

SENATE BILL 208

03

(PRE-FILED)

5lr0051
CF HB 214

By: **Chair, Finance Committee (By Request – Departmental – Disabilities)**

Requested: September 28, 2024

Introduced and read first time: January 8, 2025

Assigned to: Finance

Committee Report: Favorable

Senate action: Adopted

Read second time: February 2, 2025

CHAPTER _____

1 AN ACT concerning

2 **Human Services – Maryland Assistive Technology Program – Establishment**

3 FOR the purpose of establishing the Maryland Assistive Technology Program in the
4 Department of Disabilities to provide assistive technology devices and services to
5 individuals with disabilities; establishing the Assistive Technology Services Fund as
6 a special, nonlapsing fund; requiring interest earnings of the Fund to be credited to
7 the Fund; and generally relating to the Maryland Assistive Technology Program.

8 BY repealing and reenacting, with amendments,
9 Article – Human Services
10 Section 7–114(b)
11 Annotated Code of Maryland
12 (2019 Replacement Volume and 2024 Supplement)

13 BY adding to
14 Article – Human Services
15 Section 7–1201 through 7–1205 to be under the new subtitle “Subtitle 12. Maryland
16 Assistive Technology Program”
17 Annotated Code of Maryland
18 (2019 Replacement Volume and 2024 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – State Finance and Procurement
21 Section 6–226(a)(2)(i)

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 Annotated Code of Maryland
2 (2021 Replacement Volume and 2024 Supplement)

3 BY repealing and reenacting, with amendments,
4 Article – State Finance and Procurement
5 Section 6–226(a)(2)(ii)204. and 205.
6 Annotated Code of Maryland
7 (2021 Replacement Volume and 2024 Supplement)

8 BY adding to
9 Article – State Finance and Procurement
10 Section 6–226(a)(2)(ii)206.
11 Annotated Code of Maryland
12 (2021 Replacement Volume and 2024 Supplement)

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

15 **Article – Human Services**

16 7–114.

17 (b) The Department shall oversee and administer the following programs and
18 units:

19 (1) constituent services and ombudsmen programs;

20 (2) the Assistive Technology Guaranteed Loan Program under Subtitle 6
21 of this title;

22 (3) the Office of Personal Assistance Services, including the Attendant
23 Care Program under Subtitle 4 of this title;

24 (4) Telecommunications Access of Maryland under Subtitle 8 of this title;
25 [and]

26 (5) Telecommunications Devices and Distribution of Accessible
27 Information for Disabled Individuals under Subtitle 9 of this title; AND

28 **(6) THE MARYLAND ASSISTIVE TECHNOLOGY PROGRAM UNDER**
29 **SUBTITLE 12 OF THIS TITLE.**

30 **SUBTITLE 12. MARYLAND ASSISTIVE TECHNOLOGY PROGRAM.**

31 **7–1201.**

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

3 (B) “ASSISTIVE TECHNOLOGY DEVICE” MEANS ANY ITEM, PIECE OF
4 EQUIPMENT, OR PRODUCT SYSTEM, WHETHER ACQUIRED COMMERCIALY,
5 MODIFIED, OR CUSTOMIZED, THAT IS USED TO INCREASE, MAINTAIN, OR IMPROVE
6 FUNCTIONAL CAPABILITIES OF INDIVIDUALS WITH DISABILITIES.

7 (C) “ASSISTIVE TECHNOLOGY SERVICE” MEANS ANY SERVICE THAT ASSISTS
8 AN INDIVIDUAL WITH A DISABILITY IN THE SELECTION, ACQUISITION, OR USE OF AN
9 ASSISTIVE TECHNOLOGY DEVICE.

10 (D) “FUND” MEANS THE ASSISTIVE TECHNOLOGY SERVICES FUND.

11 (E) “PROGRAM” MEANS THE MARYLAND ASSISTIVE TECHNOLOGY
12 PROGRAM.
13 7-1202.

14 (A) THERE IS A MARYLAND ASSISTIVE TECHNOLOGY PROGRAM IN THE
15 DEPARTMENT.

