection shall:
(i) Take into account:

1. The amount of uncompensated care provided by trauma physicians;

2. The amount of undercompensated care attributable to the treatment of Medicaid enrollees in trauma centers;

3. The cost of maintaining trauma physicians on-call;

4. The number of patients served by trauma physicians in trauma centers;

5. The number of Maryland residents served by trauma physicians in trauma centers; and

6. The extent to which trauma-related costs are otherwise subsidized by hospitals, the federal government, and other sources; and

(ii) Include an incentive to encourage hospitals to continue to subsidize trauma-related costs not otherwise included in hospital rates.

(4) The methodology developed under paragraph (1) of this subsection shall use the following parameters to determine the amount of reimbursement made to trauma physicians and trauma centers from the Fund:

(i) 1. The cost incurred by a Level II trauma center to maintain trauma surgeons, orthopedic surgeons, and neurosurgeons on-call shall be reimbursed:

   A. At a rate of up to [30%] 60% of the reasonable compensation equivalent hourly rate for the specialty, inflated to the current year by the physician compensation component of the Medicare economic index as designated by the Centers for Medicare and Medicaid Services; and

   B. For the minimum number of trauma physicians required to be on-call, as specified by the Maryland Institute for Emergency Medical Services Systems in its criteria for Level II trauma centers;

2. The cost incurred by a Level III trauma center to maintain trauma surgeons, orthopedic surgeons, neurosurgeons, and anesthesiologists on-call shall be reimbursed:

   A. At a rate of up to [35%] 60% of the reasonable compensation equivalent hourly rate for the specialty, inflated to the current year by the physician compensation component of the Medicare economic index as designated by the Centers for Medicare and Medicaid Services; and
B. For the minimum number of trauma physicians required to be on–call, as specified by the Maryland Institute for Emergency Medical Services Systems in its criteria for Level III trauma centers;

3. The cost incurred by a Level I trauma center or pediatric trauma center to maintain trauma surgeons, orthopedic surgeons, and neurosurgeons on–call when a post–graduate resident is attending in the trauma center shall be reimbursed:

A. At a rate of up to [30%] 60% of the reasonable [cost equivalents] COMPENSATION EQUIVALENT hourly rate for the specialty, inflated to the current year by the physician compensation component of the Medicare economic index as designated by the Centers for Medicare and Medicaid Services; and

B. When a post–graduate resident is [permitted] AUTHORIZED to be in the trauma center, as specified by the Maryland Institute for Emergency Medical Services Systems in its criteria for Level I trauma centers or pediatric trauma centers;

4. The cost incurred by a Maryland Trauma Specialty Referral Center to maintain trauma surgeons on–call in the specialty of the Center when a post–graduate resident is attending in the Center shall be reimbursed:

A. At a rate of up to [30%] 60% of the reasonable [cost equivalents] COMPENSATION EQUIVALENT hourly rate for the specialty, inflated to the current year by the physician compensation component of the Medicare economic index as designated by the Centers for Medicare and Medicaid Services; and

B. When a post–graduate resident is [permitted] AUTHORIZED to be in the Center, as specified by the Maryland Institute for Emergency Medical Services Systems in its criteria for a Maryland Trauma Specialty Referral Center; and

5. A. A Level II trauma center is eligible for a maximum of [24,500] 26,280 hours of trauma on–call per year;

B. A Level III trauma center is eligible for a maximum of 35,040 hours of trauma on–call per year;

C. A Level I trauma center shall be eligible for a maximum of 4,380 hours of trauma on–call per year;

D. A pediatric trauma center shall be eligible for a maximum of 4,380 hours of trauma on–call per year; and
E. A Maryland Trauma Specialty Referral Center shall be eligible for a maximum of 2,190 hours of trauma on-call per year;

(ii) The cost of undercompensated care incurred by a trauma physician in providing trauma care to enrollees of the Maryland Medical Assistance Program who are trauma patients on the State trauma registry shall be reimbursed at a rate of up to 100% of the Medicare payment for the service, minus any amount paid by the Maryland Medical Assistance Program;

(iii) The cost of uncompensated care incurred by a trauma physician in providing trauma care to trauma patients on the State trauma registry shall be reimbursed at a rate of 100% of the Medicare payment for the service, minus any recoveries made by the trauma physician for the care;

(iv) The Commission, in consultation with the Health Services Cost Review Commission, may establish a payment rate for uncompensated care incurred by a trauma physician in providing trauma care to trauma patients on the State trauma registry that is above 100% of the Medicare payment for the service if:

1. The Commission determines that increasing the payment rate above 100% of the Medicare payment for the service will address an unmet need in the State trauma system; and

2. The Commission reports on its intention to increase the payment rate to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, at least 60 days before any adjustment to the rate;

(v) The Commission shall develop guidelines for the reimbursement of the documented costs of the State primary adult resource center under subsection (b)(2)(iv) of this section; [and]

(vi) The Commission, in consultation with the Health Services Cost Review Commission, may change the percentage of the reasonable compensation equivalent paid to trauma hospitals if:

1. The Commission determines that the projected revenue to be collected in the Fund is adequate to support the proposed increase in the percentage of reasonable compensation equivalent inflated to the current year by the physician compensation component of the Medicare economic index; and

2. The Commission reports on its intention to change the percentage of reasonable compensation equivalent to be paid for on-call costs to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with §
2–1257 OF THE STATE GOVERNMENT ARTICLE, AT LEAST 60 DAYS BEFORE ANY ADJUSTMENT TO THE ALLOWABLE HOURS;

(vii) The Commission, in consultation with the Health Services Cost Review Commission, may change the number of allowable hours of trauma on–call each year if the Commission reports on its intention to change the number of allowable hours to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 OF THE STATE GOVERNMENT ARTICLE, AT LEAST 60 DAYS BEFORE ANY ADJUSTMENT TO THE ALLOWABLE HOURS;

(viii) The Commission may modify the percentage paid for on–call out of the maximum number of hours allowed for on–call care not more than once each year; and

[(vi)] (IX) The total reimbursement to emergency physicians from the Fund may not exceed $300,000 annually.

(5) In order to receive reimbursement, a trauma physician OR A TRAUMA HEALTH CARE PRACTITIONER in the case of costs of uncompensated care under subsection (b)(2)(i) of this section, or a trauma center in the case of on–call costs under subsection (b)(2)(iii) of this section, shall apply to the Fund on a form and in a manner approved by the Commission and the Health Services Cost Review Commission.

(6) (i) The Commission and the Health Services Cost Review Commission shall adopt regulations that specify the information that trauma physicians, TRAUMA HEALTH CARE PRACTITIONERS, and trauma centers must submit to receive money from the Fund.

(ii) The information required shall include:

1. The name and federal tax identification number of the trauma physician rendering the service;

2. The date of the service;

3. Appropriate codes describing the service;

4. Any amount recovered for the service rendered;

5. The name of the trauma patient;

6. The patient’s trauma registry number; and

7. Any other information the Commission and the Health Services Cost Review Commission consider necessary to disburse money from the Fund.
(iii) It is the intent of the General Assembly that trauma physicians, TRAUMA HEALTH CARE PRACTITIONERS, and trauma centers shall cooperate with the Commission and the Health Services Cost Review Commission by providing information required under this paragraph in a timely and complete manner.

(e) (1) Except as provided in paragraph (2) of this subsection and notwithstanding any other provision of law, expenditures from the Fund for costs incurred in any fiscal year may not exceed revenues of the Fund.

(2) (i) The Commission, in consultation with the Health Services Cost Review Commission and the Maryland Institute for Emergency Medical Services Systems, shall develop a process for the award of grants to LEVEL I, Level II, and Level III trauma centers [in the State to be used for equipment primarily used] in the delivery of trauma care.

(ii) 1. The Commission shall issue grants under this paragraph from any balance carried over to the Fund from prior fiscal years.

2. The total amount of grants awarded under this paragraph in a fiscal year may not exceed 10% of the balance remaining in the Fund at the end of the fiscal year immediately prior to the fiscal year in which grants are awarded.

(iii) The process developed by the Commission for the award of grants under this paragraph shall include:

1. Grant applications and review and selection criteria for the award of grants;

2. Review by the Commission, if necessary, for any project that exceeds certificate of need thresholds; and

3. Any other procedure determined necessary by the Commission.

(iv) Before awarding grants under this subsection in a fiscal year, the Commission shall report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, on the process that the Commission has developed for awarding grants in that fiscal year.

(f) On or before November 1 of each year, the Commission and the Health Services Cost Review Commission shall report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on:

(1) The amount of money in the Fund on the last day of the previous fiscal year:
(2) The amount of money applied for by trauma physicians, TRAUMA HEALTH CARE PRACTITIONERS, and trauma centers during the previous fiscal year;

(3) The amount of money distributed in the form of trauma physician, TRAUMA HEALTH CARE PRACTITIONER, and trauma center reimbursements during the previous fiscal year;

(4) Any recommendations for altering the manner in which trauma physicians, TRAUMA HEALTH CARE PRACTITIONERS, and trauma centers are reimbursed from the Fund;

(5) The costs incurred in administering the Fund during the previous fiscal year; and

(6) The amount that each hospital that participates in the Maryland trauma system and that has a trauma center contributes toward the subsidization of trauma–related costs for its trauma center;

(7) THE AMOUNT THE HEALTH SERVICES COST REVIEW COMMISSION ALLOWED:

(1) IN HOSPITAL RATES FOR TRAUMA STANDBY;

(II) IN ALLOWABLE TRAUMA CENTER COSTS FOR REIMBURSING THE TRAUMA DIRECTOR AND TRAUMA STAFF;

(III) FOR MAINTAINING MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS TRAUMA PROTOCOLS;

(IV) FOR MAINTAINING SPECIALIZED TRAUMA STAFF;

(V) FOR PROCURING SPECIALIZED TRAUMA EQUIPMENT; AND

(VI) FOR PROVIDING TRAUMA EDUCATION AND TRAINING; AND

(8) ANY OTHER IMPROVEMENTS MADE BY TRAUMA CENTERS AS A RESULT OF THE INCREASED FUNDING.

(G) THE COMMISSION SHALL AWARD AN ANNUAL GRANT FROM THE FUND IN THE AMOUNT OF $1,800,000 TO LEVEL I PEDIATRIC TRAUMA CENTERS AS FOLLOWS:

(1) $900,000 TO JOHNS HOPKINS CHILDREN’S CENTER; AND

(2) $900,000 TO CHILDREN’S NATIONAL MEDICAL CENTER.
Article – Housing and Community Development

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

(b) “Program” means the Business Facade Improvement Program.

(e) For fiscal year 2025 and each fiscal year thereafter, the Governor shall include in the annual budget bill or the capital budget bill an appropriation of $5,000,000 to the Program.

Article – Natural Resources

(k) (1) For fiscal years 2023 and 2024, the Governor shall include in the annual budget bill a general fund appropriation to the Fisheries Research and Development Fund of not less than $1,794,000.

(2) Beginning in fiscal year [2023] 2026 and each fiscal year thereafter, the Governor shall include in the annual budget bill a General Fund appropriation to the Fisheries Research and Development Fund of not less than $1,794,000.

(f) (1) The Fund consists of:

(i) As provided in § 13–306 of the Tax—Property Article, up to $200,000 annually of the proceeds of the tax imposed by § 13–302 of the Tax—Property Article that are attributable to the taxation of instruments of writing that transfer title to parcels of land that are entirely woodland;

(ii) Revenues collected by the Department from the payment of charges imposed for Department assistance in implementation of an approved practice;

(iii) Money distributed from the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund under § 8–2A–04 of this article;

(iv) Subject to approval by the Secretary and the Board of Public Works, a portion of the revenues derived from the forestry practices on designated lands
owned and managed by the Department, that are conducted in accordance with applicable State law and regulation; and

   (v) Money appropriated to the Fund under paragraph (2) of this subsection.

(2) (1) For fiscal year 2024 [and each fiscal year thereafter], the Governor shall include in the annual budget bill an appropriation of $1,000,000 to the Fund.

   (II) For fiscal year 2025 and each fiscal year thereafter, the Governor shall include in the annual budget bill an appropriation of $500,000 to the Fund.

8–2A–02.

(a) There is a Chesapeake and Atlantic Coastal Bays 2010 Trust Fund.

