

HOUSE BILL 102

B1

(3lr0137)

ENROLLED BILL

— Appropriations / Budget and Taxation —

Introduced by **The Speaker (By Request – Administration)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2013**

3 FOR the purpose of altering the frequency with which certain payments from a certain
4 special fund are required to be paid; requiring the reduction of certain grants
5 and payments under certain circumstances; ~~repealing certain requirements for~~
6 ~~a certain notice relating to abandoned property to be published in certain~~
7 ~~newspapers; requiring the Comptroller to maintain, or cause to be maintained,~~
8 ~~an abandoned property database containing the names and last known~~
9 ~~addresses, if any, of persons listed in certain reports; requiring the Comptroller~~
10 ~~to maintain, or cause to be maintained, a certain Internet Web site relating to~~
11 ~~the abandoned property database; requiring the Comptroller to publish certain~~
12 ~~notices of a certain Internet Web site; providing that a certain District Court~~
13 surcharge shall be added to fines imposed for certain traffic cases and not to
14 court costs; providing that certain regulations and licensing requirements of the
15 State Lottery and Gaming Control Commission supersede certain county fees or

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.



1 ~~regulations and licensing requirements; requiring a certain arrest citation~~
2 ~~form to include a line to add a certain surcharge; requiring a police officer to add~~
3 ~~a certain surcharge to a certain fine on a certain traffic citation; requiring the~~
4 ~~Comptroller to annually pay a certain surcharge in a certain manner; providing~~
5 ~~that a certain supplemental grant to a certain county board of education may not~~
6 ~~be less than a certain amount; providing certain grants to certain county boards~~
7 ~~of education under certain circumstances; altering certain circumstances under~~
8 ~~which a county board of education is required to reimburse the Department of~~
9 ~~Juvenile Services; altering or repealing certain required appropriations;~~
10 ~~providing for the applicability of certain provisions of law relating to a statewide~~
11 ~~information technology master plan to certain projects that involve certain~~
12 ~~agreements with certain public institutions of higher education; repealing the~~
13 ~~requirement that certain licensed veterans' organizations purchase or lease~~
14 ~~certain instant ticket lottery machines from the State Lottery and Gaming~~
15 ~~Control Agency; altering a certain maximum fee for commissioning a notary~~
16 ~~public; altering a certain maximum fee that may be set for certain notarial acts;~~
17 ~~altering the distribution of certain revenue; providing for the transfer of certain~~
18 ~~funds for certain purposes; altering a certain requirement that the Health~~
19 ~~Services Cost Review Commission and the Department of Health and Mental~~
20 ~~Hygiene adopt certain policies to provide a certain combined amount in~~
21 ~~revenues and savings so as to place a limit on the combined amount of revenues~~
22 ~~and savings beginning in a certain fiscal year; providing that for certain fiscal~~
23 ~~years certain savings from the adoption of certain policies may be used to offset~~
24 ~~certain hospital assessment and remittance revenue in a certain year; repealing~~
25 ~~certain reporting requirements; providing for the expiration of certain tax~~
26 ~~credits under certain circumstances; requiring the Director of the Maryland~~
27 ~~Historical Trust to notify certain persons and, on or before a certain date, to~~
28 ~~submit a certain report to the Comptroller; altering certain required transfers of~~
29 ~~funds; requiring the reversion of certain funds to the Fair Campaign Financing~~
30 ~~Fund under certain circumstances; altering the calculation of certain State~~
31 ~~distributions made to certain counties and Baltimore City based on per capita~~
32 ~~yield of county income taxes; altering the minimum rate for the county income~~
33 ~~tax for a county to qualify for a certain grant; repealing a certain obsolete~~
34 ~~provision; repealing certain credits allowed against certain taxes for the~~
35 ~~purchase of Maryland mined coal; allowing an individual or corporation a~~
36 ~~credit against the State income tax for the expense of registering certain qualified~~
37 ~~vehicles; providing for the amount of the credit; setting certain limits in~~
38 ~~increases in payments to certain providers for a certain fiscal year; requiring~~
39 ~~the Department of Health and Mental Hygiene to achieve certain savings from~~
40 ~~certain rates; requiring the Health Services Cost Review Commission to conduct~~
41 ~~a certain study in a certain manner; requiring the Medicaid Program to provide~~
42 ~~certain information under certain circumstances; providing certain criteria for a~~
43 ~~certain study; requiring that a certain report be provided to the Governor and~~
44 ~~General Assembly on or before a certain date; requiring that the Commission~~
45 ~~take certain actions to provide certain General Fund savings; restricting the use~~
46 ~~of certain appropriations for a certain fiscal year; requiring the reversion to the~~
47 ~~General Fund of certain funding under certain circumstances; prohibiting merit~~

1 increases for State employees before a certain date, except under certain
 2 circumstances; requiring certain reports to be submitted to certain committees of
 3 the General Assembly on or before a certain date; requiring the Secretary of the
 4 Environment to convene a certain workgroup and to make a certain report;
 5 requiring the Comptroller to make certain income tax distributions without
 6 making certain adjustments; requiring the Comptroller to submit a report on a
 7 certain account and certain interest imposed on tax deficiencies and refunds on
 8 or before a certain date; prohibiting the reversion to the General Fund of certain
 9 funds under certain circumstances; defining certain terms; making a technical
 10 correction; ~~making conforming changes;~~ making the provisions of this Act
 11 severable; providing for the application of certain provisions of this Act; making
 12 certain provisions of this Act subject to a certain contingency; providing for the
 13 effective dates of certain provisions of this Act; providing for the termination of
 14 certain provisions of this Act; and generally relating to the financing of State
 15 and local government.

16 BY repealing and reenacting, with amendments,
 17 Article – Business Regulation
 18 Section 11–404(a) and 11–404.1
 19 Annotated Code of Maryland
 20 (2010 Replacement Volume and 2012 Supplement)

21 ~~BY repealing~~
 22 ~~Article – Commercial Law~~
 23 ~~Section 17–311(a), (b), and (c)~~
 24 ~~Annotated Code of Maryland~~
 25 ~~(2005 Replacement Volume and 2012 Supplement)~~

26 ~~BY adding to~~
 27 ~~Article – Commercial Law~~
 28 ~~Section 17–311(a), (b), and (c)~~
 29 ~~Annotated Code of Maryland~~
 30 ~~(2005 Replacement Volume and 2012 Supplement)~~

31 BY repealing and reenacting, with amendments,
 32 Article – Courts and Judicial Proceedings
 33 Section ~~1–605(d)(8)~~ and 7–301(a)(1) and (f)
 34 Annotated Code of Maryland
 35 (2006 Replacement Volume and 2012 Supplement)

36 ~~BY repealing and reenacting, with amendments,~~
 37 ~~Article – Economic Development~~
 38 ~~Section 4–801(f)~~
 39 ~~Annotated Code of Maryland~~
 40 ~~(2008 Volume and 2012 Supplement)~~

41 BY repealing and reenacting, with amendments,

1 Article – Criminal Law
2 Section 12-301.1(d)
3 Annotated Code of Maryland
4 (2012 Replacement Volume and 2012 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article – Education
7 Section ~~5-202(e) and (i)~~ and 22-306.1(b)
8 Annotated Code of Maryland
9 (2008 Replacement Volume and 2012 Supplement)

10 BY repealing and reenacting, with amendments,
11 Article – Natural Resources
12 Section 5-903(a)(2)(v)
13 Annotated Code of Maryland
14 (2012 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article – State Finance and Procurement
17 Section 3A-302
18 Annotated Code of Maryland
19 (2009 Replacement Volume and 2012 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – State Government
22 Section 9-112(d)(4), 18-103(e)(3), and 18-112
23 Annotated Code of Maryland
24 (2009 Replacement Volume and 2012 Supplement)

