

HB1450/363828/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 1450
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “**Fund**” and substitute “**Funds**”; in line 5, after “date;” insert “requiring the governing body of each county to appropriate a certain amount of funds to the school operating budgets for a certain fiscal year; requiring a certain adjustment to the highest local appropriation for certain counties for a certain fiscal year;”; in line 11, after “Fund;” insert “requiring the Comptroller to make a certain distribution to the Blueprint for Maryland’s Future Fund on or before a certain date;”; and in line 14, after “Future” insert “and maintenance of effort requirements”.

On page 2, in line 1, after “(9).” insert “5–235(a) and (b).”; in line 7, after “5–223(g)(3)” insert “and 5–235(a–1)”; and in line 25, after “Section” insert “2–605.1 and”.

AMENDMENT NO. 2

On page 3, after line 22, insert:

“5–235.

(a) (1) (i) Subject to subsection (o) of this section and beginning in fiscal year 2023, the county governing body shall levy and appropriate an annual tax sufficient to provide an amount of revenue for elementary and secondary public education purposes equal to the local share of major education aid as adjusted under § 5–239 of this subtitle.

(ii) For the purposes of calculating the local share of major education aid and regardless of the source of the funds, all funds that a county board, including the Baltimore City Board of School Commissioners, is authorized to expend for schools may be considered as levied by the county council, board of county commissioners, or the Mayor and City Council of Baltimore except for:

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1. State appropriations;
2. Federal education aid payments; and
3. The amount of the expenditure authorized for debt service and capital outlay.

(2) [(i)] Subject to subsection (o) of this section and except as provided in [subparagraphs (ii), (iii), and (iv) of this paragraph] **SUBSECTION (A-1) OF THIS SECTION**, the county governing body shall appropriate local funds to the school operating budget in an amount no less than the product of the county's enrollment count for the current fiscal year and the local appropriation on a per pupil basis for the prior fiscal year using enrollment count.

[(ii) Except as provided in subsection (c)(2) of this section, in fiscal years 2022 and 2023, if a county's education effort, as defined in subsection (j) of this section, is below 100% of the statewide 5-year moving average of education effort, the required maintenance of effort amount for the county shall be adjusted by increasing the per pupil amount by the lesser of:

1. The county's increase in the local wealth per pupil using the September 2019 full-time equivalent enrollment;
2. The statewide average increase in local wealth per pupil using the September 2019 full-time equivalent enrollment; or
3. 2.5%.

[(iii) Except as provided in subparagraph (iv) of this paragraph, for fiscal year 2023, the county governing body shall appropriate local funds to the school operating budget in an amount not less than:

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greater of:

1. The fiscal year 2021 local appropriation divided by the

- A. The full-time equivalent enrollment in September 2019; or

- B. The 3-year average of the full-time equivalent enrollment for September 2017, 2018, and 2019; multiplied by

2. The greater of:

- A. The full-time equivalent enrollment in September 2021; or

- B. The 3-year average of the full-time equivalent enrollment for September 2018, 2019, and 2021.

(iv) If a county is required to make an adjustment under subparagraph (ii) of this paragraph in fiscal year 2022, for fiscal year 2023, the county governing body shall appropriate local funds to the school operating budget in an amount not less than:

1. The fiscal year 2022 local appropriation divided by the greater of:

- A. The full-time equivalent enrollment in September 2019; or

- B. The 3-year average of the full-time equivalent enrollment for September 2017, 2018, and 2019; multiplied by

(Over)

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2. The greater of:

 - A. The full-time equivalent enrollment in September 2021; or
 - B. The 3-year average of the full-time equivalent enrollment for September 2018, 2019, and 2021; multiplied by

3. The per pupil increase required under subparagraph (ii) of this paragraph in fiscal year 2023.]

(A-1) FOR FISCAL YEAR 2023, THE COUNTY GOVERNING BODY SHALL APPROPRIATE TO THE SCHOOL OPERATING BUDGET THE GREATER OF:

(1) THE LOCAL SHARE OF MAJOR EDUCATION AID UNDER SUBSECTION (A)(1) OF THIS SECTION; OR

- (2) (I) FOR ALLEGANY COUNTY, \$31,854,912;
- (II) FOR ANNE ARUNDEL COUNTY, \$784,741,000;
- (III) FOR BALTIMORE CITY, \$275,513,758;
- (IV) FOR BALTIMORE COUNTY, \$888,261,619;
- (V) FOR CALVERT COUNTY, \$134,705,250;
- (VI) FOR CAROLINE COUNTY, \$16,080,832;
- (VII) FOR CARROLL COUNTY, \$204,617,860;