(f) (4) (i) 1. In fiscal year 2024, the Governor shall include in the annual budget bill an appropriation of $2,500,000 to the Fund, to be used, subject to the requirements of subparagraph (ii) of this paragraph, for tree plantings on public and private land.

2. In each fiscal year from [2024] 2025 through 2031, inclusive, [the Governor shall include in the annual State budget an appropriation of $2,500,000 to the Fund, to] $2,500,000 FROM THE FUND SHALL be used, subject to the requirements of subparagraph (ii) of this paragraph, for tree plantings on public and private land.

Article—Public Safety

4–1011.

(a) In this section, “local law enforcement agency” means:

(1) a police department of a county or municipal corporation in the State;

or

(2) the office of the sheriff that provides a law enforcement function in a county or municipal corporation in the State.

(b) (1) For fiscal [years] YEAR 2024 [through 2026, each year], the Governor shall include in the annual budget bill an appropriation of $2,000,000 for local law enforcement agencies to be used as grants for warrant apprehension efforts.
(2) For fiscal years 2025 and 2026, the Governor shall include in the annual budget bill an appropriation of $1,000,000 for local law enforcement agencies to be used as grants for warrant apprehension efforts.

Article – Public Utilities

10–408.

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

(2) "Shared passenger trip" means a prearranged ride for which the passenger agrees, at the time the passenger requests the ride through a transportation network company’s digital network application, to be transported with another passenger who has separately requested a prearranged ride regardless of whether another passenger is transported.

(3) "Transportation network company impact fee" means the fee imposed by the State under this section on each transportation network service that includes a passenger trip during transportation network coverage period three as described in § 10–101(N)(1)(III) of this title.

(B) (1) There is a transportation network company impact fee on passenger trips that originate in the State.

(2) A transportation network company shall collect the transportation network company impact fee.

(3) (I) Subject to paragraph (4) of this subsection and except as provided in subparagraphs (II) and (III) of this paragraph, the transportation network company impact fee is 75 cents for each passenger trip.

(II) Subject to paragraph (4) of this subsection, the transportation network company impact fee for a passenger trip provided using a fuel cell electric vehicle or a plug–in electric drive vehicle, as those terms are defined in Title 11, Subtitle 1 of the Transportation Article, is 50 cents for each passenger trip.
(III) Subject to paragraph (4) of this subsection, the transportation network company impact fee is 50 cents for each shared passenger trip.

(4) (i) 1. In this subparagraph, “Consumer Price Index for All Urban Consumers” means the index published monthly by the Bureau of Labor Statistics of the U.S. Department of Labor that is the U.S. city average of all items in a basket of consumer goods and services.

2. The percentage growth in the Consumer Price Index for All Urban Consumers shall be determined by comparing the average of the index for the 12 months ending on the preceding April 30 to the average of the index for the prior 12 months.

(ii) The transportation network company impact fee shall be increased on July 1, 2028, and on July 1 each subsequent year in accordance with this paragraph.

(iii) On or before June 1 each year, the Comptroller shall determine and announce:

1. The growth in the Consumer Price Index for All Urban Consumers as determined by the Comptroller under subparagraph (i) of this paragraph; and

2. The transportation network company impact fee effective for the fiscal year beginning on the following July 1 as determined by the Comptroller under subparagraph (iv) of this paragraph.

(iv) Subject to subparagraph (v) of this paragraph, on July 1 each year, the transportation network company impact fee shall be increased by the amount, rounded to the nearest one-tenth of a cent, that equals the product of multiplying:

1. The transportation network company impact fee in effect on the date of the Comptroller’s announcement under subparagraph (iii) of this paragraph; and

2. The percentage growth in the Consumer Price Index for All Urban Consumers.
1. If there is a decline or no growth in the Consumer Price Index for all urban consumers, the transportation network company impact fee shall remain unchanged.

2. Any increase in the transportation network company impact fee under subparagraph (iv) of this paragraph may not be greater than 8% of the transportation network company impact fee effective in the previous year.

(c) (1) A transportation network company shall either:

(i) Collect the transportation network company impact fee from a passenger on behalf of a transportation network operator; or

(ii) Pay the transportation network company impact fee on behalf of a passenger.

(2) If a transportation network company collects the transportation network company impact fee from the passenger:

(i) The transportation network company impact fee shall be charged in addition to any other tax or fee; and

(ii) The transportation network company shall show the impact fee as a separate line item on the passenger’s receipt, invoice, or other bill of sale, distinct from the transaction price and any other tax or fee imposed.

(3) The receipt, invoice, or other bill of sale shall list the impact fee as “Transportation Network Company Impact Fee”.

(4) A transportation network company that pays the transportation network company impact fee on behalf of a passenger shall remit the fee to the comptroller as if the fee had been collected from the passenger on the date of the passenger trip.

(d) (1) A transportation network company shall:

(i) Report the transportation network company impact fee on a form prescribed by the comptroller; and

(ii) Remit the transportation network company impact fee to the comptroller not later than 30 days after the end of a
CALENDAR QUARTER, OR AS OTHERWISE SPECIFIED BY THE COMPTROLLER IN REGULATIONS.

(2) For the expense of reporting and remitting the transportation network company fee the transportation network company may retain the lesser of 0.9% of the amount the transportation network company remits under paragraph (1)(II) of this subsection or $250.

(E) Except as otherwise provided in this section, the audit, assessment, liability for payment, refund, penalty, interest, enforcement, collection remedies, appeal, and administrative provisions that are applicable to an assessment imposed under § 10–406 of this subtitle apply to the transportation network company impact fee.

(F) (1) From the transportation network company impact fee revenue, the comptroller shall distribute the amount necessary to pay refunds relating to the transportation network company impact fee to a refund account.

(2) After making the distribution required under paragraph (1) of this subsection, the comptroller shall distribute the amount necessary to administer the transportation network company impact fee to an administrative cost account.

(3) After making the distributions required under paragraphs (1) and (2) of this subsection, the comptroller shall deposit the balance of the revenue from the transportation network company impact fee in the Transportation Network Company Impact Fee Account in the Transportation Trust Fund.

(G) The comptroller may adopt regulations or other requirements or procedures to carry out this section, including requirements and procedures regarding the administration, collection, and enforcement of the transportation network company impact fee.

(H) This section may not be construed to have any effect on an assessment imposed under § 10–406 of this subtitle.
(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. $0 for fiscal year 2021;
3. $80,000,000 for fiscal year 2022;
4. $100,000,000 for fiscal year 2023;
5. $120,000,000 $0 for fiscal year 2024;
6. $140,000,000 $100,000,000 $0 for fiscal years 2025 AND 2026;
7. 2% for fiscal years 2026 AND 2027 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.
(a) (2) (i) 1. This subparagraph does not apply in fiscal years 2024 through 2028.

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

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) The Governor shall publish online budget books that include the information required in this section.

7–311.

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

(2) “Account” means the Revenue Stabilization Account.

(j) (1) Except as provided in paragraphs (2) and (3) 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;
(iii) for fiscal year 2021, to the Account in the amount of $291,439,149;

(iv) except as provided in item (v) of this paragraph, 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; and

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; and

(v) for fiscal year 2024:

1. to the Maryland Equity Investment Fund established under § 10–487 of the Economic Development Article an amount, up to $10,000,000, that is equal to 10% 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 accumulation funds of the State Retirement and Pension System an amount, up to a maximum of $15,000,000, that is equal to 15% 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 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 25% 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) The appropriation required under this subsection for any fiscal year may be reduced by the amount of any appropriation to the Account required to be included for that fiscal year under subsection (e) of this section.

(3) The requirement for an appropriation under this subsection does not apply in fiscal year 2025.
In this subtitle the following words have the meanings indicated.

“Agency” means the State Lottery and Gaming Control Agency.

“Director” means the Director of the Agency.

“Licensed agent” means a person or governmental unit licensed by the Director to act as a State lottery sales agent.

A licensed agent shall receive regular commissions of 5.75% of the licensed agent’s gross receipts from ticket sales.

A licensed agent may further receive a cashing fee not to exceed 2% of valid prizes paid for services rendered in cashing winning tickets.

On or before December 1 of each year, the Board of Trustees shall:

(i) certify to the Governor and the Secretary of Budget and Management the rates to be used to determine the amounts to be paid by the State to the accumulation fund of each of the several systems during the next fiscal year, including a separate certification of the normal contribution rate for the Teachers’ Retirement System and the Teachers’ Pension System; and

(ii) provide to the Secretary of Budget and Management a statement of the total amount to be paid by the State as determined under § 21–304 of this subtitle to the Teachers’ Retirement System and the Teachers’ Pension System expressed as a percentage of the payroll of all members of those State systems.

The Governor shall include in the budget bill:

(i) the total amount of the State’s contribution to each State system as ascertained based on the rates certified by the Board of Trustees under paragraph (1) of this subsection;

(ii) the additional amounts as ascertained under subsection (d) of this section for the State’s payment to the professional and clerical employees of the Department of Public Libraries of Montgomery County who are members of the Employees’
Retirement System of Montgomery County and are excluded from membership in the Teachers' Retirement System or the Teachers' Pension System; and

(iii) any additional amount required to be in the budget bill under § 3–501(c)(2)(ii) of this article.

(3) The amounts that the Governor is required to include in the budget bill under paragraph (2) of this subsection shall be reduced by the amount of administrative and operational expenses for the Board of Trustees and the State Retirement Agency that are to be paid by local employers under § 21–316 of this subtitle other than participating governmental units or employers who are required to make contributions under § 21–307 of this subtitle.

(4) (i) For EACH OF fiscal [year] YEARS 2016 THROUGH 2024, in addition to the annual required contribution required under paragraph (2) of this subsection, the Governor shall include in the budget bill a supplemental contribution of $75,000,000.

(ii) For fiscal year [2017] 2025 and each fiscal year thereafter, in addition to the annual required contribution required under paragraph (2) of this subsection, the Governor shall include in the budget bill a supplemental contribution of [$75,000,000] $50,000,000 until the total actuarial value of assets for the several systems divided by the total actuarial accrued liability for the several systems equals a funding ratio of 85%.

21–316.

(e) [6] A participating governmental unit or employer required to make employer contributions under § 21–307 of this subtitle may deduct the payments required under this section from payments for employer contributions required under §§ 21–305 through 21–307 of this subtitle.

Article – Tax – General

2–606.

(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.

(h) [For fiscal year 2017 and each fiscal year thereafter.] IN EACH OF FISCAL YEARS 2026 THROUGH 2060, 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 TO REPAY THE $350,000,000 TRANSFER TO THE EDUCATION TRUST FUND REQUIRED UNDER SUBSECTION (E) OF THIS SECTION.
10–402.1.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “COMBINED GROUP” MEANS A GROUP OF CORPORATIONS:

(I) THAT IS ENGAGED IN A UNITARY BUSINESS;

(II) IN WHICH MORE THAN 50% OF THE VOTING STOCK OF EACH MEMBER IS DIRECTLY OR INDIRECTLY OWNED BY:

1. A COMMON OWNER OR COMMON OWNERS, EITHER CORPORATE OR NONCORPORATE; OR

2. ONE OR MORE MEMBER CORPORATIONS OF THE GROUP;

(III) THE MEMBERS OF WHICH ARE SUBJECT TO THE INCOME TAX OR WOULD BE SUBJECT TO THE INCOME TAX IF DOING BUSINESS IN THE STATE; AND

(IV) CONSISTING OF ANY OTHER MEMBERS UNDER THE CIRCUMSTANCES AND TO THE EXTENT PROVIDED IN REGULATIONS ADOPTED BY THE COMPTROLLER TO PREVENT THE AVOIDANCE OF TAX OR TO REFLECT CLEARLY THE INCOME OF ANY MEMBER OF THE COMBINED GROUP FOR ANY PERIOD.

(3) “COMBINED RETURN” MEANS A TAX RETURN FOR THE COMBINED GROUP CONTAINING INFORMATION AS PROVIDED IN THIS SECTION OR OTHERWISE REQUIRED BY THE COMPTROLLER.