25 BY repealing and reenacting, with amendments,
26 Article – Tax – General
27 Section ~~2-202(a)~~ and 2-606(e)
28 Annotated Code of Maryland
29 (2010 Replacement Volume and 2012 Supplement)

30 BY adding to
31 Article – Tax – General
32 Section 2-606(g) and 10-733
33 Annotated Code of Maryland
34 (2010 Replacement Volume and 2012 Supplement)

35 BY repealing and reenacting, with amendments,
36 Article – Tax – Property
37 Section 13-209(g)(1)
38 Annotated Code of Maryland
39 (2012 Replacement Volume)

1 BY adding to
2 Article – Tax – Property
3 Section 13–209(h)
4 Annotated Code of Maryland
5 (2010 Replacement Volume and 2012 Supplement)

6 ~~BY repealing~~
7 ~~Article – Tax – General~~
8 ~~Section 8–406(b) and 10–704.1~~
9 ~~Annotated Code of Maryland~~
10 ~~(2010 Replacement Volume and 2012 Supplement)~~

11 ~~BY adding to~~
12 ~~Article – Transportation~~
13 ~~Section 27–101.3~~
14 ~~Annotated Code of Maryland~~
15 ~~(2012 Replacement Volume)~~

16 BY repealing and reenacting, with amendments,
17 Chapter 76 of the Acts of the General Assembly of 2004
18 Section 2 1.(h)

19 BY repealing and reenacting, with amendments,
20 Chapter 397 of the Acts of the General Assembly of 2011
21 Section 16

22 BY repealing and reenacting, with amendments,
23 Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter
24 484 of the Acts of the General Assembly of 2010
25 Section 38(b)

26 BY repealing and reenacting, without amendments,
27 Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter
28 484 of the Acts of the General Assembly of 2010 and Chapters 292 and 293
29 of the Acts of the General Assembly of 2011
30 Section 38(a) and (c)

31 BY adding to
32 Chapter 487 of the Acts of the General Assembly of 2009, as amended by Chapter
33 484 of the Acts of the General Assembly of 2010 and Chapters 292 and 293
34 of the Acts of the General Assembly of 2011
35 Section 38(m)

36 BY repealing and reenacting, with amendments,
37 Chapter 1 of the Acts of the First Special Session of the General Assembly of 2012
38 Section 9

1 BY repealing and reenacting, without amendments,
 2 Article 24 – Political Subdivisions – Miscellaneous Provisions
 3 Section 9–1101(a)
 4 Annotated Code of Maryland
 5 (2011 Replacement Volume and 2012 Supplement)

6 BY repealing and reenacting, with amendments,
 7 Article 24 – Political Subdivisions – Miscellaneous Provisions
 8 Section 9–1101(b)(2) and (3) and (d)
 9 Annotated Code of Maryland
 10 (2011 Replacement Volume and 2012 Supplement)

11 BY repealing and reenacting, without amendments,
 12 Article – Local Government
 13 Section 16–501(a) and (c)(3)
 14 Annotated Code of Maryland
 15 (As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
 16 2013)

17 BY repealing and reenacting, with amendments,
 18 Article – Local Government
 19 Section 16–501(b) and (e)
 20 Annotated Code of Maryland
 21 (As enacted by Chapter _____ (H.B. 472) of the Acts of the General Assembly of
 22 2013)

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

25 **Article – Business Regulation**

26 11–404.

27 (a) (1) To help pay for facilities and services in communities within 2
 28 miles of the Pimlico Race Course or 3 miles of the Laurel Race Course, the Comptroller
 29 shall pay money to Baltimore City, the City of Laurel, and Anne Arundel and Howard
 30 counties in accordance with this section.

31 (2) The money shall be paid from the Special Fund in [half-yearly
 32 installments] AN ANNUAL GRANT.

33 11–404.1.

34 (A) IF IN ANY FISCAL YEAR REVENUES TO THE SPECIAL FUND
 35 ESTABLISHED UNDER § 11–402 OF THIS SUBTITLE ARE INSUFFICIENT TO FULLY
 36 FUND ALL GRANTS REQUIRED UNDER §§ 11–403 AND 11–404 OF THIS SUBTITLE,

1 THE COMPTROLLER SHALL PROPORTIONALLY REDUCE THE AMOUNT OF
2 PAYMENTS REQUIRED UNDER §§ 11-403(A)(2) AND (4), 11-403(B)(2), AND
3 11-404 OF THIS SUBTITLE.

4 (B) [After all] IF IN ANY FISCAL YEAR REVENUES TO THE SPECIAL FUND
5 ESTABLISHED UNDER § 11-402 OF THIS SUBTITLE ARE SUFFICIENT TO FULLY
6 FUND ALL GRANTS REQUIRED UNDER §§ 11-403 AND 11-404 OF THIS SUBTITLE,
7 AFTER ALL REQUIRED deductions from the Special Fund [as required under §§
8 11-403 and 11-404 of this subtitle] are made, the Comptroller shall pay from the
9 Special Fund an annual grant of:

10 (1) \$300,000 to be allocated in the following way:

11 (i) 70% to the Maryland-Bred Race Fund; and

12 (ii) 30% to the Maryland Standardbred Race Fund, to be divided
13 equally between the Sire Stakes Program and the Foaled Stakes Program; and

14 (2) \$260,000 to the Maryland Agricultural Education and Rural
15 Development Assistance Fund established under § 2-206 of the State Finance and
16 Procurement Article, with \$130,000 to be allocated to support the operations of the
17 Rural Maryland Council.

18 ~~Article—Commercial Law~~

19 ~~17-311.~~

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

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

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

31 ~~[(b) The published notice shall be entitled “Notice of Names of Persons~~
32 ~~Appearing to Be Owners of Abandoned Property” and shall contain:~~

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

4 ~~(2) A statement that information concerning the amount or description~~
5 ~~of the property and the name and address of the person who held the property may be~~
6 ~~obtained by any person who possesses an interest in the property, by addressing an~~
7 ~~inquiry to the Administrator; and~~

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

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

12 ~~(2) WITHIN 365 DAYS AFTER THE FILING OF A REPORT REQUIRED~~
13 ~~BY § 17-310 OF THIS SUBTITLE, THE ADMINISTRATOR SHALL ADD TO THE~~
14 ~~ABANDONED PROPERTY DATABASE THE NAMES AND LAST KNOWN ADDRESSES,~~
15 ~~IF ANY, OF PERSONS LISTED IN THE REPORT.~~

16 ~~(3) THE ADMINISTRATOR SHALL MAINTAIN, OR CAUSE TO BE~~
17 ~~MAINTAINED, AN INTERNET WEB SITE THAT:~~

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

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

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

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

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

33 ~~(C) (1) THE ADMINISTRATOR SHALL PUBLISH NOTICE OF THE~~
34 ~~INTERNET WEB SITE REQUIRED BY SUBSECTION (B)(3) OF THIS SECTION.~~

~~(2) THE NOTICE SHALL:~~

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

~~(II) CONTAIN:~~

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

~~2. A STATEMENT THAT ANY PERSON MAY SEARCH THE ADMINISTRATOR'S ABANDONED PROPERTY RECORDS THROUGH THE ADMINISTRATOR'S INTERNET WEB SITE; AND~~

