

HOUSE BILL 1633

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8lr3264

By: **Delegates Hayes, Ali, Anderson, Conaway, Gibson, Glenn, Lierman, McCray, McIntosh, Mosby, Rosenberg, and M. Washington**

Introduced and read first time: February 9, 2018

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Public School Construction – Contingency Fund**

3 FOR the purpose of providing that certain public school construction funds that are
4 allocated to a county for certain projects shall be eligible for other projects under
5 certain conditions; and generally relating to public school construction funds.

6 BY repealing and reenacting, with amendments,

7 Article – Education

8 Section 5–301(j)

9 Annotated Code of Maryland

10 (2014 Replacement Volume and 2017 Supplement)

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

13 **Article – Education**

14 5–301.

15 (j) (1) Whether by budget bill or supplementary appropriation bill, all money
16 appropriated to carry out the purposes of this section is a separate fund that shall be
17 administered by the State Comptroller in accordance with the regulations adopted by the
18 Board of Public Works.

19 (2) Subject to paragraph (3) of this subsection, any unexpended allocations
20 of funds for previously approved projects shall be transferred to the fund established under
21 paragraph (1) of this subsection.

22 (3) (i) **[Any funds] THIS PARAGRAPH APPLIES ONLY TO:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **1. FUNDS** approved for a county for a project that has not
2 been contracted for within 2 years of the approval of the project[,]; **AND**

3 **2. STATE FUNDS APPROVED FOR A COUNTY THAT ARE**
4 **ALLOCATED OVER MORE THAN 1 YEAR FOR A PROJECT THAT HAS NOT BEEN**
5 **CONTRACTED FOR WITHIN 2 YEARS OF THE FINAL YEAR OF ALLOCATION OF TOTAL**
6 **STATE FUNDS FOR THE PROJECT.**

7 **(II) THE FUNDS DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS**
8 **PARAGRAPH** shall be:

9 1. Available for another eligible project in the county in the
10 current fiscal year; or

11 2. Reserved for eligible projects in the county in the next
12 fiscal year, in addition to the new funds allocated for eligible projects in the county in the
13 next fiscal year.

14 **[(ii)] (III)** Any funds reserved under subparagraph **[(i)2] (II)2** of this
15 paragraph that have not been used to contract for a project within 2 years of the date the
16 funds were reserved shall be available for allocation to an eligible project in any county.

17 (4) On or before March 30, June 30, September 30, and December 31 of
18 each year, the Interagency Committee shall report to the General Assembly, in accordance
19 with § 2–1246 of the State Government Article, and the Department of Legislative Services
20 on the balance in the fund as of the reporting date as the result of transfers or reversions
21 required under this subsection and any expenditures.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
23 1, 2018.