(4) “UNITARY BUSINESS” MEANS A SINGLE ECONOMIC ENTERPRISE THAT IS MADE EITHER OF SEPARATE PARTS OF A SINGLE BUSINESS ENTITY OR OF A COMMONLY CONTROLLED GROUP OF BUSINESS ENTITIES THAT ARE SUFFICIENTLY INTERDEPENDENT, INTEGRATED, AND INTERRELATED THROUGH THEIR ACTIVITIES SO AS TO PROVIDE MUTUAL BENEFIT THAT PRODUCES A SHARING OR EXCHANGE OF VALUE AMONG THEM AND A SIGNIFICANT FLOW OF VALUE TO THE SEPARATE PARTS.

(B) (1) THE TERM “UNITARY BUSINESS” SHALL BE CONSTRUED TO THE BROADEST EXTENT ALLOWED UNDER THE U.S. CONSTITUTION.

(2) A BUSINESS CONDUCTED DIRECTLY OR INDIRECTLY BY ONE CORPORATION IS A UNITARY BUSINESS WITH RESPECT TO THAT PORTION OF A BUSINESS CONDUCTED BY ANOTHER CORPORATION THROUGH ITS DIRECT OR
INDIRECT INTEREST IN A PARTNERSHIP IF THE REQUIREMENTS OF SUBSECTION (A)(4) OF THIS SECTION ARE SATISFIED, INCLUDING IF THERE IS SYNERGY AND AN EXCHANGE AND FLOW OF VALUE BETWEEN THE TWO PARTS OF THE BUSINESS AND THE TWO CORPORATIONS ARE MEMBERS OF THE SAME COMMONLY CONTROLLED GROUP.

(3) A BUSINESS CONDUCTED BY A PARTNERSHIP SHALL BE TREATED AS CONDUCTED BY ITS PARTNERS, WHETHER DIRECTLY HELD OR INDIRECTLY HELD THROUGH A SERIES OF PARTNERSHIPS, TO THE EXTENT OF THE PARTNER’S DISTRIBUTIVE SHARE OF THE PARTNERSHIP’S INCOME, REGARDLESS OF THE PERCENTAGE OF THE PARTNER’S OWNERSHIP INTEREST OR ITS DISTRIBUTIVE OR ANY OTHER SHARE OF PARTNERSHIP INCOME.

(C) (1) EXCEPT AS PROVIDED BY AND SUBJECT TO REGULATIONS ADOPTED BY THE COMPTROLLER, FOR ALL TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 2027, A CORPORATION ENGAGED IN A UNITARY BUSINESS SHALL FILE A COMBINED RETURN, REPORTING AND PAYING TAX ON WORLDWIDE TAXABLE INCOME AS A COMBINED GROUP, REFLECTING THE AGGREGATE INCOME TAX LIABILITY OF ALL MEMBERS OF THE COMBINED GROUP THAT ARE ENGAGED IN A UNITARY BUSINESS.

(2) THE TAXABLE INCOME OF A CORPORATION REQUIRED TO FILE UNDER § 10–811(A)(2) OF THIS TITLE IS EQUAL TO THE COMBINED GROUP’S MARYLAND MODIFIED INCOME AS ADJUSTED UNDER SUBSECTION (D)(3) OF THIS SECTION.

(D) (1) THE MARYLAND MODIFIED INCOME OF THE COMBINED GROUP EQUALS THE PRODUCT OF:

(1) THE COMBINED GROUP’S APPORTIONABLE MARYLAND MODIFIED INCOME, AS DETERMINED UNDER PARAGRAPH (2) OF THIS SUBSECTION AND ADJUSTED UNDER PARAGRAPH (3) OF THIS SUBSECTION; AND

(II) THE COMBINED GROUP’S MARYLAND APPORTIONMENT FACTOR, AS DETERMINED UNDER PARAGRAPH (4) OF THIS SUBSECTION.

(2) (1) SUBJECT TO SUBPARAGRAPHS (II) THROUGH (IV) OF THIS PARAGRAPH, THE APPORTIONABLE MARYLAND MODIFIED INCOME OF THE COMBINED GROUP EQUALS THE SUM OF THE CORPORATION’S AND EACH MEMBER’S MARYLAND MODIFIED INCOME.

(II) 1. SUBJECT TO SUBSUBPARAGRAPH 2 OF THIS SUBPARAGRAPH, FOR ANY MEMBER INCORPORATED IN THE UNITED STATES OR INCLUDED IN A CONSOLIDATED FEDERAL CORPORATE INCOME TAX RETURN, THE
INCOME TO BE INCLUDED IN THE TOTAL APPORTIONABLE INCOME OF THE COMBINED GROUP IS THE MARYLAND MODIFIED INCOME AS CALCULATED UNDER § 10–304 OF THIS TITLE.

2. The income of each member shall be calculated on a separate return basis as if the member were not consolidated for federal income tax purposes.

(III) 1. For any member not included under subparagraph (II) of this paragraph, the income to be included in the total income of the combined group is determined as provided under this subparagraph.

2. A profit and loss statement shall be prepared for each foreign branch or corporation in the currency in which the books of account of the branch or corporation are regularly maintained.

3. The profit and loss statement shall be adjusted to conform to generally accepted accounting principles as adopted by the U.S. Financial Accounting Standards Board for the preparation of the profit and loss statements, except as modified by regulation.

4. Except as otherwise provided by regulation, the profit and loss statement of each member of the combined group, and the apportionment factors related to each statement, whether United States or foreign, shall be translated into the currency in which the parent company maintains its books and records.

5. Income apportioned to the State shall be expressed in United States dollars.

(IV) If a unitary business includes income from a partnership, the income to be included in the total income of the combined group equals the direct and indirect distributive share of the partnership’s unitary business income allocated to any member of the combined group.

(3) The combined group’s apportionable Maryland modified income shall be adjusted to eliminate intercompany transactions as determined under the Internal Revenue Code.
(4) (1) Subject to subparagraph (ii) of this paragraph, the combined group’s Maryland apportionment factor is a fraction:

1. The numerator of which is the sum of the corporation’s and each member’s Maryland factors under § 10–402 of this subtitle; and

2. The denominator of which is the sum of the corporation’s and each member’s factors under § 10–402 of this subtitle.

(ii) The apportionment factors of pass-through entity members are included in the numerator under subparagraph (i)1 of this paragraph and the denominator under subparagraph (i)2 of this paragraph to the extent of the corporation’s direct and indirect distributive share of that entity.

(E) (1) The Comptroller shall adopt regulations that are necessary and appropriate to carry out this section.

(2) The regulations adopted by the Comptroller shall be consistent with the “Principles for Determining the Existence of a Unitary Business” (Reg. IV.1.(B)) of the Model General Allocation and Apportionment Regulations, as adopted by the Multistate Tax Commission.

10–811.

(A) [Each] For all taxable years beginning before January 1, 2028, each member of an affiliated group of corporations shall file a separate income tax return.

(B) (1) Except as provided by and subject to regulations adopted by the Comptroller, for all taxable years beginning after December 31, 2027, an affiliated group of corporations engaged in a unitary business shall file a combined income tax return reflecting the aggregate income tax liability of all the members of the affiliated group that are engaged in a unitary business.

(2) The return required under paragraph (1) of this subsection shall include the income and apportionment factors determined under § 10–402.1(D) of this title, and any other information required by the Comptroller, for all members of the combined group wherever located or doing business.
(3) (I) Except as provided in subparagraph (II) of this paragraph, the combined return shall be filed under the name and federal employer identification number of the parent corporation if the parent is a member of the combined group.

(II) If there is no parent corporation or if the parent is not a member of the combined group, the members of the combined group shall choose a member to file the return.

(III) The filing member under subparagraph (I) or (II) of this paragraph shall continue to file the combined return unless the filing member is no longer the parent corporation or no longer a member of the combined group.

(4) The return shall be signed by a responsible officer of the filing member on behalf of the combined group members.

(5) Members of the combined group are jointly and severally liable for the tax liability of the combined group included in the combined return.

(C) (1) The comptroller may, by regulation, require that the combined return required under subsection (B) of this section include the income and associated apportionment factors of entities that are not included in the combined report but that are members of a unitary business in order to reflect proper apportionment of income of the entire unitary business.

(2) If the comptroller determines that the reported income or loss of a taxpayer engaged in a unitary business with a member not included in the combined group represents an avoidance or evasion of tax, the comptroller may, on a case–by–case basis, require that all or part of the income and associated apportionment factors of the member be included in the taxpayer’s combined return.

(3) The comptroller may require:

(I) The exclusion of one or more factors, the inclusion of one or more additional factors, or the employment of any other method that will fairly represent the taxpayer’s business in the state; or

(II) The employment of any other method to effectuate a proper reflection of the total amount of income subject to
APPORTIONMENT AND AN EQUITABLE ALLOCATION AND APPORTIONMENT OF THE
COMBINED GROUP’S OR ITS MEMBERS’ INCOME.

(D) THE COMPTROLLER SHALL ADOPT REGULATIONS THAT ARE NECESSARY
AND APPROPRIATE TO CARRY OUT THIS SECTION.

11–101.

(l) (3) “Taxable price” does not include:

(ii) the value of a used component or part (core value) received from a
purchaser of the following remanufactured truck parts:

1. an air brake system;
2. an engine;
3. a rear axle carrier; or
4. a transmission; [or]

(iii) a charge for a nontaxable service that is made in connection with
a sale of a taxable communication service, even if the nontaxable charges are aggregated
with and not separately stated from the taxable charges for communications services, if the
vendor can reasonably identify charges not subject to tax from its books and records that are
kept in the regular course of business; OR

(IV) A TRANSPORTATION NETWORK COMPANY IMPACT FEE
IMPOSED UNDER § 10–408 OF THE PUBLIC UTILITIES ARTICLE.

Article – Transportation

3–215.

(a) (1) For the purpose of paying the principal of and interest on consolidated
transportation bonds as they become due and payable, there is hereby levied and imposed
an annual tax that consists of the taxes specified in this section and, to the extent necessary
and except as otherwise provided in this subsection, that shall be used and applied
exclusively for that purpose.

(2) The required use and application of the tax under paragraph (1) of this
subsection is subject only to the prior use and application of one or all or any combination
of the taxes specified in this section to meet the debt service on all of the following bonds
while they are outstanding and unpaid and to the payment of which any part of those taxes
has been pledged:
(i) Bonds of prior issues; and

(ii) Bonds of any series of county transportation bonds issued under Subtitle 3 of this title.

(b) The tax levied and imposed by this section consists of that part of the following taxes that are retained to the credit of the Department after distributions to the political subdivisions:

(1) The motor fuel tax revenue distributed under §§ 2–1103(2), 2–1103(3), and 2–1104(a)(3) of the Tax–General Article;

(2) The motor fuel tax revenue attributable to the sales and use tax equivalent rate imposed under § 9–306 of the Tax–General Article and distributed under § 2–1103(4) of the Tax–General Article;

(3) The income tax revenue distributed under § 2–614 of the Tax–General Article;

(4) The excise tax imposed on vehicles by Part II of Title 13, Subtitle 8 of this article; [and]

(5) The sales and use tax revenues distributed under § 2–1302.1 of the Tax–General Article; AND

(6) The transportation network company impact fee revenues allocated under § 3–216(D)(5)(I)1 of this subtitle.

(c) As long as any consolidated transportation bonds are outstanding and unpaid, and except as provided in § 3–104 of this title, there shall be deposited and maintained in a sinking fund to be maintained by the State Treasurer to secure the payment of the principal of and interest on the bonds, annually or more often, as received, so much of the proceeds of the tax levied and imposed under this section, together with all other funds received by the Department and credited to the Transportation Trust Fund, as are necessary to maintain in the sinking fund a sum equal to the amount required to pay the principal of and interest on the outstanding and unpaid bonds that will become due and payable in the current calendar year and the next succeeding calendar year.

(d) The tax levied and imposed by this section is irrevocably pledged to the payment of the principal of and interest on consolidated transportation bonds as they become due and payable, and no part of the tax or other funds applicable to debt service on the bonds may be repealed, diminished, or applied to any other purpose until:

(1) The bonds and the interest on them have become due and fully paid; or

(2) Adequate and complete provision for payment of the principal and interest has been made.
(e) (1) In this subsection “government obligations” means direct obligations of, or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America.