~~3. THE ADDRESS OF THE INTERNET WEB SITE.~~

Article – Courts and Judicial Proceedings

~~1-605.~~

~~(d) In addition to the powers and duties granted and imposed in subsections (a), (b), and (c) of this section, or elsewhere by law or rule, the Chief Judge of the District Court shall:~~

~~(8) After consultation with police administrators and the Motor Vehicle Administrator, design arrest – citation forms that shall [be]:~~

~~(I) BE used by all law enforcement agencies in the State when charging a person with a criminal, civil, or traffic offense, except for:~~

~~[(i)] 1. Violations by juveniles listed in § 3-8A-33(a) of this article;~~

~~[(ii)] 2. Violations of parking ordinances or regulations adopted under Title 26, Subtitle 3 of the Transportation Article; and~~

~~[(iii)] 3. Other violations as expressly provided by law; AND~~

~~(II) INCLUDE A LINE ON WHICH TO ADD THE \$7.50 SURCHARGE ASSESSED UNDER § 27-101.3 OF THE TRANSPORTATION ARTICLE;~~

~~7-301.~~

1 (a) (1) Except as provided in paragraphs (2) and (3) of this subsection, the
2 court costs in a traffic case, including parking and impounding cases, cases under §
3 21-202.1, § 21-809, § 21-810, or § 24-111.3 of the Transportation Article in which
4 costs are imposed, and cases under § 10-112 of the Criminal Law Article in which
5 costs are imposed:

6 (i) Are \$22.50 [plus the surcharge under subsection (f) of this
7 section]; and

8 (ii) Shall also be applicable to those cases in which the
9 defendant elects to waive the defendant's right to trial and pay the fine or penalty
10 deposit established by the Chief Judge of the District Court by administrative
11 regulation.

12 (f) (1) This subsection does not apply to a traffic case under § 21-202.1, §
13 21-809, or § 21-810 of the Transportation Article or to a parking or impounding case.

14 (2) In a traffic case under subsection (a)(1) of this section the court
15 shall add a \$7.50 surcharge to [the court costs] ANY FINE imposed by the court.

16 (3) (i) The Comptroller annually shall credit the surcharges
17 collected under this subsection as provided in this paragraph.

18 (ii) An amount annually as set forth in the State budget shall be
19 distributed for the Charles W. Riley Fire and Emergency Medical Services Tuition
20 Reimbursement Program as established in § 18-603 of the Education Article.

21 (iii) After the distribution under subparagraph (ii) of this
22 paragraph, \$200,000 shall be distributed to the Maryland State Firemen's Association.

23 (iv) After the distribution under subparagraphs (ii) and (iii) of
24 this paragraph and until a total of \$20,000,000 has been distributed to the Volunteer
25 Company Assistance Fund since the establishment of the surcharge under this
26 subsection, the remainder shall be credited to the Volunteer Company Assistance
27 Fund to be used in accordance with the provisions of Title 8, Subtitle 2 of the Public
28 Safety Article.

29 (v) After a total of \$20,000,000 has been distributed to the
30 Volunteer Company Assistance Fund, 100% of the remainder shall be credited to the
31 Maryland Emergency Medical [Systems Operation] **SYSTEM OPERATIONS** Fund
32 established under § 13-955 of the Transportation Article.

33 (vi) On or before September 1 of each year until \$20,000,000 has
34 been distributed to the Volunteer Company Assistance Fund, the State Court
35 Administrator shall submit a report to the Senate Budget and Taxation Committee

1 and the House Appropriations Committee, in accordance with § 2-1246 of the State
 2 Government Article, on the amount of revenue distributed to the Volunteer Company
 3 Assistance Fund under this paragraph.

4 **Article – Criminal Law**

5 12-301.1.

6 (d) (1) The Commission may determine:

7 [(1)] (I) that a county's licensing and regulatory process for electronic
 8 gaming devices is equivalent to the State licensing and regulatory process required
 9 under this section; and

10 [(2)] (II) that a county license for owning, operating, or manufacturing
 11 an electronic gaming device in that county is equivalent to a State license.

12 **(2) IF THE COMMISSION DOES NOT MAKE A DETERMINATION**
 13 **UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE REGULATIONS AND**
 14 **LICENSING REQUIREMENTS OF THE COMMISSION SHALL SUPERSEDE:**

15 **(I) THE APPLICATION OF ANY COUNTY FEES OR**
 16 **REGULATIONS AND LICENSING REQUIREMENTS FOR ELECTRONIC GAMING**
 17 **DEVICES UNDER THIS SUBSECTION; OR**

18 **(II) A REQUIREMENT FOR A COUNTY LICENSE FOR OWNING,**
 19 **OPERATING, OR MANUFACTURING AN ELECTRONIC GAMING DEVICE UNDER THIS**
 20 **SUBSECTION.**

21 ~~**Article – Economic Development**~~

22 ~~4-801.~~

23 ~~(f) The Fund consists of:~~

24 ~~(1) revenue distributed to the Fund under § 2-202(a)(1)(ii) of the Tax~~
 25 ~~General Article; and~~

26 ~~(2) any [other] money from any [other] source accepted for the benefit~~
 27 ~~of the Fund.~~

28 **Article – Education**

29 5-202.

1 (e) (1) In this subsection, "State financial assistance for public education"
2 means the total financial assistance provided by the State to a county board under the
3 following programs:

4 (i) Funding for the foundation program under this section;

5 (ii) In fiscal year 2009, 50% of the funding received under the
6 GCEI adjustment grant program under subsection (f) of this section and in fiscal year
7 2010, 60% of the funding received under the GCEI adjustment grant program under
8 subsection (f) of this section;

9 (iii) Transportation aid under § 5-205 of this subtitle;

10 (iv) Funding for compensatory education under § 5-207 of this
11 subtitle;

12 (v) Funding for students with limited English proficiency under
13 § 5-208 of this subtitle;

14 (vi) Funding for special education students under § 5-209 of this
15 subtitle;

16 (vii) Funding for the guaranteed tax base program under § 5-210
17 of this subtitle;

18 (viii) 50% of the State payments for retirement contributions for
19 employees of a local school system in accordance with the provisions of Division II of the
20 State Personnel and Pensions Article; and

21 (ix) Funding for supplemental grants under this subsection.

22 (2) (i) For fiscal years 2009 and 2010 only, the State shall provide a
23 supplemental grant to a county board that does not receive at least a 1% increase in
24 State financial assistance for public education over the amount received by the county
25 board in the previous fiscal year.

26 (ii) The supplemental grant under this paragraph shall be the
27 amount necessary to increase a county board's State financial assistance for public
28 education by 1% over the amount received by the county board in the previous fiscal
29 year.

30 (3) (1) [For] SUBJECT TO SUBPARAGRAPH (II) OF THIS
31 PARAGRAPH, FOR fiscal year 2011, and each fiscal year thereafter, a county board
32 shall receive a supplemental grant equal to the amount the county board received under
33 paragraph (2) of this subsection in the prior fiscal year.