16 (B) THE PURPOSE OF THE PROGRAM IS TO:

17 (1) INCREASE ACCESS TO ASSISTIVE TECHNOLOGY DEVICES AND
18 ASSISTIVE TECHNOLOGY SERVICES FOR INDIVIDUALS WITH DISABILITIES;

19 (2) SUPPORT THE STATE’S EFFORTS TO IMPROVE THE PROVISION OF
20 ASSISTIVE TECHNOLOGY TO INDIVIDUALS WITH DISABILITIES OF ALL AGES,
21 INCLUDING UNDERREPRESENTED POPULATIONS, THROUGH COMPREHENSIVE
22 STATEWIDE PROGRAMS OF TECHNOLOGY-RELATED ASSISTANCE;

23 (3) ENSURE STATEWIDE ACCESS TO ASSISTIVE TECHNOLOGY
24 LENDING LIBRARIES THAT ALLOW INDIVIDUALS WITH DISABILITIES AND THOSE
25 SUPPORTING INDIVIDUALS WITH DISABILITIES TO LEARN ABOUT, TRY, AND BORROW
26 ASSISTIVE TECHNOLOGY DEVICES THROUGH SHORT-TERM LOANS; AND

27 (4) IMPLEMENT ACTIVITIES REQUIRED BY FEDERAL GRANTS,
28 INCLUDING FUNDING AUTHORIZED UNDER THE FEDERAL 21ST CENTURY ASSISTIVE
29 TECHNOLOGY ACT.

30 (C) THE PROGRAM SHALL PROVIDE ACCESS TO OR CONDUCT ASSISTIVE
31 TECHNOLOGY SERVICES THAT INCLUDE ANY ACTIVITY DESCRIBED IN THE FEDERAL
32 21ST CENTURY ASSISTIVE TECHNOLOGY ACT.

1 **7-1203.**

2 (A) THERE IS AN ASSISTIVE TECHNOLOGY SERVICES FUND IN THE
3 DEPARTMENT.

4 (B) THE PURPOSE OF THE FUND IS TO RECEIVE REVENUE FROM ASSISTIVE
5 TECHNOLOGY SERVICES PROVIDED BY THE PROGRAM, INCLUDING:

6 (1) ASSISTIVE TECHNOLOGY ASSESSMENTS;

7 (2) ASSISTIVE TECHNOLOGY TRAINING;

8 (3) DIGITAL ACCESSIBILITY TRAINING;

9 (4) DIGITAL ACCESSIBILITY WEBSITE EVALUATIONS; AND

10 (5) DIGITAL ACCESSIBILITY REMEDIATION SERVICES.

11 (C) THE SECRETARY, THROUGH THE PROGRAM, SHALL ADMINISTER THE
12 FUND.

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

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

17 (E) THE FUND CONSISTS OF:

18 (1) REVENUE DISTRIBUTED TO THE FUND UNDER SUBSECTION (B) OF
19 THIS SECTION;

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

21 (3) INTEREST EARNINGS; AND

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

24 (F) THE FUND MAY BE USED ONLY TO SUPPORT THE OPERATIONS OF THE
25 PROGRAM, INCLUDING THE PURCHASE OF ASSISTIVE TECHNOLOGY DEVICES.

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

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

5 (H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE
6 WITH THE STATE BUDGET.

7 (I) MONEY EXPENDED FROM THE FUND FOR THE PROGRAM IS
8 SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT
9 OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAM.

10 7-1204.

11 THIS SUBTITLE MAY NOT BE CONSTRUED TO ESTABLISH AN ENTITLEMENT
12 PROGRAM.

13 7-1205.

14 THE SECRETARY MAY ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.

15 **Article – State Finance and Procurement**

16 6-226.

17 (a) (2) (i) 1. This subparagraph does not apply in fiscal years 2024
18 through 2028.

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

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

27 204. the Victims of Domestic Violence Program Grant Fund;
28 [and]

29 205. the Proposed Programs Collaborative Grant Fund; AND

30 206. THE ASSISTIVE TECHNOLOGY SERVICES FUND.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.