

Chapter 719

(House Bill 251)

AN ACT concerning

Maryland Funding Accountability and Transparency Act – Real Property Records Improvement Fund and Nonbudgeted State Agencies

FOR the purpose of altering the Maryland Funding Accountability and Transparency Act to require the Department of Information Technology to include in a certain searchable website payments made by certain units of State government; requiring the Department to update the payment data on the searchable website within a certain period of time; authorizing the Judiciary to transfer up to a certain amount of a General Fund appropriation to a certain special fund; repealing an obsolete provision; making a technical correction; making stylistic changes; making this Act an emergency measure; and generally relating to the Maryland Funding Accountability and Transparency Act.

BY repealing and reenacting, with amendments,
 Article – State Finance and Procurement
 Section 3A–313
 Annotated Code of Maryland
 (2015 Replacement Volume and 2020 Supplement)

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

Article – State Finance and Procurement

3A–313.

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

(2) **“AGENCY” INCLUDES A UNIT OF STATE GOVERNMENT THAT RECEIVES FUNDS THAT ARE NOT APPROPRIATED IN THE ANNUAL BUDGET BILL.**

(3) (i) “Payee” means any party who receives from the State an aggregate payment of \$25,000 in a fiscal year.

(ii) “Payee” does not include:

1. a State employee with respect to the employee’s compensation; or

2. a State retiree with respect to the retiree's retirement allowance.

~~[(3)] (4)~~ "Searchable [Web site] WEBSITE" means a [Web site] WEBSITE created in accordance with this section that displays and searches State payment data.

(b) (1) [On or before January 1, 2009, the] **THE** Department shall develop and operate a single searchable [Web site] WEBSITE, accessible to the public at no cost through the Internet.

(2) ON OR BEFORE THE 15TH DAY OF THE MONTH THAT FOLLOWS THE MONTH IN WHICH AN AGENCY MAKES A PAYMENT TO A PAYEE, THE DEPARTMENT SHALL UPDATE THE PAYMENT DATA ON THE SEARCHABLE WEBSITE.

(c) The searchable [Web site] WEBSITE shall contain State payment data, including:

- (1) the name of a payee receiving a payment;
- (2) the location of a payee by postal zip code;
- (3) the amount of a payment; and
- (4) the name of an agency making a payment.

(d) The searchable [Web site] WEBSITE shall allow the user to:

- (1) search data for fiscal year 2008 and each year thereafter; and
- (2) search by the following data fields:
 - (i) a payee receiving a payment;
 - (ii) an agency making a payment; and
 - (iii) the zip code of a payee receiving a payment.

(e) State agencies shall provide appropriate assistance to the Secretary to ensure the existence and ongoing operation of the single [Web site] WEBSITE.

(f) This section may not be construed to require the disclosure of information that is confidential under State or federal law.

(g) This section shall be known and may be cited as the "Maryland Funding Accountability and Transparency Act [of 2008]".

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding any other provision of law, on or before June 30, 2021, the Judiciary may transfer up to \$12,000,000 of the fiscal year 2021 General Fund appropriation for the Judiciary to the Circuit Court Real Property Records Improvement Fund established under § 13-602 of the Courts and Judicial Proceedings Article.

(b) Notwithstanding § 7-302 of the State Finance and Procurement Article or any other provision of law, any amount transferred under subsection (a) of this section may not revert to the General Fund.

~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2021.~~

SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.