1 **(II) A SUPPLEMENTAL GRANT MAY NOT BE LESS THAN ZERO.**

2 *(i) (1) In this subsection, “total direct education aid” means the total*
3 *financial assistance provided by the State to a county board under the following*
4 *programs:*

5 *(i) Funding for the foundation program including funds for the*
6 *Geographic Cost of Education under this section;*

7 *(ii) Transportation aid under § 5–205 of this subtitle;*

8 *(iii) Funding for compensatory education under § 5–207 of this*
9 *subtitle;*

10 *(iv) Funding for students with limited English proficiency under*
11 *§ 5–208 of this subtitle;*

12 *(v) Funding for special education students under § 5–209 of this*
13 *subtitle;*

14 *(vi) Funding for the guaranteed tax base program under § 5–210*
15 *of this subtitle; and*

16 *(vii) Funding for grants provided under this subsection.*

17 *(2) For fiscal year 2012 only, if a county board’s total direct education*
18 *aid in the current fiscal year is less than the prior fiscal year by more than 6.5%, then*
19 *the State shall provide a grant to the county board in an amount necessary to ensure*
20 *that a decrease in total direct education aid is not more than 6.5%.*

21 *(3) For fiscal year 2013 only, if a county board’s total direct education*
22 *aid in the current fiscal year is less than the prior fiscal year by more than 5%, then the*
23 *State shall provide a grant to the county board in an amount necessary to ensure that a*
24 *decrease in total direct education aid is not more than 5%.*

25 **(4) FOR FISCAL YEAR 2014 ONLY, IF A COUNTY BOARD’S TOTAL**
26 **DIRECT EDUCATION AID IN THE CURRENT FISCAL YEAR IS LESS THAN THE PRIOR**
27 **FISCAL YEAR BY MORE THAN 1%, THEN THE STATE SHALL PROVIDE A GRANT TO**
28 **THE COUNTY BOARD EQUAL TO 25% OF THE DECREASE IN TOTAL DIRECT**
29 **EDUCATION AID FROM THE PRIOR FISCAL YEAR TO THE CURRENT FISCAL YEAR.**

30 22–306.1.

31 (b) A county board shall reimburse the Department of Juvenile Services the
32 amount of the basic cost calculated under subsection (a) of this section for each child
33 who was domiciled in the county prior to the placement if the child:

1 (1) Is [committed to the Department of Juvenile Services and is] in a
2 [program at a] facility or a residential facility;

3 (2) Is [not] in detention [or awaiting placement after disposition] **FOR**
4 **15 CONSECUTIVE DAYS OR MORE;**

5 (3) Does not meet the criteria for shared State and local payment of
6 educational costs as provided in §§ 8–406 and 8–415 of this article; and

7 (4) Was included in the full-time equivalent enrollment of the county
8 as calculated under § 5–202 of this article.

9 **Article – Natural Resources**

10 5–903.

11 (a) (2) (v) For each of fiscal years 2010 through [2013] **2015**,
12 \$1,217,000 of the State’s share of funds available under subparagraph (i)1A of this
13 paragraph may be appropriated in the budgets of the Department, the Department of
14 General Services, and the Department of Planning for expenses necessary to
15 administer this Program.

16 **Article – State Finance and Procurement**

17 3A–302.

18 (a) This subtitle does not apply to changes relating to or the purchase, lease,
19 or rental of information technology by:

20 (1) public institutions of higher education solely for academic or
21 research purposes;

22 (2) the Maryland Port Administration;

23 (3) the University System of Maryland;

24 (4) St. Mary’s College of Maryland; or

25 (5) Morgan State University.

26 **(B) EXCEPT AS PROVIDED IN SUBSECTION (A) OF THIS SECTION, THIS**
27 **SUBTITLE APPLIES TO ANY PROJECT OF A UNIT OF THE EXECUTIVE BRANCH OF**
28 **STATE GOVERNMENT THAT INVOLVES AN AGREEMENT WITH A PUBLIC**
29 **INSTITUTION OF HIGHER EDUCATION FOR A PORTION OF THE DEVELOPMENT OF**

1 THE PROJECT, WHETHER THE WORK ON THE DEVELOPMENT IS DONE DIRECTLY
 2 OR INDIRECTLY BY THE PUBLIC INSTITUTION OF HIGHER EDUCATION.

3 [(b)] (C) Notwithstanding any other provision of law, except as provided in
 4 subsection (a) of this section and §§ 3A-307(a)(2), 3A-308, and 3A-309 of this subtitle,
 5 this subtitle applies to all units of the Executive Branch of State government including
 6 public institutions of higher education other than Morgan State University, the
 7 University System of Maryland, and St. Mary's College of Maryland.

8 Article – State Government

9 9-112.

10 (d) (4) (i) Subject to subparagraph (ii) of this paragraph, a veterans'
 11 organization issued a license under this subsection shall purchase or lease [from the
 12 Agency] the instant ticket lottery machines to be used by the veterans' organization.

13 (ii) An organization may not use receipts from the sale of tickets
 14 from instant ticket lottery machines that would otherwise be credited to the State
 15 Lottery Fund for the costs of purchasing or leasing instant ticket lottery machines.

16 18-103.

17 (e) (3) Each notary shall pay to the clerk:

18 (i) a fee of \$1 for qualifying the notary and registering the name,
 19 address, and commission expiration date of the notary; and

20 (ii) a fee of [\$10] \$11 or a lesser amount as prescribed by the
 21 Secretary of State for the commission issued.

22 18-112.

23 (a) The Secretary of State shall adopt regulations to establish fees, not to
 24 exceed [\$2] \$4 for an original notarial act, and an appropriate lesser amount for the
 25 repetition of that original notarial act or to make a copy of the matter addressed by that
 26 original notarial act.

27 (b) A notary public may charge 19 cents per mile, or a higher amount set by
 28 regulation of the Secretary of State, and a fee not to exceed \$5, as compensation for
 29 travel required for the performance of a notarial act.

30 Article – Tax – General

31 ~~2-202.~~

1 ~~(a) After making the distribution required under § 2-201 of this subtitle,~~
2 ~~within 20 days after the end of each quarter, the Comptroller shall distribute:~~

3 ~~(1) except as provided in subsection (b) of this section, from the~~
4 ~~revenue from the State admissions and amusement tax on electronic bingo and~~
5 ~~electronic tip jars under § 4-102(e) of this article[:~~

6 ~~(i), the revenue attributable to a tax rate of [20%] 25% to the~~
7 ~~General Fund of the State; and~~

8 ~~[(ii) the revenue attributable to a tax rate of 5% to the Special~~
9 ~~Fund for Preservation of Cultural Arts in Maryland, as provided in § 4-801 of the~~
10 ~~Economic Development Article; and]~~

11 ~~(2) the remaining admissions and amusement tax revenue:~~

12 ~~(i) to the Maryland Stadium Authority, county, or municipal~~
13 ~~corporation that is the source of the revenue; or~~

14 ~~(ii) if the Maryland Stadium Authority and also a county or~~
15 ~~municipal corporation tax a reduced charge or free admission:~~

16 ~~1. 80% of that revenue to the Authority; and~~

17 ~~2. 20% to the county or municipal corporation.~~

18 2-606.

19 (e) [(1)] On or before June 30, 2010, the Comptroller shall distribute
20 \$350,000,000 from the Local Reserve Account established to comply with this section
21 to the Education Trust Fund established under § 9-1A-30 of the State Government
22 Article.

23 [(2) In each of fiscal years 2014 through 2020, the State shall pay to
24 the Local Reserve Account \$50,000,000 to repay the \$350,000,000 transfer to the
25 Education Trust Fund authorized under paragraph (1) of this subsection.]

26 **(G) (1) ON OR BEFORE JUNE 30, 2013, THE COMPTROLLER SHALL**
27 **DISTRIBUTE \$15,379,979 FROM THE LOCAL RESERVE ACCOUNT ESTABLISHED**
28 **TO COMPLY WITH THIS SECTION TO A SPECIAL FUND ESTABLISHED IN THE**
29 **DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF PROVIDING**
30 **TRANSPORTATION GRANTS TO MUNICIPALITIES.**

1 **(2) THE GRANTS AUTHORIZED UNDER THIS SUBSECTION SHALL**
 2 **BE ALLOCATED TO ELIGIBLE MUNICIPALITIES AS PROVIDED IN § 8-405 OF THE**
 3 **TRANSPORTATION ARTICLE.**

4 **Article – Tax – Property**

5 13-209.