- (VIII) FOR CECIL COUNTY, \$89,196,266;**
- (IX) FOR CHARLES COUNTY, \$200,686,400;**
- (X) FOR DORCHESTER COUNTY, \$20,937,715;**
- (XI) FOR FREDERICK COUNTY, \$316,348,012;**
- (XII) FOR GARRETT COUNTY, \$28,705,313;**
- (XIII) FOR HARFORD COUNTY, \$293,812,984;**
- (XIV) FOR HOWARD COUNTY, \$628,300,000;**
- (XV) FOR KENT COUNTY, \$18,559,629;**
- (XVI) FOR MONTGOMERY COUNTY, \$1,752,662,235;**
- (XVII) FOR PRINCE GEORGE'S COUNTY, \$766,762,200;**
- (XVIII) FOR QUEEN ANNE'S COUNTY, \$62,559,389;**
- (XIX) FOR ST. MARY'S COUNTY, \$114,540,490;**
- (XX) FOR SOMERSET COUNTY, \$10,490,432;**
- (XXI) FOR TALBOT COUNTY, \$43,905,596;**

(XXII) FOR WASHINGTON COUNTY, \$106,847,824;

(XXIII) FOR WICOMICO COUNTY, \$49,135,024; AND

(XXIV) FOR WORCESTER COUNTY, \$97,117,331.

(b) (1) Except as provided in PARAGRAPH (2) OF THIS SUBSECTION AND subsection (c) of this section, for purposes of this section, the local appropriation on a per pupil basis for the prior fiscal year for a county is derived by dividing the county's highest local appropriation to its school operating budget for the prior fiscal year by the county's enrollment count for the prior fiscal year. For example, the calculation of the foundation aid for fiscal year 2003 shall be based on the highest local appropriation for the school operating budget for a county for fiscal year 2002. Program shifts between a county operating budget and a county school operating budget may not be used to artificially satisfy the requirements of this paragraph.

(2) FOR FISCAL YEAR 2024, THE FOLLOWING AMOUNTS SHALL BE SUBTRACTED FROM THE COUNTY'S FISCAL YEAR 2023 HIGHEST LOCAL APPROPRIATION:

(I) FOR ALLEGANY COUNTY, \$384,498;

(II) FOR ANNE ARUNDEL COUNTY, \$10,291,149;

(III) FOR BALTIMORE COUNTY, \$41,682,056;

(IV) FOR CALVERT COUNTY, \$2,109,359;

(V) FOR CARROLL COUNTY, \$7,549,762;

(VI) FOR CHARLES COUNTY, \$7,074,539;

(VII) FOR FREDERICK COUNTY, \$9,076,061;

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- (VIII) FOR GARRETT COUNTY, \$342,058;**
- (IX) FOR HARFORD COUNTY, \$19,512,731;**
- (X) FOR HOWARD COUNTY, \$23,479,884;**
- (XI) FOR KENT COUNTY, \$488,031;**
- (XII) FOR MONTGOMERY COUNTY, \$30,992,076;**
- (XIII) FOR QUEEN ANNE’S COUNTY, \$406,525; AND**
- (XIV) FOR ST. MARY’S COUNTY, \$6,110,337.”.**

On page 6, after line 27, insert:

“2-605.1.

(A) After making the distributions required under §§ 2-604 and 2-605 of this subtitle, on or before June 30, 2019, the Comptroller shall distribute \$200,000,000 of the income tax revenue from individuals to the Blueprint for Maryland’s Future Fund established under [§ 5-219] § 5-206 of the Education Article.

(B) AFTER MAKING THE DISTRIBUTIONS REQUIRED UNDER §§ 2-604 AND 2-605 OF THIS SUBTITLE, ON OR BEFORE JUNE 30, 2023, THE COMPTROLLER SHALL DISTRIBUTE \$800,000,000 OF THE INCOME TAX REVENUE FROM INDIVIDUALS TO THE BLUEPRINT FOR MARYLAND’S FUTURE FUND ESTABLISHED UNDER § 5-206 OF THE EDUCATION ARTICLE.”.

On page 7, in lines 22, 23, 24, 25, and 27, strike “**12.3%**”, “**12.5%**”, “**12.9%**”, “**13.3%**”, and “**13.8%**”, respectively, and substitute “**9.2%**”, “**11.0%**”, “**11.3%**”, “**11.7%**”, and “**12.1%**”, respectively.