(2) Adequate and complete provision for payment of the principal and interest of any issue or series of consolidated transportation bonds may be made by the Secretary and the State Treasurer by making a transfer of government obligations from the Transportation Trust Fund to the State Treasurer or to a bank or trust company as escrow fund agent in an amount which, together with the income due thereon, will be sufficient to pay in full when due the maturing principal of and interest on the consolidated transportation bonds.

(3) To the extent that adequate and complete provision has been made for the payment of consolidated transportation bonds under this title those bonds shall no longer be deemed to be outstanding and unpaid under this title.

3–216.

(a) There is a Transportation Trust Fund for the Department.

(c) (2) (i) The Gasoline and Motor Vehicle Revenue Account, the Driver Education Account, [and] the Motorcycle Safety Program Account, AND THE TRANSPORTATION NETWORK COMPANY IMPACT FEE ACCOUNT shall be maintained in the Transportation Trust Fund.

(d) (5) (1) THE DEPARTMENT SHALL ALLOCATE THE FUNDS IN THE TRANSPORTATION NETWORK COMPANY IMPACT FEE ACCOUNT FOR THE FOLLOWING PURPOSES, IN THE MANNER THE DEPARTMENT DETERMINES IS APPROPRIATE:

1. CAPITAL NEEDS IDENTIFIED IN THE ASSESSMENT CONDUCTED UNDER § 7–309 OF THIS ARTICLE; AND

2. DISTRIBUTION TO COUNTIES AND MUNICIPALITIES FOR THE PURPOSES SPECIFIED IN § 8–408 OF THIS ARTICLE.

(II) IF ANY FUNDS REMAIN IN THE TRANSPORTATION NETWORK COMPANY IMPACT FEE ACCOUNT AFTER THE ALLOCATIONS UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE DEPARTMENT SHALL ALLOCATE THE REMAINING FUND BALANCE TO THE LOCALLY OPERATED TRANSIT SYSTEM GRANT PROGRAM UNDER § 4–322 OF THIS ARTICLE.
(a) In this title the following words have the meanings indicated.

(b) “Administration” means the Maryland Transit Administration.

7–205.

(a) (1) For each of fiscal years 2020 through 2022, the Governor shall include in the State budget an appropriation for the capital needs of the Administration of at least $29,100,000 from the revenues available for the State capital program in the Transportation Trust Fund.

(2) Subject to paragraph (3) of this subsection, the Governor shall include in the State budget an appropriation for the state of good repair needs of the Administration in the following amounts from the revenues available for the State capital program in the Transportation Trust Fund:

(i) For fiscal year 2023, at least $402,037,183;

(ii) For fiscal year 2024, at least $502,081,501;

(iii) For fiscal year 2025, at least $439,013,282;

(iv) For fiscal year 2026, at least $450,000,000;

(v) For fiscal year 2027, at least $439,013,282;

(vi) For fiscal year 2028, at least $450,000,000; and

(vii) For fiscal year 2029, at least $318,558,000.

7–406.

(c) (1) Except as provided in paragraph (2) of this subsection, beginning in fiscal year 2023, the Administration may not enter into a contract to purchase buses for at least 25% of the Administration’s State transit bus fleet that are not PURCHASES SHALL BE zero–emission buses.

(2) If the Administration determines that at least 25% of the Administration’s State transit bus fleet that are not zero–emission buses.

ZERO–EMISSION BUSES OR NECESSARY ELECTRIC VEHICLE SUPPLY EQUIPMENT that meet the performance requirements for a particular use, a sufficient number of buses shall be purchased to maintain the State transit bus fleet.
subject to subsection (c) of this section, capital grants shall be appropriated from the Transportation Trust Fund as provided in § 3–216 of this article based on the following calculations:

(1) For fiscal year 2024:

(i) An amount equal to 9.5% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to Baltimore City;

(ii) An amount equal to 3.7% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to the counties to be distributed as provided in § 8–404 of this subtitle; and

(iii) An amount equal to 2.4% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to the municipalities to be distributed as provided in § 8–405 of this subtitle;

(2) For fiscal year 2025:

(i) An amount equal to 11% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to Baltimore City;

(ii) An amount equal to 4.3% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to the counties to be distributed as provided in § 8–404 of this subtitle; and

(iii) An amount equal to 2.7% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to the municipalities to be distributed as provided in § 8–405 of this subtitle; AND

(2) For fiscal year 2026:

(i) An amount equal to 12.2% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to Baltimore City;

(ii) An amount equal to 4.8% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to the counties to be distributed as provided in § 8–404 of this subtitle; and

(iii) An amount equal to 3.0% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to the municipalities to be distributed as provided in § 8–405 of this subtitle;

(4) For fiscal year 2027:
(i) An amount equal to 12.2% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to Baltimore City;

(ii) An amount equal to 4.8% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to the counties to be distributed as provided in § 8–404 of this subtitle; and

(iii) An amount equal to 3.0% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to the municipalities to be distributed as provided in § 8–405 of this subtitle; and

(5) For fiscal year [2028] 2026 and each fiscal year thereafter:

(i) An amount equal to 9.5% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to Baltimore City;

(ii) An amount equal to 3.7% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to the counties to be distributed as provided in § 8–404 of this subtitle; and

(iii) An amount equal to 2.4% of funds credited to the Gasoline and Motor Vehicle Revenue Account shall be appropriated to the municipalities to be distributed as provided in § 8–405 of this subtitle.

11–101.

In the Maryland Vehicle Law, the following words have the meanings indicated, unless the context requires otherwise.

11–102.

“Administration” means the Motor Vehicle Administration.

11–103.

“Administrator” means the Motor Vehicle Administrator.

11–125.1.

“Fuel cell electric vehicle” means a motor vehicle that:

(1) Is made by a manufacturer;

(2) Is manufactured primarily for use on public streets, roads, and highways;

(3) Is rated at not more than 8,500 pounds unloaded gross weight;
(4) Has a maximum speed capability of at least 55 miles per hour;

(5) Is powered entirely by electricity, produced by combining hydrogen and oxygen, that runs the motor;

(6) Has an operating range of at least 100 miles; and

(7) Produces only water vapor and heat as by-products.

11–145.1.

(a) “Plug–in electric drive vehicle” means a motor vehicle that:

(1) Is made by a manufacturer;

(2) Is manufactured primarily for use on public streets, roads, and highways;

(3) Is rated at not more than 8,500 pounds unloaded gross vehicle weight;

(4) Has a maximum speed capability of at least 55 miles per hour; and

(5) Is propelled to a significant extent by an electric motor that draws electricity from a battery that:

(i) Has a capacity of not less than 4 kilowatt–hours for 4–wheeled motor vehicles and not less than 2.5 kilowatt–hours for 2–wheeled or 3–wheeled motor vehicles; and

(ii) Is capable of being recharged from an external source of electricity.

(b) “Plug–in electric drive vehicle” includes a qualifying vehicle that has been modified from original manufacturer specifications.

12–118.

(a) Except as specifically provided by law, all money received under the Maryland Vehicle Law shall be accounted for and remitted to the State Comptroller.

(c) (1) Except as provided in paragraph (2) of this subsection, notwithstanding any other law and in addition to any other exceptions provided by law, all costs, fines, penalties, and forfeitures received by or paid to the District Court under the Maryland Vehicle Law shall be collected and remitted as provided in the Courts Article.
(2) The Comptroller shall distribute revenue from the civil fines collected through use of a work zone speed control system CONTROLLED BY A STATE AGENCY under § 21–810 of this article to a special fund, to be used only as provided in subsection (e) of this section.

(e) Money in the special fund established under subsection (c)(2) of this section:

(1) Shall be distributed first to the Department of State Police and the State Highway Administration to cover the costs of implementing and administering work zone speed control systems; [and]

(2) After the distribution under item (1) of this subsection, 25% OF ANY REMAINING BALANCE shall be distributed to the Department of State Police to be used only for the purchase of replacement vehicles and related motor vehicle equipment used to outfit police vehicles; AND

(3) AFTER THE DISTRIBUTIONS UNDER ITEMS (1) AND (2) OF THIS SUBSECTION, THE REMAINING BALANCE SHALL BE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND FOR:

   (I) HIGHWAY AND WORK ZONE SAFETY PURPOSES; AND

   (II) STATE HIGHWAY ADMINISTRATION SYSTEM PRESERVATION.

13–410.

(e) (1) During subsequent registration years, the Administrator may order the continued use of registration plates that are valid during any current registration year[; and, after so doing, the Administrator shall issue, at the time a vehicle’s registration is renewed, a validation tab to evidence payment of the vehicle’s annual registration fee].

(2) The tab shall be displayed on the plates of the vehicle in the manner that the Administrator requires.

(3) The Administrator from time to time shall evaluate the condition of registration plates issued under this title and may provide for the manufacture and issuance of new registration plates. These new registration plates shall be issued [and subsequently validated] in the manner required by this subtitle.

13–411.

(d) Except as otherwise expressly permitted by the Maryland Vehicle Law, as to any vehicle required to be registered under this title, a person may not drive the vehicle on
any highway in this State, unless there is attached to the vehicle and displayed on it, as
required in this title:

(1) A registration plate or plates issued for the vehicle by the
Administration for the current registration period; and

(2) Any validation tab issued for the vehicle under this subtitle.

(e) Except as otherwise expressly permitted by the Maryland Vehicle Law, as to
any vehicle required to be registered under this title, the owner of the vehicle may not permit
the vehicle to be driven on any highway in this State, unless there is attached to and
displayed on the vehicle, as required in this title:

(1) A registration plate or plates issued by the Administration for the
current registration period; and

(2) Any validation tab issued for the vehicle under this subtitle.

13–412.

(a) Except as provided in subsection (b) of this section, unless current validation
tabs have been issued by the Administration and are displayed on the plates as provided in
this subtitle, the registration and the registration plates issued under this title [for them]
expire at midnight on the dates indicated on the registration card issued by the
Administration.

(b) (1) The Administration may issue a temporary authorization certificate
permitting a vehicle to be driven [pending the issuance of current validation tabs].

(c) The Administration shall adopt rules and regulations to govern the issuance,
display, and expiration of registrations, registration cards, registration plates, AND
temporary authorization certificates[, and validation tabs].

13–413.

(a) Notwithstanding any other provision of this subtitle, the Administration may
adopt a system of multiyear registration.

(b) Vehicle registration plates [or validation tabs] shall be issued and displayed
in accordance with a schedule established by the Administrator.

13–415.

(a) If a current registration card [or current validation tabs that never have been
affixed to registration plates are] IS lost, the owner of the vehicle for which the card [or tabs
were] WAS issued or the legal representative of the owner named in the certificate of title of
the vehicle, as shown by the records of the Administration, immediately shall apply for and, after furnishing information satisfactory to the Administration and payment of the required fee, is entitled to obtain a duplicate registration card [or replacement validation tabs].

(b) If a current registration card [or current validation tabs that never have been affixed to registration plates are] IS stolen, the owner of the vehicle for which the card [or tabs were] WAS issued or the legal representative of the owner named in the certificate of title, as shown by the records of the Administration, immediately shall apply for and, after furnishing information satisfactory to the Administration and payment of the required fee, is entitled to obtain a duplicate registration card [or replacement validation tabs].

(c) If a current registration card [or current validation tabs that never have been affixed to registration plates are] IS damaged to the extent that the registration card [or validation tabs are] IS illegible, the owner of the vehicle for which the card [or tabs were] WAS issued or the legal representative of the owner named in the certificate of title, as shown by the records of the Administration, immediately shall apply for and, after furnishing information satisfactory to the Administration and payment of the required fee, is entitled to obtain a duplicate registration card [or replacement validation tabs].

(g) Within 48 hours after the loss, theft, or damage to the extent of illegibility of any current registration plate [or any current validation tab that has been affixed to a registration plate], the owner of the vehicle for which the plate [or tab] was issued or the legal representative of the owner named in the certificate of title of the vehicle, as shown by the records of the Administration, shall notify the Administration and apply for replacement registration plates[,] AND a replacement registration card[,] and replacement validation tabs]. The Administration shall supply the replacements on receiving information satisfactory to it and payment of the required fee.

(h) On receipt of the replacements, the original registration card and all of the original registration plates [and validation tabs] issued for that vehicle shall be surrendered to the Administration.

11–101.