6 (g) (1) Notwithstanding § 7-311(j) of the State Finance and Procurement
 7 Article, subject to paragraph (3) of this subsection, for fiscal year [2012] **2016** and for
 8 each subsequent fiscal year, if the unappropriated General Fund surplus as of June 30
 9 of the second preceding year exceeds \$10,000,000, the Governor shall include in the
 10 budget bill a General Fund appropriation to the special fund under subsection (a) of
 11 this section in an amount equal to at least the lesser of \$50,000,000 or the excess
 12 surplus over \$10,000,000.

13 **(H) (1) THE DISTRIBUTIONS REQUIRED UNDER THIS SECTION**
 14 **SUBSECTION MAY NOT BE UTILIZED OR CONSIDERED FOR THE PURPOSES OF**
 15 **CALCULATING ANY ALLOCATION OR APPROPRIATION UNDER SUBSECTION (F)**
 16 **OR (G) OF THIS SECTION.**

17 **(2) NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THE**
 18 **GOVERNOR MAY TRANSFER FUNDS FROM THE SPECIAL FUND ESTABLISHED**
 19 **UNDER THIS SECTION TO THE GENERAL FUND AS FOLLOWS:**

20 **(I) ON OR BEFORE JUNE 30, 2014, \$89,198,555;**

21 **(II) FOR THE FISCAL YEAR BEGINNING JULY 1, 2014,**
 22 **\$75,062,000;**

23 **(III) FOR THE FISCAL YEAR BEGINNING JULY 1, 2015,**
 24 **\$77,654,000;**

25 **(IV) FOR THE FISCAL YEAR BEGINNING JULY 1, 2016,**
 26 **\$82,771,000; AND**

27 **(V) FOR THE FISCAL YEAR BEGINNING JULY 1, 2017,**
 28 **\$86,028,000.**

29 ~~**Article – Transportation**~~

30 ~~**27-101.3.**~~

31 ~~**(A) AFTER COMPUTING THE FINE TO BE ASSESSED UNDER THE**~~
 32 ~~**DISTRICT COURT'S SCHEDULE OF PRESET FINES OR PENALTY DEPOSITS, A**~~

~~1 POLICE OFFICER ISSUING A TRAFFIC CITATION FOR A VIOLATION FOR WHICH A
2 SURCHARGE IS REQUIRED TO BE IMPOSED UNDER § 7-301(F) OF THE COURTS
3 ARTICLE SHALL ADD A \$7.50 SURCHARGE TO THE AMOUNT OF THE TOTAL FINE
4 BEFORE PRESENTING THE CITATION TO THE DRIVER BEING CHARGED.~~

~~5 (B) THE COMPTROLLER SHALL ANNUALLY PAY THE SURCHARGES
6 COLLECTED UNDER THIS SECTION AS REQUIRED UNDER § 7-301(F) OF THE
7 COURTS ARTICLE.~~

Chapter 76 of the Acts of 2004

9 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 5-801 of
10 Article 83B – Department of Housing and Community Development of the Annotated
11 Code of Maryland be repealed and reenacted, with amendments, and transferred to
12 the Session Laws, to read as follows:

13 1.

14 (h) (1) Subject to the provisions of this subsection, the provisions of this
15 section and the tax credit authorized under this section shall terminate as of July 1,
16 2004.

17 (2) On or after July 1, 2004[:

18 (i) The], THE tax credit authorized under this section may be
19 claimed for:

20 [1.] (I) a project for rehabilitation of a single-family,
21 owner-occupied residence for which an application for approval of a plan of proposed
22 rehabilitation was received by the Director on or before June 30, 2004; or

23 [2.] (II) SUBJECT TO PARAGRAPH (3) OF THIS
24 SUBSECTION, a commercial rehabilitation project for which an application of a plan of
25 proposed rehabilitation has been approved by the Director on or before June 30, 2004.

26 [(ii) The Director shall continue to report to the Governor and
27 the General Assembly as required under subsection (g) of this section for as long as
28 any rehabilitation project for which an application for approval of a plan of proposed
29 rehabilitation was received by the Director on or before June 30, 2004 remains
30 incomplete.]

31 (3) THE TAX CREDIT AUTHORIZED UNDER THIS SECTION FOR A
32 COMMERCIAL REHABILITATION PROJECT EXPIRES ON JULY 1, 2014, UNLESS,
33 ON OR BEFORE JUNE 30, 2014, THE APPLICANT DEMONSTRATES TO THE

1 DIRECTOR THAT THE COMMERCIAL REHABILITATION PROJECT HAS A VALID,
2 UNEXPIRED BUILDING PERMIT FOR THE REHABILITATION PROJECT.

3 (4) THE DIRECTOR SHALL NOTIFY, IN WRITING, THE OWNER OR
4 DEVELOPER THAT RECEIVED APPROVAL OF A PLAN OF PROPOSED
5 REHABILITATION FOR A COMMERCIAL REHABILITATION PROJECT OF THE
6 REQUIREMENTS OF THIS SUBSECTION.

7 (5) ON OR BEFORE AUGUST 1, 2014, THE DIRECTOR SHALL
8 REPORT TO THE COMPTROLLER THE NUMBER OF TAX CREDITS AND THE
9 AMOUNT OF THE TAX CREDITS THAT HAVE EXPIRED IN ACCORDANCE WITH THIS
10 SUBSECTION.

11 Chapter 397 of the Acts of 2011

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

15 (a) For fiscal year 2012, the Health Services Cost Review Commission shall
16 approve a combination of hospital assessments and remittances in the amount of
17 \$389,825,000 to support the general operations of the Medicaid program. The
18 Commission may reduce assessments or remittances by the amount of any reduction
19 in State Medicaid expenditures that will result from any Commission–approved
20 changes in hospital rates or policies.

21 (b) For fiscal [year] YEARS 2013 and [every fiscal year thereafter] 2014, the
22 Commission and the Department of Health and Mental Hygiene shall adopt policies
23 that will provide at least \$389,825,000 from a combination of special fund revenues
24 and General Fund savings from reduced hospital or other payments made by the
25 Medicaid program. The policies adopted under this subsection shall be in lieu of the
26 hospital assessment and remittance revenue generated in fiscal year 2012, but may
27 include hospital assessments and remittances. To the maximum extent possible, the
28 Commission and the Department shall adopt policies that preserve the State Medicare
29 waiver.

30 (C) FOR FISCAL YEAR 2015 AND EVERY FISCAL YEAR THEREAFTER, THE
31 COMMISSION AND THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE
32 SHALL ADOPT POLICIES THAT WILL PROVIDE UP TO \$389,825,000 IN SPECIAL
33 FUND REVENUES FROM HOSPITAL ASSESSMENT AND REMITTANCE REVENUE. IN
34 EACH FISCAL YEAR, THE COMMISSION AND THE DEPARTMENT OF HEALTH AND
35 MENTAL HYGIENE MAY ADOPT POLICIES THAT RESULT IN NEW GENERAL FUND
36 SAVINGS FROM REDUCED HOSPITAL OR OTHER PAYMENTS MADE BY THE
37 MEDICAID PROGRAM AND THOSE SAVINGS MAY BE USED TO OFFSET HOSPITAL
38 ASSESSMENT AND REMITTANCE REVENUE IN THE FIRST YEAR THAT THOSE

1 POLICIES ARE ADOPTED. TO THE MAXIMUM EXTENT POSSIBLE, THE
 2 COMMISSION AND THE DEPARTMENT SHALL ADOPT POLICIES THAT PRESERVE
 3 THE STATE'S MEDICARE WAIVER.

