

SENATE BILL 245

C7, C8
SB 376/21 – B&T

2lr1268
CF HB 256

By: **Senator Kagan**

Introduced and read first time: January 14, 2022

Assigned to: Budget and Taxation

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 8, 2022

CHAPTER _____

1 AN ACT concerning

2 **Maryland Nonprofit Development Center Program – Nonprofit, Interest-Free,**
3 **Micro Bridge Loan (NIMBL) Account – Funding**

4 FOR the purpose of ~~altering, beginning in a certain fiscal year, the percentage to be paid~~
5 ~~by the Comptroller from the Small, Minority, and Women-Owned Businesses~~
6 ~~Account to the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account within~~
7 ~~the Maryland Nonprofit Development Center Program Fund;~~ requiring the Governor
8 to include in the annual budget bill a certain appropriation for a certain fiscal year
9 for the Maryland Nonprofit Development Center Program Fund to be used for certain
10 loans under the NIMBL Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL)
11 Account; and generally relating to the Maryland Nonprofit Development Center
12 Program.

13 BY repealing and reenacting, ~~without~~ with amendments,
14 Article – Economic Development
15 Section ~~5-1204(a)(1)~~ 5-1204
16 Annotated Code of Maryland
17 (2018 Replacement Volume and 2021 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – State Government
20 Section 9-1A-27(a)(6)
21 Annotated Code of Maryland
22 (2021 Replacement Volume)

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.



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

3 **Article – Economic Development**

4 5–1204.

5 (a) (1) (i) There is a Maryland Nonprofit Development Center Program
6 Fund in the Department.

7 (ii) 1. Within the Fund, there is a Nonprofit, Interest–Free,
8 Micro Bridge Loan (NIMBL) Account.

9 2. The Account consists of:

10 A. money received under § 9–1A–27 of the State Government
11 Article; and

12 B. any other money appropriated, transferred by budget
13 amendment, or repaid to the Account.

14 3. The money in the Account may not exceed \$1,000,000.

15 4. If the money in the Account exceeds \$1,000,000, any
16 money in excess of that amount shall be transferred to the Small, Minority, and
17 Women–Owned Businesses Account established under § 5–1501 of this title.

18 (2) The Fund is a special, nonlapsing fund that is not subject to reversion
19 under § 7–302 of the State Finance and Procurement Article.

20 (3) The Fund consists of:

21 (i) money appropriated in the State budget to the Fund;

22 (ii) money in the Nonprofit, Interest–Free, Micro Bridge Loan
23 (NIMBL) Account; and

24 (iii) all other money accepted for the benefit of the Fund, including
25 an additional \$50 fee to be paid for the processing of articles of incorporation of a nonstock
26 corporation in accordance with § 1–203 of the Corporations and Associations Article.

27 (b) (1) The purpose of the Fund is to provide grant money and bridge loans to
28 support the operations of the Program consistent with this subtitle.

29 (2) As provided in the State budget, the Fund also may be used by the
30 Department of General Services to evaluate the participation of nonprofit entities in State
31 procurement.

(C) (1) FOR FISCAL YEAR 2023, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$1,000,000 TO THE FUND TO BE USED FOR LOANS UNDER THE NIMBL ACCOUNT.

(2) IF \$1,000,000 IS NOT INCLUDED IN THE ANNUAL BUDGET BILL FOR FISCAL YEAR 2023, THEN THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL FOR FISCAL YEAR 2024 AN APPROPRIATION OF \$1,000,000 TO THE FUND TO BE USED FOR LOANS UNDER THE NIMBL ACCOUNT.

Article – State Government

9-1A-27.

(a) Except as provided in subsections (b) and (c) of this section and § 9-1A-26(a)(3) of this subtitle, on a properly approved transmittal prepared by the Commission, the Comptroller shall pay the following amounts from the proceeds of video lottery terminals at each video lottery facility:

(6) (i) except as provided in items (ii) and (iii) of this item, 1.5% to the Small, Minority, and Women-Owned Businesses Account established under § 5-1501 of the Economic Development Article;

(ii) for fiscal year 2018, 1.5% to the General Fund to pay a portion of the costs of the grants provided under Chapters 6 and 607 of the Acts of the General Assembly of 2017; AND

(iii) for fiscal years 2019 and 2020, 1.5% to the Education Trust Fund established under § 9-1A-30 of this subtitle; ~~and~~

~~(iv) beginning in fiscal year [2021] 2023, from the amount paid to the Small, Minority, and Women-Owned Businesses Account under item (i) of this item, [up to] 5%, not to exceed \$1,000,000, to the Nonprofit, Interest-Free, Micro Bridge Loan (NIMBL) Account established under § 5-1204 of the Economic Development Article;~~

~~SECTION 2. AND BE IT FURTHER ENACTED, That, for fiscal year 2024, the Governor shall include in the annual budget bill a General Fund appropriation of \$1,000,000 to the Maryland Nonprofit Development Center Program Fund (T00F00.11) within the Department of Commerce to be used for loans made under the Nonprofit, Interest-Free, Micro Bridge Loan Account under Title 5, Subtitle 12 of the Economic Development Article.~~

SECTION ~~3~~ 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.