

Chapter 193

(House Bill 773)

AN ACT concerning

Human Services – Individuals With Disabilities and Service–Disabled Veterans Boating Fund

FOR the purpose of establishing the Individuals With Disabilities and Service–Disabled Veterans Boating Fund; requiring the Department of Disabilities to administer the Fund; establishing the qualifications for certain organizations to receive grants from the Fund; ~~authorizing the Governor to include in the annual budget bill a certain appropriation for the Fund;~~ and generally relating to the Individuals With Disabilities and Service–Disabled Veterans Boating Fund.

BY adding to

Article – Human Services

Section 7–1101 and 7–1102 to be under the new subtitle “Subtitle 11. Individuals With Disabilities and Service–Disabled Veterans Boating Fund”

Annotated Code of Maryland

(2019 Replacement Volume and 2023 Supplement)

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

Article – Human Services

SUBTITLE 11. INDIVIDUALS WITH DISABILITIES AND SERVICE–DISABLED VETERANS BOATING FUND.

7–1101.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “DEPARTMENT” MEANS THE DEPARTMENT OF DISABILITIES.

(C) “FUND” MEANS THE INDIVIDUALS WITH DISABILITIES AND SERVICE–DISABLED VETERANS BOATING FUND.

(D) (1) “INDIVIDUALS WITH DISABILITIES” MEANS INDIVIDUALS CONSIDERED DISABLED IN ACCORDANCE WITH THE FEDERAL AMERICANS WITH DISABILITIES ACT OF 1990, 42 U.S.C. § 12102.

(2) “INDIVIDUALS WITH DISABILITIES” INCLUDES INDIVIDUALS WITH LEARNING DISABILITIES.

(E) “SECRETARY” MEANS THE SECRETARY OF DISABILITIES.

(F) “SERVICE-DISABLED VETERAN” MEANS A VETERAN WITH A DISABILITY THAT IS SERVICE-CONNECTED, AS DEFINED IN 38 U.S.C. § 101(16).

7-1102.

(A) THERE IS AN INDIVIDUALS WITH DISABILITIES AND SERVICE-DISABLED VETERANS BOATING FUND.

(B) THE PURPOSE OF THE FUND IS TO PROVIDE SAILING, BOATING, KAYAKING, CANOEING, ~~AND PADDLEBOARDING~~ PADDLEBOARDING, AND SURFING OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES AND SERVICE-DISABLED VETERANS.

(C) THE DEPARTMENT SHALL ADMINISTER THE FUND.

(D) (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.

(E) THE FUND CONSISTS OF:

(1) MONEY APPROPRIATED IN THE STATE BUDGET TO THE FUND; AND

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

(F) THE FUND MAY BE USED ONLY FOR:

(1) PROVIDING STATE GRANTS UNDER THIS SECTION; AND

(2) ADMINISTRATIVE EXPENSES OF THE DEPARTMENT IN ADMINISTERING THE FUND.

~~(G) IN FISCAL YEAR 2026 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR MAY INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$500,000 TO THE FUND FOR THE PURPOSE OF MAKING THE STATE GRANTS UNDER THIS SECTION.~~

~~(H)~~ (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE DEPARTMENT MAY PROVIDE A GRANT OF NOT MORE THAN \$40,000 IN A FISCAL YEAR TO A GRANTEE TO PROVIDE SAILING, BOATING, KAYAKING, CANOEING, ~~OR PADDLEBOARDING~~ PADDLEBOARDING, OR SURFING OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES OR SERVICE-DISABLED VETERANS.

(2) THE DEPARTMENT MAY PROVIDE GRANTS UNDER THIS SECTION ONLY TO A NONPROFIT ORGANIZATION IN GOOD STANDING THAT:

(I) IS QUALIFIED UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE;

(II) HAS BEEN IN OPERATION FOR AT LEAST 3 YEARS, NOTWITHSTANDING A CESSATION OF OPERATIONS DURING A NATIONAL OR PUBLIC HEALTH EMERGENCY ISSUED:

1. BY THE PRESIDENT OF THE UNITED STATES UNDER § 201, § 202(D), OR § 301 OF THE FEDERAL NATIONAL EMERGENCIES ACT; OR

2. BY THE SECRETARY OF HEALTH AND HUMAN SERVICES UNDER THE FEDERAL PUBLIC HEALTH SERVICE ACT; AND

(III) HAS ENGAGED INDIVIDUALS WITH DISABILITIES OR SERVICE-DISABLED VETERANS IN SAILING, BOATING, KAYAKING, CANOEING, ~~OR PADDLEBOARDING~~ PADDLEBOARDING, OR SURFING ACTIVITIES ON ~~THE CHESAPEAKE BAY OR ITS TRIBUTARIES~~ STATE WATERS AT LEAST 25 TIMES IN EACH OF THE PAST 3 YEARS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2024.

Approved by the Governor, April 25, 2024.