In the Maryland Vehicle Law, the following words have the meanings indicated, unless the context requires otherwise.

11–102.

“Administration” means the Motor Vehicle Administration.

11–103.

“Administrator” means the Motor Vehicle Administrator.
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(1) During subsequent registration years, the Administrator may order the continued use of registration plates that are valid during any current registration year[, and, after so doing, the Administrator shall issue, at the time a vehicle's registration is renewed, a validation tab to evidence payment of the vehicle's annual registration fee].

(2) The tab shall be displayed on the plates of the vehicle in the manner that the Administrator requires.

(2) The Administrator from time to time shall evaluate the condition of registration plates issued under this title and may provide for the manufacture and issuance of new registration plates. These new registration plates shall be issued [and subsequently validated] in the manner required by this subtitle.

(d) Except as otherwise expressly permitted by the Maryland Vehicle Law, as to any vehicle required to be registered under this title, a person may not drive the vehicle on any highway in this State, unless there is attached to the vehicle and displayed on it, as required in this title:

(1) A registration plate or plates issued for the vehicle by the Administration for the current registration period[, and

(2) Any validation tab issued for the vehicle under this subtitle].

(e) Except as otherwise expressly permitted by the Maryland Vehicle Law, as to any vehicle required to be registered under this title, the owner of the vehicle may not permit the vehicle to be driven on any highway in this State, unless there is attached to and displayed on the vehicle, as required in this title:

(1) A registration plate or plates issued by the Administration for the current registration period[, and

(2) Any validation tab issued for the vehicle under this subtitle].

13–411.

(a) Except as provided in subsection (b) of this section[, unless current validation tabs have been issued by the Administration and are displayed on the plates as provided in this subtitle,] the registration and the registration plates issued under this title [for them] expire at midnight on the dates indicated on the registration card issued by the Administration.
(b)(1) The Administration may issue a temporary authorization certificate permitting a vehicle to be driven [pending the issuance of current validation tabs].

(a) The Administration shall adopt rules and regulations to govern the issuance, display, and expiration of registrations, registration cards, registration plates, AND temporary authorization certificates [and validation tabs].

(c) Notwithstanding any other provision of this subtitle, the Administration may adopt a system of multiyear registration.

(b) Vehicle registration plates [or validation tabs] shall be issued and displayed in accordance with a schedule established by the Administrator.

(a) If a current registration card [or current validation tabs that never have been affixed to registration plates are] IS lost, the owner of the vehicle for which the card [or tabs were] WAS issued or the legal representative of the owner named in the certificate of title of the vehicle, as shown by the records of the Administration, immediately shall apply for and, after furnishing information satisfactory to the Administration and payment of the required fee, is entitled to obtain a duplicate registration card [or replacement validation tabs].

(b) If a current registration card [or current validation tabs that never have been affixed to registration plates are] IS stolen, the owner of the vehicle for which the card [or tabs were] WAS issued or the legal representative of the owner named in the certificate of title, as shown by the records of the Administration, immediately shall apply for and, after furnishing information satisfactory to the Administration and payment of the required fee, is entitled to obtain a duplicate registration card [or replacement validation tabs].

(c) If a current registration card [or current validation tabs that never have been affixed to registration plates are] IS damaged to the extent that the registration card [or validation tabs are] IS illegible, the owner of the vehicle for which the card [or tabs were] was issued or the legal representative of the owner named in the certificate of title, as shown by the records of the Administration, immediately shall apply for and, after furnishing information satisfactory to the Administration and payment of the required fee, is entitled to obtain a duplicate registration card [or replacement validation tabs].

(g) Within 48 hours after the loss, theft, or damage to the extent of illegibility of any current registration plate [or any current validation tab that has been affixed to a registration plate], the owner of the vehicle for which the plate [or tab] was issued or the legal representative of the owner named in the certificate of title of the vehicle, as shown by the records of the Administration, shall notify the Administration and apply for
replacement registration plates[,] AND a replacement registration card[,] and replacement validation tabs]. The Administration shall supply the replacements on receiving information satisfactory to it and payment of the required fee.

(h) On receipt of the replacements, the original registration card and all of the original registration plates [and validation tabs] issued for that vehicle shall be surrendered to the Administration.

13–809.

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

(2) “Fair market value” means:

(i) As to the sale of any new or used vehicle by a licensed dealer, the total purchase price, as certified by the dealer;

(ii) Except as provided in item (iv) of this paragraph, as to a used vehicle that is sold by any person other than a licensed dealer and that has a designated model year that is 7 years old or older, the greater of:

1. The total purchase price; or

2. $640;

(iii) Except as provided in item (iv) of this paragraph, as to any other used vehicle that is sold by any person other than a licensed dealer:

1. The total purchase price, if the total purchase price is less than $500 below the retail value of the vehicle as shown in a national publication of used car values adopted for use by the Department; or

2. If the total purchase price is $500 or more below the retail value of the vehicle as shown in a national publication of used car values adopted for use by the Department:

A. The total purchase price, if verified to the satisfaction of the Administration by a notarized bill of sale submitted in accordance with subsection [(d)(2)] [(E)(2)] of this section; or

B. The valuation shown in the national publication of used car values, if the Administration finds that the documentation submitted under subsection [(d)(2)] [(E)(2)] of this section fails to verify the total purchase price;

(iv) As to a used trailer, a motor scooter, a moped, or an off–highway recreational vehicle that is sold by any person other than a licensed dealer, the greater of:
1. The total purchase price; or

2. $320; and

(v) In any other case, the valuation shown in a national publication of used car values adopted for use by the Department.

(3) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, “total purchase price” means the price of a vehicle agreed on by the buyer and the seller, including any dealer processing charge, less an allowance for trade-in IF AUTHORIZED UNDER SUBSECTION (B) OF THIS SECTION but with no allowance for other nonmonetary consideration.

(ii) As to a person trading in a nonleased vehicle to enter into a lease for a period of more than 180 consecutive days, “total purchase price” means the retail value of the vehicle as certified by the dealer, including any dealer processing charge, less an allowance for the trade-in of the nonleased vehicle IF AUTHORIZED UNDER SUBSECTION (B) OF THIS SECTION but with no allowance for other nonmonetary consideration.

(iii) As to a person trading in a leased vehicle to enter into another lease for a period of more than 180 consecutive days with a different leasing company or to purchase a vehicle, “total purchase price” means the retail value of the vehicle as certified by the dealer, including any dealer processing charge, less an allowance for the trade-in of the leased vehicle IF AUTHORIZED UNDER SUBSECTION (B) OF THIS SECTION but with no allowance for other nonmonetary consideration.

(4) “Trailer” has the meaning stated in § 11–169 of this article.

(B) (1) (1) IN THIS SUBSECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(II) “GASOLINE–OR DIESEL–POWERED VEHICLE” MEANS A MOTOR VEHICLE THAT:

1. IS MADE BY A MANUFACTURER;

2. IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC STREETS, ROADS, AND HIGHWAYS;

3. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR; AND

4. IS PROPELLED ENTIRELY BY AN INTERNAL COMBUSTION ENGINE.
(III) “HYBRID VEHICLE” MEANS A MOTOR VEHICLE THAT:

1. IS MADE BY A MANUFACTURER;

2. IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC STREETS, ROADS, AND HIGHWAYS;

3. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR; AND

4. IS PROPELLED BY BOTH:

   A. AN INTERNAL COMBUSTION ENGINE; AND

   B. A BATTERY THAT IS NOT CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY.

(IV) “ZERO-EMISSION PLUG-IN ELECTRIC DRIVE VEHICLE” MEANS A MOTOR VEHICLE THAT:

1. IS MADE BY A MANUFACTURER;

2. IS MANUFACTURED PRIMARILY FOR USE ON PUBLIC STREETS, ROADS, AND HIGHWAYS;

3. HAS A MAXIMUM SPEED CAPABILITY OF AT LEAST 55 MILES PER HOUR; AND

4. IS PROPELLED BY AN ELECTRIC MOTOR THAT DRAWS ELECTRICITY FROM A BATTERY THAT:

   A. HAS A CAPACITY OF NOT LESS THAN 4 KILOWATT-HOURS; AND

   B. IS CAPABLE OF BEING RECHARGED FROM AN EXTERNAL SOURCE OF ELECTRICITY.

(2) ON OR AFTER JULY 1, 2024, BUT BEFORE JULY 1, 2029, IF A PERSON IS TRADING IN A VEHICLE TO PURCHASE OR LEASE:

(1) A ZERO-EMISSION PLUG-IN ELECTRIC DRIVE VEHICLE, A FUEL CELL ELECTRIC VEHICLE, OR A PLUG-IN ELECTRIC DRIVE VEHICLE, THE
ALLOWANCE FOR TRADE-IN IS EQUAL TO 100% OF THE VALUE OF THE TRADE-IN VEHICLE;

(II) A HYBRID VEHICLE, THE ALLOWANCE FOR TRADE-IN IS EQUAL TO 25% OF THE VALUE OF THE TRADE-IN VEHICLE; OR

(III) A GASOLINE- OR DIESEL-POWERED VEHICLE, THERE IS NO ALLOWANCE FOR TRADE-IN.

(3) ON OR AFTER JULY 1, 2029, THERE IS NO ALLOWANCE FOR TRADE-IN.

(b) (C) (1) Except as otherwise provided in this part, in addition to any other charge required by the Maryland Vehicle Law, an excise tax is imposed:

(i) For each original and each subsequent certificate of title issued in this State for a motor vehicle, a trailer, a semitrailer, a moped, a motor scooter, or an off-highway recreational vehicle for which sales and use tax is not collected at the time of purchase; and

(ii) Except as provided in paragraph (2) of this subsection, for each motor vehicle, trailer, or semitrailer that is in interstate operation and registered under § 13–109(c) or (d) of this title without a certificate of title.

(2) (i) An excise tax of $50 is imposed for the registration of a trailer exempt from the titling requirement under § 13–102(12) of this title.

(ii) In a case where the fair market value as defined in subsection (a)(2)(iii)2A of this section applies, the excise tax imposed under this part may not be less than $32.

(3) A political subdivision of the State may not impose a sales tax, a use tax, or excise tax on the issuance of a motor vehicle certificate of title.

(c) (D) (1) Except as provided in subsection [(b)(2)] (C)(2) of this section, the tax imposed by this section is [6 percent] 6.5% of the fair market value of the vehicle.

(2) If the vehicle formerly was a vehicle exempt from the tax imposed by this section, the tax shall be reduced by any amount previously paid by the present owner as a sales and use tax on the vehicle under Title 11 of the Tax – General Article.

(3) (i) If the vehicle was formerly titled and registered in another state and the present owner has paid a sales or excise tax to that state at a rate less than that imposed by this State, then the tax imposed shall apply but at a rate measured by the difference only between the tax rate paid to the other state and the tax rate imposed by this section, if the present owner has not been a Maryland resident for more than 60 days.
(ii) If the vehicle was formerly titled and registered in another state and the present owner requests to transfer the vehicle in accordance with § 13–810(c)(1) of this subtitle, the Administration shall change or correct the names contained in the certificate of title:

1. At the time the excise tax that is credited or imposed under this section is paid and a new title is issued; and

2. Without issuing multiple certificates of title or charging additional fees.

(iii) Except as provided in subsection [(b)(2)](C)(2) of this section, the minimum tax imposed under this section shall be $100.

[(d)](E) Each applicant for a certificate of title or for registration under § 13–109(c) of this title shall submit to the Administration:

(1) The information that the Administration considers necessary as to:

(i) The time of purchase of the vehicle; and

(ii) The purchase price and other information relating to the determination of the fair market value of the vehicle which may include, but is not limited to:

1. Canceled checks;

2. Money order receipts;

3. Loan documents; or

4. A written description of the vehicle’s condition; and

(2) If the excise tax is based on the total purchase price of the vehicle as provided in subsection (a)(2)(iii)2A of this section, a notarized bill of sale that:

(i) Is designed by, and obtained from, the Administration;

(ii) Is signed by the buyer and the seller; and

(iii) Includes a statement explaining why the vehicle was sold at the price stated in the bill of sale.

[(e)](F) Any person who fails to pay the excise tax as required in this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $1,000.
The Administration shall adopt regulations to implement the provisions of this section.