4 Chapter 487 of the Acts of 2009, as amended by Chapter 484 of the Acts of 2010

5 (b) Subject to subsection (c) of this section, up to [\$2,000,000] \$1,750,000 of
 6 the balance in the Fund may be transferred to the Maryland Information Technology
 7 Development Project Fund (program F50A01.01) for the purpose of funding the
 8 purchase of a new Optical Scan Voting System.

9 Chapter 487 of the Acts of 2009, as amended by Chapter 484 of the Acts of 2010
 10 and Chapters 292 and 293 of the Acts of 2011

11 SECTION 38. AND BE IT FURTHER ENACTED, That, notwithstanding any
 12 other provision of law:

13 (a) The General Assembly finds that the Fair Campaign Financing Fund
 14 established under § 15-103 of the Election Law Article cannot operate as originally
 15 contemplated.

16 (c) A transfer under this section may not reduce the balance in the Fund
 17 below \$1,000,000.

18 (M) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION AND
 19 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, ON OR BEFORE JUNE 30,
 20 2014, THE GOVERNOR MAY TRANSFER BY BUDGET AMENDMENT AN AMOUNT NOT
 21 EXCEEDING \$250,000 OF THE BALANCE IN THE FAIR CAMPAIGN FINANCING
 22 FUND TO THE STATE BOARD OF ELECTIONS FOR THE PURPOSE OF CONDUCTING
 23 THE STUDIES REQUIRED UNDER CHAPTER _____ (H.B. 224/S.B. 279) OF THE
 24 ACTS OF THE GENERAL ASSEMBLY OF 2013.

25 (2) ANY FUNDS TRANSFERRED FROM THE FAIR CAMPAIGN
 26 FINANCING FUND TO THE STATE BOARD OF ELECTIONS UNDER THIS
 27 SUBSECTION THAT ARE NOT USED TO CONDUCT THE STUDIES REQUIRED UNDER
 28 CHAPTER _____ (H.B. 224/S.B. 279) OF THE ACTS OF THE GENERAL ASSEMBLY
 29 OF 2013 MAY NOT BE RETAINED BY THE STATE BOARD OF ELECTIONS AND
 30 SHALL REVERT TO THE FAIR CAMPAIGN FINANCING FUND.

31 Chapter 1 of the Acts of the First Special Session of 2012

32 SECTION 9. AND BE IT FURTHER ENACTED, That:

33 (1) The Governor shall include in the budget bill for fiscal year 2014 the
 34 transfer of [\$2,000,000] \$1,750,000 from the Fair Campaign Financing Fund to the

1 Maryland Information Technology Development Project Fund (program F50A01.01)
2 that was authorized by Section 38 of Chapter 487 of the Acts of 2009 for the purpose of
3 funding the purchase of a new Optical Scan Voting System.

4 (2) It is the intent of the General Assembly that, beginning in fiscal year 2015,
5 each county pay its share of one-half of any further cost of acquiring and operating the
6 Optical Scan Voting System as required under Chapter 564 of the Acts of 2001.

7 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
8 read as follows:

9 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

10 9-1101.

11 (a) (1) Subject to subsection (d) of this section, for each fiscal year, the
12 Comptroller shall distribute to a county the amount determined for each county under
13 this section.

14 (2) The amount a county shall receive under this section in any fiscal
15 year shall be based on the county income tax collected from individuals for the taxable
16 year that ended in the second prior fiscal year, from returns filed through November 1
17 immediately preceding the applicable fiscal year, as determined by the Comptroller.

18 (b) (2) [(i) Subject to subparagraph (ii) of this paragraph, if] IF the per
19 capita yield of the county income tax for a county determined under paragraph (1)(i) of
20 this subsection is less than 75% of the per capita statewide yield of the county income
21 tax determined under paragraph (1)(ii) of this subsection, the Comptroller shall
22 determine the amount that would increase the county per capita yield to equal 75% of
23 the statewide per capita yield, as rounded to the nearest dollar.

24 [(ii) For fiscal year 2012 only, if the per capita yield of the county
25 income tax for a county determined under paragraph (1)(i) of this subsection is less
26 than 77% of the per capita statewide yield of the county income tax determined under
27 paragraph (1)(ii) of this subsection, the Comptroller shall determine the amount that
28 would increase the county per capita yield to equal 77% of the statewide per capita
29 yield, as rounded to the nearest dollar.]

30 (3) A county may not receive a distribution under this subsection if the
31 county tax rate in that county was less than [2.4%] 2.6%:

32 (i) For the taxable year that ended in the second prior fiscal
33 year; or

34 (ii) For any subsequent taxable year through the taxable year
35 that ends in the current fiscal year.

1 (d) (1) [For] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
 2 SUBSECTION, FOR fiscal year 2011 and each subsequent fiscal year, the distribution
 3 provided to any county or Baltimore City under this section may not exceed the amount
 4 distributed to the county or Baltimore City for fiscal year 2010.

5 (2) (I) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY
 6 INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR
 7 BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT
 8 DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

9 (II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY
 10 INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR
 11 BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT
 12 DETERMINED UNDER SUBSECTION (B)(2) OF THIS SECTION.

13 (III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY
 14 INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY
 15 RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER SUBSECTION
 16 (B)(2) OF THIS SECTION.

17 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 18 read as follows:

19 Article – Local Government

20 16-501.

21 (a) Subject to subsection (e) of this section, for each fiscal year, the
 22 Comptroller shall pay to an eligible county a grant in the amount determined under
 23 subsection (c)(3) of this section.

24 (b) A county may not receive a grant under subsection (a) of this section if the
 25 county's income tax rate was less than [2.4%] 2.6%:

26 (1) for the taxable year that ended in the second prior fiscal year; or

27 (2) for any subsequent taxable year through the taxable year that ends
 28 in the current fiscal year.

29 (c) (3) If the per capita yield of the county income tax for a county
 30 determined under paragraph (2)(i) of this subsection is less than 75% of the per capita
 31 statewide yield of the county income tax determined under paragraph (2)(ii) of this
 32 subsection, the Comptroller shall determine the amount that would increase the county

1 per capita yield to equal 75% of the statewide per capita yield, as rounded to the nearest
 2 dollar.

3 (e) (1) [For] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS
 4 SUBSECTION, FOR fiscal year 2011 and each subsequent fiscal year, the distribution
 5 provided to any county or Baltimore City under this section may not exceed the amount
 6 distributed to the county or Baltimore City for fiscal year 2010.

7 (2) (I) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY
 8 INCOME TAX RATE OF AT LEAST 2.8% BUT LESS THAN 3%, THE COUNTY OR
 9 BALTIMORE CITY MAY RECEIVE A MINIMUM OF 20% OF THE AMOUNT
 10 DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

11 (II) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY
 12 INCOME TAX RATE OF AT LEAST 3% BUT LESS THAN 3.2%, THE COUNTY OR
 13 BALTIMORE CITY MAY RECEIVE A MINIMUM OF 40% OF THE AMOUNT
 14 DETERMINED UNDER SUBSECTION (C)(3) OF THIS SECTION.

