

Chapter 557

(Senate Bill 422)

AN ACT concerning

Natural Resources – Black Bass Conservation Fund – Establishment

FOR the purpose of establishing the Black Bass Conservation Fund as a special, nonlapsing fund; requiring the Department of Natural Resources to establish a process through which an individual who purchases a certain license online may make a voluntary donation to the Fund; requiring interest earnings of the Fund to be credited to the Fund; and generally relating to the Black Bass Conservation Fund.

BY repealing and reenacting, with amendments,
Article – Natural Resources
Section 1–403
Annotated Code of Maryland
(2018 Replacement Volume and 2022 Supplement)

BY adding to
Article – Natural Resources
Section 4–209.1
Annotated Code of Maryland
(2018 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(i)
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)170. and 171.
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

BY adding to
Article – State Finance and Procurement
Section 6–226(a)(2)(ii)172.
Annotated Code of Maryland
(2021 Replacement Volume and 2022 Supplement)

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

Article – Natural Resources

1–403.

(a) Notwithstanding any other provision of this article, the Department may develop and implement an electronic system for the sale and issuance of licenses, permits, and registrations and the recording and releasing of security interests.

(b) The electronic system may include provisions for:

- (1) Recording titling and registration data;
- (2) Recording and releasing liens without the issuance of a security interest filing; and
- (3) Recording information relating to an application for a license, permit, or registration.

(c) The Department shall develop the electronic system consistent with the statewide information technology master plan developed under Title 3.5, Subtitle 3 of the State Finance and Procurement Article.

(d) (1) Subject to subsection ~~[(f)]~~ (G) of this section, the Department shall establish a process through which an individual who purchases an angler's license, a Chesapeake Bay and coastal sport fishing license, or a hunting license and any corresponding stamps through the electronic system may make a voluntary monetary donation to the Healing Hunting and Fishing Fund at the time of purchase.

(2) The Department shall collect the donations received under paragraph (1) of this subsection and deposit them into the Healing Hunting and Fishing Fund.

(e) (1) Subject to subsection ~~[(f)]~~ (G) of this section, the Department shall establish a process through which an individual who purchases a license, permit, or registration through the electronic system may make a voluntary monetary donation to the Chesapeake Bay Trust and the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund at the time the license, permit, or registration is purchased.

(2) The Department shall:

- (i) Collect any donations made under this subsection; and
- (ii) Distribute the proceeds of the donations as follows:
 1. 50% to the Chesapeake Bay Trust established under § 8–1902 of this article; and

2. 50% to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund established under § 8–2A–02 of this article.

(3) (i) The Chesapeake Bay Trust may use the funds it receives under this subsection only to provide grants and other resources to nonprofit organizations, community associations, civic groups, schools, or public agencies for projects to enhance or promote:

1. Public education, including the publication or production of educational materials, concerning the Chesapeake Bay, the Maryland coastal bays, the Youghiogheny watershed, and other natural resources;
2. The preservation or enhancement of water quality and fish or wildlife habitat;
3. The restoration of aquatic or land resources;
4. Reforestation; and
5. Training in environmental studies or enhancement.

(ii) Funds distributed to the Chesapeake and Atlantic Coastal Bays 2010 Trust Fund may be used to provide financial assistance necessary to advance Maryland's progress in meeting the goals established in the 2014 Chesapeake Bay Watershed Agreement and to restore the health of the Atlantic Coastal Bays by focusing on nonpoint source pollution control projects, as authorized under Title 8, Subtitle 2A of this article.

(4) On or before December 1 each year, the Department shall report to the Governor and, in accordance with § 2–1257 of the State Government Article, the General Assembly on the collection, distribution, and expenditure of any voluntary monetary donations made under this subsection in the previous fiscal year.

(f) (1) SUBJECT TO SUBSECTION (G) OF THIS SECTION, THE DEPARTMENT SHALL ESTABLISH A PROCESS THROUGH WHICH AN INDIVIDUAL WHO PURCHASES AN ANGLER'S LICENSE OR A CHESAPEAKE BAY AND COASTAL SPORT FISHING LICENSE THROUGH THE ELECTRONIC SYSTEM MAY MAKE A VOLUNTARY MONETARY DONATION TO THE BLACK BASS CONSERVATION FUND AT THE TIME OF PURCHASE.

(2) THE DEPARTMENT SHALL COLLECT THE DONATIONS RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION AND DEPOSIT THEM INTO THE BLACK BASS CONSERVATION FUND, ESTABLISHED UNDER § 4–209.1 OF THIS ARTICLE.

(G) The donation process established under subsections [(d) and (e)] **(D), (E), AND (F)** of this section:

(1) Shall be made available only to an individual purchasing directly through the electronic system;

(2) May not be made available to an individual purchasing through an authorized vendor; and

(3) Shall be limited to providing not more than two options to which an individual may make a monetary donation.

~~[(g)]~~ (H) The Department may adopt regulations to:

(1) Implement the electronic system authorized under this section; and

(2) Determine the appropriate fee levels that may be charged by a vendor and by the Department for the electronic transmission service.

4-209.1.

(A) IN THIS SECTION, “FUND” MEANS THE BLACK BASS CONSERVATION FUND.

(B) THERE IS A BLACK BASS CONSERVATION FUND IN THE DEPARTMENT.

(C) THE PURPOSE OF THE FUND IS TO FURTHER BLACK BASS MANAGEMENT.

(D) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT SUBJECT TO § 7-302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY, AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.

(F) THE FUND CONSISTS OF:

(1) DONATIONS COLLECTED BY THE DEPARTMENT UNDER § 1-403(F) OF THIS ARTICLE;

(2) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND;

~~AND~~

(3) INTEREST EARNINGS; AND

(4) ANY OTHER MONEY FROM ANY OTHER SOURCE ACCEPTED FOR THE BENEFIT OF THE FUND.

(G) THE DEPARTMENT MAY USE MONEY IN THE FUND TO:

- (1) STOCK BLACK BASS;**
- (2) ENHANCE AQUATIC HABITATS FOR BLACK BASS;**
- (3) SUPPORT RESPONSIBLE BLACK BASS TOURNAMENTS; AND**
- (4) SUPPORT SCIENTIFIC RESEARCH RELATED TO BLACK BASS CONSERVATION.**

(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.

(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO THE FUND.

Article – State Finance and Procurement

6-226.

(a) (2) (i) Notwithstanding any other provision of law, and unless inconsistent with a federal law, grant agreement, or other federal requirement or with the terms of a gift or settlement agreement, net interest on all State money allocated by the State Treasurer under this section to special funds or accounts, and otherwise entitled to receive interest earnings, as accounted for by the Comptroller, shall accrue to the General Fund of the State.

(ii) The provisions of subparagraph (i) of this paragraph do not apply to the following funds:

170. the Cannabis Public Health Fund; [and]

171. the Community Reinvestment and Repair Fund; AND

172. THE BLACK BASS CONSERVATION FUND.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

Approved by the Governor, May 8, 2023.