

# HOUSE BILL 307

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CF 3lr0978

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By: **Carroll County Delegation**

Introduced and read first time: January 24, 2013

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County – Maintenance of Effort – Adjustment for Decreasing Student**  
3 **Enrollment**

4 FOR the purpose of altering the required maintenance of effort appropriation that the  
5 county governing body of Carroll County must make to the school operating  
6 budget when there is a decrease in student enrollment under certain  
7 circumstances; providing for the application of certain provisions of this Act;  
8 providing for the effective date of certain provisions of this Act; providing for the  
9 termination of certain provisions of this Act; and generally relating to Carroll  
10 County and the maintenance of effort requirement.

11 BY repealing and reenacting, with amendments,  
12 Article – Education  
13 Section 5–202(d)(1)  
14 Annotated Code of Maryland  
15 (2008 Replacement Volume and 2012 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – Education  
18 Section 5–202(d)(1)  
19 Annotated Code of Maryland  
20 (2008 Replacement Volume and 2012 Supplement)  
21 (As enacted by Chapter 6 of the Acts of the General Assembly of 2012)

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

24 **Article – Education**

25 5–202.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (d) (1) (i) Subject to § 5–213.1 of this subtitle, the county governing  
 2 body shall levy and appropriate an annual tax sufficient to provide an amount of  
 3 revenue for elementary and secondary public education purposes equal to the local  
 4 share of the foundation program.

5 (ii) [Subject] **EXCEPT AS PROVIDED IN SUBPARAGRAPH (III)**  
 6 **OF THIS PARAGRAPH AND SUBJECT** to § 5–213 of this subtitle, the county governing  
 7 body shall appropriate local funds to the school operating budget in an amount no less  
 8 than the product of the county’s full–time equivalent enrollment for the current fiscal  
 9 year and the local appropriation on a per pupil basis for the prior fiscal year.

10 **(III) IN CARROLL COUNTY FOR FISCAL YEARS 2014**  
 11 **THROUGH 2016, IN ANY FISCAL YEAR THAT THE COUNTY’S FULL–TIME**  
 12 **EQUIVALENT STUDENT ENROLLMENT DECREASES AND THE COUNTY**  
 13 **GOVERNING BODY APPROPRIATES FUNDS TO THE SCHOOL OPERATING BUDGET**  
 14 **IN AN AMOUNT THAT EXCEEDS THE AMOUNT REQUIRED UNDER SUBPARAGRAPH**  
 15 **(II) OF THIS PARAGRAPH, THE REQUIRED PER PUPIL MAINTENANCE OF EFFORT**  
 16 **AMOUNT FOR THE NEXT FISCAL YEAR SHALL EQUAL THE PER PUPIL AMOUNT**  
 17 **UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH FOR THE FISCAL YEAR**  
 18 **IMMEDIATELY PRIOR TO A DECREASE IN THE FULL–TIME EQUIVALENT STUDENT**  
 19 **ENROLLMENT.**

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

## 22 Article – Education

23 5–202.

24 (d) (1) (i) Subject to § 5–213.1 of this subtitle, the county governing  
 25 body shall levy and appropriate an annual tax sufficient to provide an amount of  
 26 revenue for elementary and secondary public education purposes equal to the local  
 27 share of the foundation program.

28 (ii) 1. Except as provided in subsubparagraph 2 of this  
 29 subparagraph **AND SUBPARAGRAPH (III) OF THIS PARAGRAPH**, and subject to §  
 30 5–213 of this subtitle, the county governing body shall appropriate local funds to the  
 31 school operating budget in an amount no less than the product of the county’s  
 32 full–time equivalent enrollment for the current fiscal year and the local appropriation  
 33 on a per pupil basis for the prior fiscal year.

34 2. In each fiscal year if a county’s education effort, as  
 35 defined in paragraph (10) of this subsection, is below 100% of the statewide 5–year  
 36 moving average of education effort, the required maintenance of effort amount for the  
 37 county shall be adjusted by increasing the per pupil amount by the lesser of:

- 1                   A.    A county's increase in the local wealth per pupil;  
2                   B.    The statewide average increase in local wealth per  
3 pupil; or  
4                   C.    2.5%.

5                   **(III) IN CARROLL COUNTY FOR FISCAL YEARS 2014**  
6 **THROUGH 2016, IN ANY FISCAL YEAR THAT THE COUNTY'S FULL-TIME**  
7 **EQUIVALENT STUDENT ENROLLMENT DECREASES AND THE COUNTY**  
8 **GOVERNING BODY APPROPRIATES FUNDS TO THE SCHOOL OPERATING BUDGET**  
9 **IN AN AMOUNT THAT EXCEEDS THE AMOUNT REQUIRED UNDER SUBPARAGRAPH**  
10 **(II) OF THIS PARAGRAPH, THE REQUIRED PER PUPIL MAINTENANCE OF EFFORT**  
11 **AMOUNT FOR THE NEXT FISCAL YEAR SHALL EQUAL THE PER PUPIL AMOUNT**  
12 **UNDER SUBPARAGRAPH (II) OF THIS PARAGRAPH FOR THE FISCAL YEAR**  
13 **IMMEDIATELY PRIOR TO A DECREASE IN THE FULL-TIME EQUIVALENT STUDENT**  
14 **ENROLLMENT.**

15                   SECTION 3. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall  
16 apply to the fiscal year 2014 maintenance of effort requirement.

17                   SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act shall  
18 take effect June 1, 2013. It shall remain effective until the taking effect of Section 2 of  
19 this Act. If Section 2 of this Act takes effect, Section 1 of this Act shall be abrogated  
20 and of no further force and effect.

21                   SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall  
22 take effect July 1, 2014, the effective date of Chapter 6 of the Acts of the General  
23 Assembly of 2012. If the effective date of Chapter 6 is amended, this Act shall take  
24 effect on the taking effect of Chapter 6.

25                   SECTION 6. AND BE IT FURTHER ENACTED, That, subject to the provisions  
26 of Sections 4 and 5 of this Act, this Act shall take effect June 1, 2013. It shall remain  
27 effective for a period of 4 years and, at the end of June 30, 2017, with no further action  
28 required by the General Assembly, this Act shall be abrogated and of no further force  
29 and effect.