15 (III) IF A COUNTY OR BALTIMORE CITY HAS A COUNTY
 16 INCOME TAX RATE OF AT LEAST 3.2%, THE COUNTY OR BALTIMORE CITY MAY
 17 RECEIVE A MINIMUM OF 60% OF THE AMOUNT DETERMINED UNDER SUBSECTION
 18 (C)(3) OF THIS SECTION.

19 ~~SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 8-406(b) and~~
 20 ~~10-704.1 of the Tax – General Article of the Annotated Code of Maryland be repealed.~~

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

23 Article – Tax – General

24 10-733.

25 (A) IN THIS SECTION, “QUALIFIED VEHICLE” MEANS A CLASS F
 26 (TRACTOR) VEHICLE DESCRIBED UNDER § 13-923 OF THE TRANSPORTATION
 27 ARTICLE THAT IS TITLED AND REGISTERED IN THE STATE.

28 (B) SUBJECT TO THE LIMITATIONS OF THIS SECTION, AN INDIVIDUAL OR
 29 A CORPORATION MAY CLAIM A CREDIT AGAINST THE STATE INCOME TAX FOR
 30 THE EXPENSE OF REGISTERING A QUALIFIED VEHICLE IN THE STATE.

31 (C) (1) FOR ANY TAXABLE YEAR, THE CREDIT ALLOWED UNDER THIS
 32 SECTION MAY NOT EXCEED THE LESSER OF:

33 (I) \$400 FOR EACH QUALIFIED VEHICLE; OR

1 **(II) THE STATE INCOME TAX FOR THAT TAXABLE YEAR.**

2 **(2) THE UNUSED AMOUNT OF THE CREDIT MAY NOT BE CARRIED**
 3 **OVER TO ANY OTHER TAXABLE YEAR.**

4 SECTION ~~3~~ 2 5. AND BE IT FURTHER ENACTED, That, notwithstanding
 5 any other provision of law, on or before June 30, 2013, the Governor may transfer
 6 \$1,000,000 of the funds in the State Insurance Trust Fund established under § 9-103
 7 of the State Finance and Procurement Article to the General Fund.

8 ~~SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding any~~
 9 ~~other provision of law, on or before June 30, 2014, the Governor may transfer~~
 10 ~~\$2,000,000 from the Small, Minority, and Women Owned Business Investment~~
 11 ~~Account established under § 9-1A-35 of the State Government Article to the Small~~
 12 ~~Business Development Contract Financing Fund established under Part III of Title 5,~~
 13 ~~Subtitle 5 of the Economic Development Article.~~

14 SECTION ~~5~~ 3 6. AND BE IT FURTHER ENACTED, That, for fiscal year 2014,
 15 payments to providers of nonpublic placements under § 8-406 of the Education Article
 16 may not increase by more than 2.5% over the rates in effect on January 16, 2013.

17 SECTION ~~6~~ 4 7. AND BE IT FURTHER ENACTED, That, for fiscal year 2014,
 18 payments to providers with rates set by the Interagency Rates Committee under §
 19 8-417 of the Education Article may not increase by more than 2.5% over the rates in
 20 effect on January 16, 2013.

21 SECTION ~~7~~ 5 8. AND BE IT FURTHER ENACTED, That:

22 (1) In this section, "Commission" means the Health Services Cost
 23 Review Commission.

24 (2) The Department of Health and Mental Hygiene shall achieve
 25 \$30,000,000 of General Fund savings in fiscal year 2014 from a combination of tiered
 26 rates for hospital outpatient and emergency department services and hospital update
 27 factors approved by the Commission that are lower than assumed in the Medicaid
 28 budget for fiscal year 2014.

29 (3) (i) The Commission shall engage an independent consultant to
 30 prepare an analysis projecting the savings Medicaid will achieve from tiered rates in
 31 fiscal year 2014.

32 (ii) The Medicaid Program shall make available to the
 33 Commission and any related consultants the data deemed necessary for the consultant
 34 to prepare the analysis.

1 (iii) In calculating the Medicaid savings from tiered rates, the
2 consultant shall:

3 1. Estimate fiscal year 2014 Medicaid utilization of the
4 clinics and emergency departments using available fiscal year 2013 data adjusted for
5 Medicaid's estimates of enrollment growth for fiscal year 2014; and

6 2. Compare the amount Medicaid would pay for each
7 service using the preliminary or final Commission-approved clinic and emergency
8 department rates established by the Commission for fiscal year 2014 to the amount
9 Medicaid will pay using the fiscal year 2014 tiered rates developed by the hospitals.

10 (4) On or before December 15, 2013, the Commission shall submit a
11 report to the Governor and, in accordance with § 2-1246 of the State Government
12 Article, the General Assembly identifying the projected fiscal year 2014 savings, if
13 any, to the Medicaid Program from:

14 (i) Tiered rates at hospital outpatient clinics and emergency
15 departments as projected by the independent consultant; and

16 (ii) A fiscal year 2014 update factor that is less than assumed in
17 the fiscal year 2014 Medicaid budget.

18 (5) If the report projects General Fund savings of less than
19 \$30,000,000, the Commission shall take one or more of the following actions:

20 (i) Adjust the Medicaid hospital assessment so that the fiscal
21 year 2014 assessment rate as a percentage of projected regulated net patient revenue
22 equals the fiscal year 2013 assessment rate as a percentage of projected regulated net
23 patient revenue;

24 (ii) Reduce the Maryland Health Insurance Plan hospital
25 assessment by an amount sufficient to ensure that the combined Medicaid and
26 Maryland Health Insurance Plan assessments do not exceed \$518,000,000 in fiscal
27 year 2014; or

28 (iii) Identify and implement additional or alternative actions
29 that will bring the combined Medicaid General Fund savings in fiscal year 2014 to
30 \$30,000,000.

31 SECTION ~~6~~ 9. AND BE IT FURTHER ENACTED, That, notwithstanding any
32 other provision of law, on or before June 30, 2013, the Governor may transfer \$430,000
33 from the Sustainable Communities Tax Credit Reserve Fund established under §
34 5A-303(d) of the State Finance and Procurement Article to the General Fund, which is
35 the amount of commercial tax credit certificates that were issued in Fiscal Year 2007
36 and that have not been claimed under § 5A-303(f)(4) of the State Finance and
37 Procurement Article or extended under § 5A-303(c)(3)(ii) of the State Finance and

1 Procurement Article. The Director of the Maryland Historical Trust shall notify, in
2 writing, the owner or developer that received approval of a plan of proposed
3 rehabilitation that these tax credit certificates have expired.

4 ~~SECTION 7. AND BE IT FURTHER ENACTED, That \$2,100,000 of the~~
5 ~~unexpended and unencumbered General Fund appropriations that were included in~~
6 ~~program M00L01.03 of the Budget Bill for Fiscal Year 2013, as enacted during the~~
7 ~~2012 Session (Chapter 148 of the Acts of 2012), may be used only to increase, effective~~
8 ~~January 1, 2013, specialty physician evaluation and management rates in the public~~
9 ~~mental health system to the calendar 2013 Medicare rate for the same services. If any~~
10 ~~unexpended and unencumbered funding is not used for this restricted purpose, it shall~~
11 ~~revert to the General Fund.~~

12 SECTION 8. 10. AND BE IT FURTHER ENACTED, That \$4,200,000 of the
13 unexpended and unencumbered General Fund appropriations that were included in
14 program M00L01.03 of the Budget Bill for Fiscal Year 2013, as enacted during the
15 2012 Session (Chapter 148 of the Acts of 2012), may be used only for the payment of
16 any remaining fiscal year 2012 unprovided for General Fund payables reported to the
17 Office of the Comptroller at the fiscal year 2012 closeout in program M00L01.02
18 Community Services and program M00L01.03 Community Services for Medicaid
19 Recipients. If any unexpended and unencumbered funding is not used for this
20 restricted purpose, it shall revert to the General Fund.