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

(4) “Zero–emission plug–in electric drive vehicle” means a motor vehicle that:

(i) Is made by a manufacturer;

(ii) Has a maximum speed capability of at least 55 miles per hour; and

(iii) Is propelled by an electric motor that draws electricity from a battery that:

1. Has a capacity of not less than 4 kilowatt–hours; and

2. Is capable of being recharged from an external source of electricity.

(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE fees specified in this subtitle for the registration of a classified vehicle or for any interchangeable registration shall be paid to the Administration:

(1) Before issuance of the registration and any registration plates and registration cards; and

(2) Except as otherwise expressly provided, during each registration year before the issuance or renewal of the registration.

(B) Registration fees specified in this subtitle shall be paid in installments throughout the registration period as determined by the Administration.

(a) When registered with the Administration, every passenger car and station wagon, except as otherwise provided in this part, is a Class A (passenger) vehicle.

(b) For each Class A (passenger) vehicle, the annual registration fee is:
(1) For a vehicle with a manufacturer’s shipping weight of 3,000 pounds or less – [$50.50; and] $73.50;

(2) For a vehicle with a manufacturer’s shipping weight of more than 3,000 pounds but not more than 3,700 pounds – [$76.50] $97.50;

(3) For a vehicle with a manufacturer’s shipping weight of more than 3,700 pounds but not more than 5,000 pounds – $146.50; AND

(4) For a vehicle with a manufacturer’s shipping weight of more than 5,000 pounds – $166.50.

(a) When registered with the Administration, every passenger motor vehicle operated for the transportation of persons for hire, except a vehicle described in paragraph (2) of this subsection, is a Class B (for hire) vehicle.

(b) The following vehicles are not subject to the classification specified in this section:

(i) Any vehicle operated on a regular schedule and between fixed termini; and

(ii) Any vehicle for which a different classification is specified in this part.

(b) For each Class B (for hire) vehicle, the annual registration fee is [$150.00] $165.00.

(a) When registered with the Administration, every motor vehicle operated as an ambulance, a mortician flower coach or service wagon, or a funeral limousine or coach is a Class C (funeral and ambulance) vehicle.

(b) For each Class C (funeral and ambulance) vehicle, the annual registration fee is [$100.00] $115.00.

(a) When registered with the Administration, every motorcycle is a Class D (motorcycle) vehicle.
(b) For each Class D (motorcycle) vehicle, the annual registration fee is \$35.00.

13–916.

(a) When registered with the Administration, every single unit truck with two or more axles is a Class E (truck) vehicle.

(b) For each Class E (truck) vehicle, the annual registration fee is based on the maximum gross weight of the vehicle or combination of vehicles, as follows:

<table>
<thead>
<tr>
<th>Maximum Gross Weight Limit (in Pounds)</th>
<th>Fee (per 1,000 Pounds or Fraction Thereof)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,000 (minimum) – 18,000</td>
<td>[$ 9.00] $10.00</td>
</tr>
<tr>
<td>18,001 – 26,000</td>
<td>[11.75] 12.45</td>
</tr>
<tr>
<td>26,001 – 40,000</td>
<td>[12.75] 13.22</td>
</tr>
<tr>
<td>40,001 – 60,000</td>
<td>[14.75] 15.06</td>
</tr>
<tr>
<td>60,001 – 80,000 (maximum)</td>
<td>[16.00] 16.23</td>
</tr>
</tbody>
</table>

13–917.

Notwithstanding § 13–916(b) of this subtitle, for any Class E (truck) vehicle WITH A MANUFACTURER’S RATED CAPACITY OF 3/4 TON OR LESS AND A MAXIMUM GROSS VEHICLE WEIGHT OF 7,000 POUNDS OR LESS, the annual registration fee is \$63.75 if:

1. The manufacturer’s rated capacity is 3/4 ton or less; and

2. EXCEPT AS PROVIDED IN ITEM (5) OF THIS SECTION, FOR A VEHICLE WITH A maximum gross vehicle weight \[is 7,000\] OF 3,500 pounds or less – \$86.75;

(2) EXCEPT AS PROVIDED IN ITEM (5) OF THIS SECTION, FOR A VEHICLE WITH A MAXIMUM GROSS VEHICLE WEIGHT OF MORE THAN 3,500 POUNDS BUT NOT MORE THAN 5,000 POUNDS – \$110.75;

(3) EXCEPT AS PROVIDED IN ITEM (5) OF THIS SECTION, FOR A VEHICLE WITH A MAXIMUM GROSS VEHICLE WEIGHT OF MORE THAN 5,000 POUNDS BUT NOT MORE THAN 7,000 POUNDS – \$133.75;

(4) EXCEPT AS PROVIDED IN ITEM (5) OF THIS SECTION, FOR A VEHICLE WITH A MAXIMUM GROSS VEHICLE WEIGHT OF MORE THAN 7,000 POUNDS – \$180; AND

(5) FOR A VEHICLE, REGARDLESS OF THE VEHICLE’S MAXIMUM GROSS VEHICLE WEIGHT, FOR WHICH THE OWNER CERTIFIES ON THE REGISTRATION...
APPLICATION THAT THE VEHICLE FOR WHICH THE APPLICATION IS MADE WILL BE USED FOR CONSTRUCTION ACTIVITIES – $86.75.

13–919.

(a) On application, the Administration shall issue a special Class E “dump service registration” to any applicant who certifies that the vehicle for which the application is made is a Class E (truck) vehicle that:

Is designed to haul cargo and to self-unload by gravity or mechanical means; and

Is to be used to haul feed or other loose materials in bulk.

(f) For each vehicle registered under this section, the annual registration fee is the greater of:

(1) \[ $26.25] $26.55 for each thousand pounds of gross weight of the vehicle;

or

(2) \[ $1,050.00] $1,065.00.

13–920.

(a) (1) In this section, “tow truck” means a vehicle that:

(i) Is a Class E (truck) vehicle that is designed to lift, pull, or carry a vehicle by a hoist or mechanical apparatus;

(ii) Has a manufacturer’s gross vehicle weight rating of 10,000 pounds or more; and

(iii) Is equipped as a tow truck or designed as a rollback as defined in § 11–151.1 of this article.

(2) In this section, “tow truck” does not include a truck tractor as defined in § 11–172 of this article.

(b) When registered with the Administration every tow truck as defined in this section is a Class T vehicle.

(c) A tow truck registered under this section may be used to tow vehicles for repair, storage, or removal from the highway.
(d) (1) Subject to the provisions of paragraph (2) of this subsection, for each vehicle registered under this section, the annual registration fee is based on the manufacturer’s gross vehicle weight rating as follows:

<table>
<thead>
<tr>
<th>Manufacturer’s Gross Weight Rating in Pounds</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,000 (or less) to 26,000</td>
<td>[$185.00]</td>
</tr>
<tr>
<td>More than 26,000</td>
<td>[$550.00]</td>
</tr>
</tbody>
</table>

(2) (i) The annual registration fee for a vehicle registered under this section that is used for any purpose other than that described in subsection (c) of this section shall be determined under subparagraph (ii) of this paragraph if the maximum gross weight of the vehicle or combination of vehicles:

1. Exceeds 18,000 pounds and the vehicle has a manufacturer’s gross weight rating of 26,000 pounds or less; or
2. Exceeds 35,000 pounds and the vehicle has a manufacturer’s gross weight rating of more than 26,000 pounds.

(ii) The annual registration fee shall be the greater of:

1. The fees set forth in paragraph (1) of this subsection; or
2. The fees set forth in § 13–916(b) of this subtitle.

(a) When registered with the Administration, every truck tractor or similar motor vehicle used for propelling, supporting, or drawing a trailer or semitrailer is a Class F (tractor) vehicle.

(b) For each Class F (tractor) vehicle, the annual registration fee is based on the maximum gross weight of the vehicle in combination with a trailer or semitrailer, as follows:

<table>
<thead>
<tr>
<th>Maximum Gross Weight Limit (in Pounds)</th>
<th>Fee (per 1,000 Pounds or Fraction Thereof)</th>
</tr>
</thead>
<tbody>
<tr>
<td>40,000 (minimum) – 60,000</td>
<td>[$21.00] [$21.31]</td>
</tr>
<tr>
<td>60,001 – 80,000 or more</td>
<td>[$22.50] [$22.73]</td>
</tr>
</tbody>
</table>
(1) Except as provided in paragraph (2) of this subsection, for a nonfreight trailer or semitrailer:

<table>
<thead>
<tr>
<th>Maximum Gross Weight Limit (in Pounds)</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,000 or less</td>
<td>[$25.50] $35.50</td>
</tr>
<tr>
<td>3,001 to 5,000</td>
<td>[51.00] 61.00</td>
</tr>
<tr>
<td>5,001 to 10,000</td>
<td>[80.00] 90.00</td>
</tr>
<tr>
<td>10,001 to 20,000</td>
<td>[124.00] 139.00</td>
</tr>
</tbody>
</table>

(2) For a nonfreight trailer or semitrailer with a maximum gross weight limit (in pounds) of 10,001 to 20,000 that is titled on or after October 1, 2005:

(i) The fee is [$124.00] 139.00; and

(ii) The vehicle shall be registered in one of the following weight ranges:

<table>
<thead>
<tr>
<th>Maximum Gross Weight Limit (in Pounds)</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,001 to 11,000</td>
</tr>
<tr>
<td>11,001 to 12,000</td>
</tr>
<tr>
<td>12,001 to 13,000</td>
</tr>
<tr>
<td>13,001 to 14,000</td>
</tr>
<tr>
<td>14,001 to 15,000</td>
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<tr>
<td>15,001 to 16,000</td>
</tr>
<tr>
<td>16,001 to 17,000</td>
</tr>
<tr>
<td>17,001 to 18,000</td>
</tr>
<tr>
<td>18,001 to 19,000</td>
</tr>
<tr>
<td>19,001 to 20,000</td>
</tr>
</tbody>
</table>

(3) For a freight trailer or semitrailer the fee is [$38.25] 48.25.

13–932.

(a) When registered with the Administration, every school vehicle is a Class H (school) vehicle.

(b) For each Type I school vehicle, the annual registration fee is:

(1) If the vehicle is a school bus only operated for the transportation of children, students, or teachers for educational purposes or in connection with a school activity or, with approval from a board of education in any county, to provide transportation for persons 60 years of age or older to civic, educational, social, or recreational activities – [$51.00] 61.00; and
(2) If the vehicle is a school bus charter operated for any purpose in addition to that specified in item (1) of this subsection – [$150.00] $165.00, less any amount paid under item (1) of this subsection.

(c) For each Type II school vehicle, the annual registration fee is [$51.00] $61.00.

13–933.

(a) When registered with the Administration, every bus operated under charter or for hire is a Class P (passenger bus) vehicle.

(b) For each Class P (passenger bus) vehicle, the annual registration fee is based on the seating capacity of the bus, as follows:

<table>
<thead>
<tr>
<th>Seating Capacity</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 or less</td>
<td>[$275.00] $290.00</td>
</tr>
<tr>
<td>21 to 35</td>
<td>[$325.00] $540.00</td>
</tr>
<tr>
<td>36 or more</td>
<td>[$875.00] $890.00</td>
</tr>
</tbody>
</table>

13–934.

(a) When registered with the Administration, every vehicle used as a vanpool vehicle is a Class J (vanpool) vehicle.

(b) For each Class J (vanpool) vehicle, the annual registration fee is [$76.50] $86.50.

13–936.

(a) In this section, “historic motor vehicle” means a motor vehicle, including a passenger vehicle, motorcycle, or truck that:

(1) Is at least 20 years old;

(2) Has not been substantially altered from the manufacturer’s original design; and

(3) Meets criteria contained in regulations adopted by the Administration.

(b) In this section, “historic motor vehicle” does not include a vehicle that has been remanufactured or reconstructed as a replica of an original vehicle.

(c) If registered with the Administration under this section, every historic motor vehicle is a Class L (historic) vehicle.
(d) Except as provided in subsection (i) of this section, for each Class L (historic) vehicle, the annual registration fee is $25.50. 

(a) When registered with the Administration, every multipurpose passenger vehicle is a Class M (multipurpose) vehicle.

