

HOUSE BILL 1088

B5, B1

2lr2574

By: **The Speaker and Delegates Brooks and Sample–Hughes**

Introduced and read first time: February 10, 2022

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **African American Heritage Preservation Program – Annual Appropriation and**
3 **Alterations**

4 FOR the purpose of altering the amount of the appropriation to the African American
5 Heritage Preservation Grant Fund of the Maryland Historical Trust that the
6 Governor is required to include in the operating or capital budget each year;
7 repealing a requirement that the recipient of a certain grant provide a matching
8 fund; altering the maximum amount of a certain grant that a recipient may receive;
9 and generally relating to the African American Heritage Preservation Program.

10 BY repealing and reenacting, without amendments,
11 Article – State Finance and Procurement
12 Section 5A–330(a) and (b)
13 Annotated Code of Maryland
14 (2021 Replacement Volume)

15 BY repealing and reenacting, with amendments,
16 Article – State Finance and Procurement
17 Section 5A–330(c), (e), and (f)(2)
18 Annotated Code of Maryland
19 (2021 Replacement Volume)

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

22 **Article – State Finance and Procurement**

23 5A–330.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) “AAHP Grant Fund” means the African American Heritage
2 Preservation Grant Fund of the Trust.

3 (3) “African American Heritage Grant” means a grant made under the
4 Program.

5 (4) “African American Heritage Preservation Project” means a capital
6 project that:

7 (i) preserves buildings, communities, and sites of historical and
8 cultural importance to the African American experience in the State; and

9 (ii) is for:

10 1. the acquisition of land or buildings; or

11 2. the construction or improvement of land or buildings.

12 (5) “Commission” means the Commission on African American History and
13 Culture.

14 (6) “Construction or improvement” means planning, design, engineering,
15 alteration, construction, reconstruction, enlargement, expansion, extension, improvement,
16 replacement, rehabilitation, renovation, upgrading, repair, or capital equipping.

17 (7) “Program” means the African American Heritage Preservation
18 Program.

19 (8) “Secretary” means the Secretary of Planning.

20 (b) (1) There is an African American Heritage Preservation Program in the
21 Trust.

22 (2) The purpose of the Program is to identify and preserve buildings,
23 communities, and sites of historical and cultural importance to the African American
24 experience in the State.

25 (3) The Trust shall develop and administer the Program in partnership
26 with the Commission.

27 (c) (1) There is an African American Heritage Preservation Grant Fund in the
28 Trust.

29 (2) The Trust shall administer the AAHP Grant Fund.

30 (3) The AAHP Grant Fund may be used only for African American Heritage
31 Grants.

1 (4) (i) The AAHP Grant Fund is a special, nonlapsing fund that is not
2 subject to reversion under § 7–302 of this article.

3 (ii) The State Treasurer shall hold the AAHP Grant Fund separately
4 and the Comptroller shall account for the AAHP Grant Fund.

5 (5) The AAHP Grant Fund consists of:

6 (i) money appropriated in the State budget to the Program;

7 (ii) investment earnings of the AAHP Grant Fund;

8 (iii) any other money from any other source accepted for the benefit
9 of the AAHP Grant Fund; and

10 (iv) money received from the sale of State general obligation bonds.

11 (6) For each fiscal year, the Governor shall include in the annual operating
12 or capital budget an appropriation of **[\$1,000,000] \$5,000,000** to the AAHP Grant Fund.

13 (7) (i) The State Treasurer shall invest the money of the AAHP Grant
14 Fund in the same manner as other State money.

15 (ii) Any investment earnings of the AAHP Grant Fund shall be paid
16 into the AAHP Grant Fund.

17 (8) Expenditures from the AAHP Grant Fund may be made only in
18 accordance with the State budget.

19 (e) An African American Heritage Grant to a business entity, an individual, or a
20 political subdivision[:

21 (1) is subject to a requirement that the prospective grantee provide a
22 matching fund from any combination of federal, county, municipal, or private sources; and

23 (2) may not exceed 50% of the total cost of the African American Heritage
24 Preservation Project for which the African American Heritage Grant is awarded] **MAY NOT**
25 **EXCEED \$500,000.**

26 (f) (2) In making recommendations under this subsection, the Trust and the
27 Commission shall consider:

28 (i) the public necessity and urgency of a project;

29 (ii) the need for additional sources of funding for a project;

HOUSE BILL 1088

- 1 (iii) the estimated cost and timeliness of executing a project;
- 2 (iv) [the viability of matching funds for a project;
- 3 (v)] geographic diversity; and
- 4 [(vi)] (v) any other criteria determined by the Trust and the
5 Commission to be relevant.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
7 1, 2022.