21 SECTION 9. 11. AND BE IT FURTHER ENACTED, That any unexpended and
22 unencumbered General Fund appropriations that were included in program RA02.07
23 of the Budget Bill for Fiscal Year 2013, as enacted during the 2012 Session (Chapter
24 148 of the Acts of 2012), or program RA02.05 of the Budget Bill for Fiscal Year 2013,
25 as enacted during the 2012 Session (Chapter 148 of the Acts of 2012), may be used
26 only for the Quality Teacher Incentive Program under § 6-306(b) of the Education
27 Article. If any unexpended and unencumbered funding is not used for this restricted
28 purpose, it shall revert to the General Fund.

29 SECTION 10. 12. AND BE IT FURTHER ENACTED, That, notwithstanding
30 any other provision of law, on or before June 30, 2013, the Governor may transfer any
31 funds in the Special Fund for Preservation of Cultural Arts in Maryland established
32 under § 4-801 of the Economic Development Article to the General Fund.

33 SECTION 13. AND BE IT FURTHER ENACTED, That, notwithstanding any
34 other provision of law:

35 (a) Except as otherwise provided in this section, State employees employed by
36 any entity, including the University System of Maryland, Morgan State University, and
37 St. Mary's College of Maryland, may not receive merit increases before April 1, 2014.

38 (b) This provision does not affect:

1 (1) salaries for constitutional officers or members of the General
2 Assembly;

3 (2) increases necessary for the retention of faculty in the University
4 System of Maryland, Morgan State University, or St. Mary's College of Maryland;

5 (3) payments under a collective bargaining agreement negotiated with
6 an accredited representative in accordance with § 7-601 of the Transportation Article;
7 or

8 (4) for fiscal year 2014 only, operationally critical staff.

9 (c) On or before December 1, 2013, in accordance with § 2-1246 of the State
10 Government Article, the University System of Maryland, Morgan State University, and
11 St. Mary's College of Maryland shall each submit a report to the Senate Budget and
12 Taxation Committee and the House Appropriations Committee that details the policies
13 adopted by the governing boards of those institutions to designate operationally critical
14 staff, all staff identified as critical under subsection (b)(4) of this section, and any merit
15 increases awarded as a consequence of this designation.

16 (d) On or before December 1, 2013, in accordance with § 2-1246 of the State
17 Government Article, the Department of Budget and Management shall submit a report
18 to the Senate Budget and Taxation Committee and the House Appropriations
19 Committee that details the policies adopted to designate operationally critical staff, all
20 Executive Branch staff identified as critical under subsection (b)(4) of this section, and
21 any merit increases awarded as a consequence of this designation.

22 SECTION 14. AND BE IT FURTHER ENACTED, That, notwithstanding any
23 other provision of law, on or before June 1, 2013, the Governor may transfer \$3,500,000
24 of the funds in the Oil Contaminated Site Environmental Cleanup Fund established
25 under § 4-704 of the Environment Article to the Maryland Oil Disaster Containment,
26 Clean-Up and Contingency Fund established under § 4-411 of the Environment
27 Article.

28 SECTION 15. AND BE IT FURTHER ENACTED, That, notwithstanding any
29 other provision of law, on or before December 31, 2013, the Governor may transfer the
30 remaining balance in the Oil Contaminated Site Environmental Cleanup Fund
31 established under § 4-704 of the Environment Article to the Maryland Oil Disaster
32 Containment, Clean-Up and Contingency Fund established under § 4-411 of the
33 Environment Article.

34 SECTION 16. AND BE IT FURTHER ENACTED, That:

35 (a) The Secretary of the Environment shall convene a workgroup consisting of
36 representatives of the various sectors of the petroleum marketing industry and
37 representatives from appropriate public and private entities to review and assess the
38 long-term funding needs of the oil pollution programs in the State.

1 (b) On or before December 31, 2013, the Department of the Environment shall
 2 report the findings and recommendations of the workgroup convened under subsection
 3 (a) of this section to the Governor and, in accordance with § 2-1246 of the State
 4 Government Article, the presiding officers of the House and the Senate, the House
 5 Environmental Matters Committee, and the Senate Education, Health, and
 6 Environmental Affairs Committee.

7 SECTION 17. AND BE IT FURTHER ENACTED, That:

8 (a) The Comptroller, for scheduled distributions of county income tax to
 9 counties or municipalities during fiscal year 2014, shall make those distributions
 10 without adjustments for refunds or related changes resulting from amended income tax
 11 returns for previous tax years that are determined to be extraordinary or anomalous.
 12 Any adjustments that would ordinarily be administered by the Comptroller in fiscal
 13 year 2014 shall instead be administered in subsequent reconciliation distributions.

14 (b) The Comptroller shall:

15 (1) evaluate the impacts of recent changes to the Local Reserve Account
 16 established to comply with § 2-606 of the Tax – General Article, including the process
 17 by which revenue is distributed from the Account and the current and future unfunded
 18 liabilities for the Account;

19 (2) study the impacts of altering interest paid on tax deficiencies and
 20 refunds imposed under §§ 13-603 and 13-604 of the Tax – General Article; and

21 (3) report specific findings and any recommendations to the Governor
 22 and, in accordance with § 2-1246 of the State Government Article, the General
 23 Assembly on or before December 31, 2013.

24 SECTION 18. AND BE IT FURTHER ENACTED, That funds reduced under
 25 Section 42 of Chapter (H.B. 100) of the Acts of the General Assembly of 2013 may
 26 not revert to the General Fund but shall be held in reserve unless transferred as
 27 provided in that section.

28 SECTION ~~8. 11.~~ 19. AND BE IT FURTHER ENACTED, That, if any provision
 29 of this Act or the application thereof to any person or circumstance is held invalid for
 30 any reason in a court of competent jurisdiction, the invalidity does not affect other
 31 provisions or any other application of this Act which can be given effect without the
 32 invalid provision or application, and for this purpose the provisions of this Act are
 33 declared severable.

34 ~~SECTION 9. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall~~
 35 ~~take effect July 1, 2013, and shall be applicable to all taxable years beginning after~~
 36 ~~December 31, 2012.~~

1 SECTION 20. AND BE IT FURTHER ENACTED, That Section 2 of this Act
2 shall take effect July 1, 2013.

3 SECTION 21. AND BE IT FURTHER ENACTED, That Section 3 of this Act
4 shall take effect on the taking effect of Chapter (H.B. 472) of the Acts of the General
5 Assembly of 2013. If Section 3 of this Act takes effect, Section 2 of this Act shall be
6 abrogated and of no further force and effect.

7 SECTION 22. AND BE IT FURTHER ENACTED, That Section 4 of this Act
8 shall take effect September 1, 2013, and shall be applicable to all taxable years
9 beginning after December 31, 2013, but before January 1, 2017, contingent on the
10 taking effect of an increased toll structure at Maryland toll facilities. If an increased
11 toll structure at Maryland toll facilities does not take effect on or before September 1,
12 2013, Section 4 of this Act shall be null and void without the necessity of further action
13 by the General Assembly.

14 SECTION ~~10, 12,~~ 23. AND BE IT FURTHER ENACTED, That, except as
15 otherwise provided in this Act, ~~except as provided in Section 9 of this Act,~~ this Act
16 shall take effect June 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.