(b) For each Class M (multipurpose) vehicle, the annual registration fee is:

(1) For a vehicle with a manufacturer’s shipping weight of 3,500 pounds or less – $50.50; and $73.50;

(2) For a vehicle with a manufacturer’s shipping weight of more than 3,500 POUNDS BUT NOT MORE THAN 3,700 pounds – $76.50 $97.50;

(3) For a vehicle with a manufacturer’s shipping weight of MORE THAN 3,700 POUNDS BUT NOT MORE THAN 5,000 POUNDS – $146.50; AND

(4) For a vehicle with a manufacturer’s shipping weight of MORE THAN 5,000 POUNDS – $166.50.

(c) The Administration may by rule and regulation provide for the registration under this section of all multipurpose passenger vehicles registered under another classification.

13–937.1.

(a) In this section, “street rod” means a motor vehicle that:

(1) Is 25 years old or older; and

(2) Has been substantially altered from the manufacturer’s original design.

(b) Except as provided in subsection (e) of this section, if registered with the Administration under this section, every street rod is a Class N (street rod) vehicle.

(c) For each Class N (street rod) vehicle, the annual registration fee is $25.00 $35.50.

13–939.

(a) When registered with the Administration, every limousine operated for hire is a Class Q (limousine) vehicle.
(b) For each Class Q (limousine) vehicle, the annual registration fee is $200.00.

(c) On registration of a vehicle under this section, the Administration shall issue special limousine vehicle registration plates of the size and design that the Administration determines.

(b) (1) In addition to the registration fee otherwise required by this title, the owner of any motor vehicle registered under this title shall pay a surcharge of $17.00 per year for each motor vehicle registered.

    (2) (I) $2.50 of the surcharge collected under paragraph (1) of this subsection shall be paid into the Maryland Trauma Physician Services Fund established under § 19–130 of the Health – General Article.

    (II) The Governor annually shall allocate at least $7.60 of the surcharge collected under paragraph (1) of this subsection to the R Adams Cowley Shock Trauma Center.

    (III) The balance of the surcharge collected under paragraph (1) of this subsection shall be paid to the Maryland Emergency Medical Systems Operations Fund established under § 13–955 of this subtitle.

(A) In this section, “zero–emission plug–in electric drive vehicle” has the meaning stated in § 13–815 of this title.

(B) In addition to the registration fee otherwise required by this title, the owner of a motor vehicle shall pay an annual surcharge:

    (1) On or before September 30, 2025, of:

        (I) $125 for each zero–emission plug–in electric drive vehicle or fuel cell electric vehicle;

        (II) $100 for each plug–in electric drive hybrid vehicle;

        AND

        (III) $75 for each hybrid vehicle that does not have plug–in charging capability; and
(2) After September 30, 2025, a rate based on the amounts established under item (1) of this subsection adjusted for inflation as determined annually by the Administration.

(C) A surcharge assessed under this section may be paid:

(1) At the time the annual registration fee is paid; or

(2) In installments throughout the registration period as determined by the Administration.

(D) The proceeds collected from the surcharge assessed under this section shall be deposited into the Transportation Trust Fund.

(E) If a person that owns a motor vehicle that is assessed the surcharge fails to pay the surcharge or installments, the Administration shall refuse to register or renew or transfer the registration of the motor vehicle.

21–810.

(b) (1) A work zone speed control system that meets the requirements of this subsection may be used to record the images of motor vehicles traveling on a highway:

(i) Within a work zone; AND

(ii) That is an expressway or a controlled access highway as defined in § 21–101 of this title; and

(iii) On which the speed limit, as posted before the work zone was implemented and established using generally accepted traffic engineering practices, is 45 miles per hour or greater.

(2) (1) A work zone speed control system may be used only:

(i) On a highway as specified in paragraph (1) of this subsection; AND

(ii) When being operated by a work zone speed control system operator; and

(iii) If, in accordance with the Maryland manual on uniform traffic control devices, a
A. A conspicuous road sign is placed at a reasonable distance consistent with national guidelines before the work zone alerting drivers that a speed monitoring system may be in operation in the work zone; AND

B. A DEVICE THAT DISPLAYS A REAL-TIME POSTING OF THE SPEED AT WHICH A DRIVER IS TRAVELING IS PROXIMATE TO EACH ROAD SIGN ALERTING DRIVERS THAT A SPEED MONITORING SYSTEM MAY BE IN OPERATION IN THE WORK ZONE.

(II) A WORK ZONE SPEED CONTROL SYSTEM OPERATOR DOES NOT NEED TO BE PRESENT IN PERSON OR REMOTELY AT THE HIGHWAY WORK ZONE WHEN A WORK ZONE SPEED CONTROL SYSTEM IS IN USE.

(III) 1. MULTIPLE WORK ZONE SPEED CONTROL SYSTEMS MAY BE IMPLEMENTED AND USED IN A WORK ZONE.

2. IF A WORK ZONE HAS MORE THAN ONE WORK ZONE SPEED CONTROL SYSTEM IN USE, NOT MORE THAN ONE CITATION MAY BE ISSUED FOR THE SAME REGISTRATION PLATE FOR ALLEGED VIOLATIONS THAT OCCUR WITHIN A 1-HOUR PERIOD IN THE WORK ZONE.

(c) (1) Unless the driver of the motor vehicle received a citation from a police officer at the time of the violation, the owner or, in accordance with subsection (f)(4) of this section, the driver of a motor vehicle is subject to a civil penalty if an image of the motor vehicle is recorded by a work zone speed control system in accordance with subsection (b) of this section while being operated in violation of this subtitle.

(2) (1) [A] ON OR BEFORE DECEMBER 31, 2024, A CIVIL PENALTY UNDER THIS SUBSECTION [MAY NOT EXCEED $40] IS $80.

(II) ON OR AFTER JANUARY 1, 2025, A CIVIL PENALTY UNDER THIS SECTION IS $250.

(3) For purposes of this section, the District Court shall:

(i) Prescribe a uniform citation form consistent with subsection (d)(1) of this section and § 7–302 of the Courts Article; and

(ii) Indicate on the citation the amount of the civil penalty to be paid by persons who choose to prepay the civil penalty without appearing in District Court.

(K) (1) ON OR BEFORE DECEMBER 1, 2024, AND EACH DECEMBER 1 THEREAFTER, THE STATE HIGHWAY ADMINISTRATION SHALL REPORT TO THE
GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY:

(1) ON ANY PILOT PROGRAM THAT THE STATE HIGHWAY ADMINISTRATION CONDUCTED IN THE PREVIOUS FISCAL YEAR THAT TESTS NEW TECHNOLOGIES FOR DETECTING AND RECORDING A VIOLATION OF THIS SUBTITLE IN A WORK ZONE; OR

(II) THAT THE STATE HIGHWAY ADMINISTRATION DID NOT CONDUCT ANY SUCH PILOT PROGRAM IN THE PREVIOUS FISCAL YEAR.

(2) A REPORT SUBMITTED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION SHALL INCLUDE INFORMATION ON:

(I) HOW DATA COLLECTED FROM THE DEVICE TESTED MAY BE USED FOR THE ENFORCEMENT OF VIOLATIONS OF THIS SUBTITLE IN WORK ZONES; AND

(II) ANY LEGISLATIVE OR REGULATORY CHANGES THAT WOULD BE NECESSARY TO AUTHORIZE THE EFFECTIVE USE OF THE DEVICE.

The Department of State Police and the State Highway Administration jointly shall adopt regulations establishing standards and procedures for work zone speed control systems authorized under this section.

21–902.

(a) (1) (i) A person may not drive or attempt to drive any vehicle while under the influence of alcohol.

(ii) A person may not drive or attempt to drive any vehicle while the person is under the influence of alcohol per se.

(iii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding [$1,000] $1,200 or both; and

2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding [$2,000] $2,400 or both.

(iv) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under subsection (b), (c), or (d) of this section or § 8–738 of the Natural Resources Article, within 5 years before the conviction for a violation of this paragraph, shall be considered a prior conviction.
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(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 years or a fine not exceeding $2,000 or both; and

2. For a second offense, imprisonment not exceeding 3 years or a fine not exceeding $3,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (b)(2), (c)(2), or (d)(2) of this section shall be considered a prior conviction.

(b) (1) (i) A person may not drive or attempt to drive any vehicle while impaired by alcohol.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 months or a fine not exceeding $500 or both; and

2. For a second offense, imprisonment not exceeding 1 year or a fine not exceeding $500 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this subsection or subsection (a), (c), or (d) of this section or § 8–738 of the Natural Resources Article shall be considered a prior conviction.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding [$1,000] $1,100 or both; and

2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding [$2,000] $2,200 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (a)(2), (c)(2), or (d)(2) of this section shall be considered a prior conviction.
(c) (1) (i) A person may not drive or attempt to drive any vehicle while so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person cannot drive a vehicle safely.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 months or a fine not exceeding $500 or both; and

2. For a second offense, imprisonment not exceeding 1 year or a fine not exceeding $500 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this subsection or subsection (a), (b), or (d) of this section or § 8–738 of the Natural Resources Article shall be considered a prior conviction.

(iv) It is not a defense to any charge of violating this subsection that the person charged is or was entitled under the laws of this State to use the drug, combination of drugs, or combination of one or more drugs and alcohol, unless the person was unaware that the drug or combination would make the person incapable of safely driving a vehicle.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding [$1,000] $1,200 or both; and

2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding [$2,000] $2,400 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (a)(2), (b)(2), or (d)(2) of this section shall be considered a prior conviction.

(d) (1) (i) A person may not drive or attempt to drive any vehicle while the person is impaired by any controlled dangerous substance, as that term is defined in § 5–101 of the Criminal Law Article, if the person is not entitled to use the controlled dangerous substance under the laws of this State.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 1 year or a fine not exceeding [$1,000] $1,200 or both; and
2. For a second offense, imprisonment not exceeding 2 years or a fine not exceeding \[$2,000\] \$2,400 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under subsection (a), (b), or (c) of this section or § 8–738 of the Natural Resources Article, within 5 years before the conviction for a violation of this paragraph, shall be considered a prior conviction.

(2) (i) A person may not violate paragraph (1) of this subsection while transporting a minor.

(ii) A person convicted of a violation of this paragraph is subject to:

1. For a first offense, imprisonment not exceeding 2 years or a fine not exceeding $2,000 or both; and

2. For a second offense, imprisonment not exceeding 3 years or a fine not exceeding $3,000 or both.

(iii) For the purpose of determining subsequent offender penalties for a violation of this paragraph, a prior conviction under this paragraph or subsection (a)(2), (b)(2), or (c)(2) of this section shall be considered a prior conviction.

Chapter 500 of the Acts of 2009

SECTION 3. AND BE IT FURTHER ENACTED, That, during the 30–day period after the first work zone speed control system is in place, a law enforcement agency may issue warnings, but may not issue citations, OR CITATIONS for violations enforced in accordance with § 21–810 of the Transportation Article, as enacted by this Act.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 24–204(d) of Article Education of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 7–447.1(q) through (s) of Article – Education of the Annotated Code of Maryland be renumbered to be Section(s) 7–447.1(r) through (t), respectively.

SECTION 3. AND BE IT FURTHER ENACTED, That Section(s) 5–315 of Article – Education of the Annotated Code of Maryland be repealed.

SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 10–748 of Article – Tax – General of the Annotated Code of Maryland be repealed.

SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of Chapter 455 of the Acts of the General Assembly of 2023 be repealed.
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SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement, or with the terms of a gift or settlement agreement, for fiscal years 2024 through 2028, net interest on all State money allocated by the State Treasurer under § 6–226 of the State Finance and Procurement Article to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State, with the exception of the following funds:

(1) Maryland Housing Loan Funds of 1976, 1978, 1979, and 1984;
(2) Microsoft Cost Share Fund;
(3) Subsequent Injury Fund;
(4) Uninsured Employers’ Fund;
(5) Energy Overcharge Restitution Fund;
(6) PEPCO/Connectiv Settlement Fund;
(7) Baseball Capital Improvements Fund;
(8) State Victims of Crime Fund;
(9) Juvenile Accountability Incentive Block Grant Fund;
(10) Victim and Witness Protection and Relocation Fund;
(11) Unclaimed Restitution – Victims of Crime;
(12) Justice Assistance Grant;
(13) Byrne Justice Assistance Grant;
(14) Scriven Estate Fund;
(15) Volunteer Company Assistance Fund;
(16) Radoff Memorial Fund;
(17) Archives Endowment Account within the Archives Fund;
(18) Ellefson Endowment Fund;
(19) Albert C. Ritchie Memorial Fund;
(20) Senior Prescription Drug Assistance Program Fund;
(21) State Employees and Retirees Health and Welfare Benefits Fund;

(22) State Retirement Agency Funds;

(23) Postretirement Health Benefits Trust Fund;

(24) Maryland Emergency Medical System Operations Fund;

(25) Community Services Trust Fund;

(26) Waiting List Equity Fund;

(27) Health Care Coverage Fund;

(28) Health Services Cost Review Commission Fund;

(29) Hospital Uncompensated Care Fund;

(30) funds in the accounts of Morgan State University;

(31) funds in the accounts of St. Mary’s College of Maryland;

(32) funds in the accounts of the University System of Maryland;

(33) Maryland Prepaid College Trust Fund;

(34) Nurse Support Program Assistance Fund;

(35) funds in the accounts of the Baltimore City Community College;

(36) Education Trust Fund;

(37) Section 8 construction and administration funds administered by the Department of Housing and Community Development;

(38) MacArthur Grant Fund;

(39) Maryland Water Quality Revolving Loan Fund;

(40) Maryland Drinking Water Revolving Loan Fund;

(41) Bay Restoration Fund;

(42) Strategic Energy Investment Fund;

(43) Criminal Injuries Compensation Fund;
(44) 50% of the interest from the 9–1–1 Trust Fund;

(45) all accounts within the State Reserve Fund;

(46) local revenue accounts collected by the Judiciary;

(47) Assistive Technology Loan Fund;

(48) Transportation Trust Fund;

(49) Maryland Innovation Initiative Fund;

(50) Family Security Trust Fund, subject to § 7–4A–03(d) of the Health Occupations Article;

(51) the Baltimore City Public School Construction Facilities Fund;

(52) the Baltimore City Public School Construction Financing Fund;

(53) the Prekindergarten Expansion Fund;

(54) the Innovation Investment Fund;

(55) the Internet Crimes Against Children Task Force Fund;

(56) the Maryland Energy Innovation Fund;

(57) the Blueprint for Maryland’s Future Fund;

(58) the School Construction Revolving Loan Fund;

(59) the Supplemental Facilities Fund;

(60) the Prince George’s County Public–Private Partnership Fund;

(61) the Zero–Emission Vehicle School Bus Transition Fund;

(62) the Pedestrian Safety Fund;

(63) the Racing and Community Development Financing Fund;

(64) the Racing and Community Development Facilities Fund;

(65) the Supplemental Public School Construction Facilities Fund;

(66) the Supplemental Public School Construction Financing Fund;
the Nancy K. Kopp Public School Facilities Priority Fund;
(67)
the Historically Black Colleges and Universities Reserve Fund;
(68)
the Digital Connectivity Fund;
(69)
the Maternal and Child Health Population Health Improvement Fund;
(70)
the Hagerstown Multi–Use Sports and Events Facility Fund;
(71)
the Resilient Maryland Revolving Loan Fund;
(72)
the Health Equity Resource Community Reserve Fund;
(73)
the Climate Catalytic Capital Fund;
(74)
the Sports Entertainment Facilities Financing Fund;
(75)
the Prince George’s County Blue Line Corridor Facility Fund;
(76)
the 9–8–8 Trust Fund;
(77)
the Maryland AIDS Drug Assistance Program Fund;
(78)
the Sustainable Maryland Program Fund;
(79)
the Child Care Capital Support Revolving Loan Fund;
(80)
the Family and Medical Leave Insurance Fund;
(81)
the Community Reinvestment and Repair Fund;
(82)
the Camden Yards Baseball Sports Facility Supplemental Financing
(83)
Fund;
the Camden Yards Football Sports Facility Supplemental Financing
(84)
Fund;
the Bus Rapid Transit Fund; and
(85)
the Transit–Oriented Development Capital Grant and Revolving Loan
(86)
Fund.

SECTION 5. 4.

AND BE IT FURTHER ENACTED, That, notwithstanding any

other provision of law, on or before June 30, 2025, the Governor may transfer to the General

Fund the following:
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(1) $40,000,000 $60,000,000 from the reserve account established by the State to pay unemployment compensation benefits for State employees;

(2) $5,750,000 from the Resilient Maryland Revolving Loan Fund established under § 14–110.4 of the Public Safety Article; and

(3) $5,000,000 from the Maryland Pediatric Cancer Fund established under § 20–120 of the Health—General Article.

SECTION 6. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2025, the Governor may transfer to the Behavioral Health Administration the following:

(1) $1,648,669 of the funds in the Board of Professional Counselors and Therapists Fund established under § 17–206 of the Health Occupations Article;

(2) $776,646 $426,551 of the funds in the State Board of Occupational Therapy Practice Fund established under § 10–206 of the Health Occupations Article; and

(3) $588,771 $480,954 of the funds in the State Board of Examiners for Psychologists Fund established under § 18–207 of the Health Occupations Article.

SECTION 7. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2025, the Governor may transfer $216,845 from the Health Information Exchange Fund established under § 19–143 of the Health—General Article to the Medical Programs Administration to support information technology activities.

SECTION 8. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2025, the Governor may transfer to the General Fund $193,830,236 $193,474,476 from the Dedicated Purpose Account established under § 7–310 of the State Finance and Procurement Article, including:

(1) $149,500,476 for cybersecurity;

(2) $28,884,000 in capital pay—as—you—go funds for renovations to 2100 Guilford Avenue and the adjacent parking structure;

(3) $9,090,000 in capital pay—as—you—go funds for the Maryland Department of Emergency Management Headquarters Renovation and Expansion project at the Camp Fretterd Military Reservation in Reisterstown; and

(4) $6,000,000 in capital pay—as—you—go funds for Conowingo Dam dredging; and

(5) $355,760 in other miscellaneous operating expenses.
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SECTION 9. AND BE IT FURTHER ENACTED, That:

(a) (1) Notwithstanding any other provision of law and subject to paragraph (2) of this subsection, on or before June 30, 2025, the Governor may transfer up to $90,000,000 of the funds in the Strategic Energy Investment Fund established under § 9–20B–05 of the State Government Article to the Dedicated Purpose Account established under § 7–310 of the State Finance and Procurement Article.

(2) (i) The Governor may not include in the transfer authorized under paragraph (1) of this subsection any funds in the Energy Assistance Account.

(ii) If the Governor transfers the funds authorized under paragraph (1) of this subsection, the Governor shall include in the transfer at least:

1. $43,100,000 from the Renewable Portfolio Standard ACP Account;
2. $40,000,000 from the Administration Account;
3. $2,300,000 from the Low and Moderate Income Energy Efficiency Account;
4. $2,300,000 from the Energy Efficiency in all Sectors Account; and
5. $2,300,000 from the Renewable Energy and Climate Change Account.

(b) (1) Subject to paragraph (2) of this subsection, the funds transferred from the Strategic Energy Investment Fund in accordance with subsection (a) of this section may be used to support the implementation of the Climate Solutions Act of 2022 and Maryland’s Climate Pollution Reduction Plan.

(2) At least 50% of the funds transferred from the Strategic Energy Investment Fund shall be given to programs that support low- to moderate-income communities located in a census tract with an average median income at or below 80% of the average median income for the State or overburdened or underserved communities, as defined in § 1–701 of the Environment Article.

SECTION 10. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2025, the Governor may transfer to the General Fund $14,000,000 from the Dedicated Purpose Account established under § 7–310 of the State Finance and Procurement Article that was included in the fiscal year 2023 operating budget (Chapter 484 of the Acts of 2022) for the Facilities Renewal – State Agencies allocation to the Department of Natural Resources for critical maintenance.
SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2025, the Governor may transfer to the General Fund $7,580,873 from the Dedicated Purpose Account established under § 7–310 of the State Finance and Procurement Article that was included in the fiscal year 2023 operating budget (Chapter 484 of the Acts of 2022) for assistance to assisted living facilities ($7,340,250), nursing homes ($132,321), and hospitals ($108,302) (M00A01.01).

SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2025, the Governor may transfer to the General Fund $4,500,000 from the Dedicated Purpose Account established under § 7–310 of the State Finance and Procurement Article that was included in the fiscal year 2023 operating budget (Chapter 484 of the Acts of 2022) for the Learning in Extended Academic Programs (R00A02.13).

SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2025, the Governor may transfer to the Department of Natural Resources up to $6,678,827 from the available special fund balance from the Program Open Space State land acquisition fund balance to replace general funds budgeted for personnel expenses in the Department of Natural Resources for the Forest Service ($968,093) and the Maryland Park Service ($5,710,734).

SECTION 16. AND BE IT FURTHER ENACTED, That the unexpended appropriation under Board of Public Works – Capital Appropriation (D06E02.01) to provide funding to Baltimore City Community College to demolish the Bard Building that was included in the fiscal year 2022 operating budget (Chapter 357 of the Acts of 2021, Supplemental Budget No. 4) is reduced by $2,000,000 in general funds.

SECTION 17. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2024, the Governor may expand the allowable use of the appropriation for the Living Classrooms Foundation under Miscellaneous Grants – Capital Appropriation (H00H01.03) that was included in the fiscal year 2024 operating budget (Chapter 101 of the Acts of 2023, Supplemental Budget No. 2, Item 83(13)) to include insurance expenses.

SECTION 18. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2024, the Governor may transfer to the General Fund $150,000,000 from the Local Income Tax Reserve Account established under § 2–606 of the Tax – General Article representing funds identified in the Office of the Comptroller’s fiscal year 2023 analysis as an overdistribution to the Account net of canceled repayments.

SECTION 19. AND BE IT FURTHER ENACTED, That, notwithstanding any other provision of law, on or before June 30, 2024, the Governor may transfer to the Blueprint for Maryland’s Future Fund established under § 5–206 of the Education Article $40,000,000 from the School Construction Revolving Loan Fund established under § 5–315 of the Education Article.

SECTION 20. AND BE IT FURTHER ENACTED, That:
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(a) The General Assembly intends that the transportation revenues raised in accordance with the provisions of this Act remain allocated within the Department of Transportation. Proposed revenue increases may not be credited to the Gasoline and Motor Vehicle Revenue Account. Nothing in this section is intended to prohibit the Department of Transportation from providing grants to local governments to restore transportation aid.

(b) It is further the intent of the General Assembly that the Department of Transportation allocate the revenues raised from this Act to restore and, if feasible, enhance allocations to:

(1) highway user aid to local governments in accordance with Title 8, Subtitle 4 of the Transportation Article;

(2) locally operated transit system grants awarded in accordance with Section 4–322 of the Transportation Article;

(3) Maryland Transit Administration operating;

(4) Maryland Transit Administration state of good repair and capital projects;

(5) State Highway Administration system preservation projects for highways, roads, and bridges;

(6) State Highway Administration highway, road, and bridge projects that were removed from or deleted in the Development and Evaluation Program and Construction Program in the Consolidated Transportation Program; and

(7) continue planning and developing for the Marylanders’ future transportation needs, including the Red Line and other significant capital projects.

SECTION 21. AND BE IT FURTHER ENACTED, That:

(a) § 13–809(b)(2) of the Transportation Article as enacted by Section 1 of this Act shall be applicable to all certificates of title issued in the State on or after July 1, 2024 but before July 1, 2029 and to all motor vehicles, trailers, or semitrailers subject to the excise tax that are in interstate operation and registered under § 13–109(c) or (d) of the Transportation Article without a certificate of title on or after July 1, 2024 but before July 1, 2029; and

(b) § 13–809(b)(3) of the Transportation Article as enacted by Section 1 of this Act shall be applicable to all certificates of title issued in the State on or after July 1, 2029 and to all motor vehicles, trailers, or semitrailers subject to the excise tax that are in interstate operation and registered under § 13–109(c) or (d) of the Transportation Article without a certificate of title on or after July 1, 2029.
SECTION 10, 16, 22. AND BE IT FURTHER ENACTED, That this Act shall take
effect June 1, 2024.