

SENATE BILL 240

P1, R2

11r0045

(PRE-FILED)

By: **Chair, Budget and Taxation Committee (By Request – Departmental – Transportation)**

Requested: October 9, 2020

Introduced and read first time: January 13, 2021

Assigned to: Budget and Taxation

Committee Report: Favorable

Senate action: Adopted

Read second time: February 26, 2021

CHAPTER _____

1 AN ACT concerning

2 **Maryland Information Technology Development Project Fund – Sources of**
3 **Revenue**

4 FOR the purpose of repealing the requirement that certain revenues received and collected
5 by the Maryland Department of Transportation be distributed to the Maryland
6 Information Technology Development Project Fund; altering the sources of revenue
7 for the Fund; and generally relating to sources of revenue for the Maryland
8 Information Technology Development Project Fund.

9 BY repealing and reenacting, without amendments,
10 Article – State Finance and Procurement
11 Section 3A–309(a), (b), (e), and (i)
12 Annotated Code of Maryland
13 (2015 Replacement Volume and 2020 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – State Finance and Procurement
16 Section 3A–309(f)
17 Annotated Code of Maryland
18 (2015 Replacement Volume and 2020 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Transportation

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 3–216(a)
2 Annotated Code of Maryland
3 (2020 Replacement Volume)

4 BY repealing and reenacting, with amendments,
5 Article – Transportation
6 Section 3–216(b)
7 Annotated Code of Maryland
8 (2020 Replacement Volume)

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

11 **Article – State Finance and Procurement**

12 3A–309.

13 (a) There is a Major Information Technology Development Project Fund.

14 (b) The purpose of the Fund is to support major information technology
15 development projects.

16 (e) Except as provided in subsection (f) of this section, the Fund consists of:

17 (1) money appropriated in the State budget to the Fund;

18 (2) as approved by the Secretary, money received from:

19 (i) the sale, lease, or exchange of communication sites,
20 communication facilities, or communication frequencies for information technology
21 purposes; or

22 (ii) an information technology agreement involving resource
23 sharing;

24 (3) that portion of money earned from pay phone commissions to the extent
25 that the commission rates exceed those in effect in December 1993;

26 (4) money received and accepted as contributions, grants, or gifts as
27 authorized under subsection (c) of this section;

28 (5) general funds appropriated for major information technology
29 development projects of any unit of State government other than a public institution of
30 higher education that:

31 (i) are unencumbered and unexpended at the end of a fiscal year;

- 1 (ii) have been abandoned; or
- 2 (iii) have been withheld by the General Assembly or the Secretary;
- 3 (6) any investment earnings; and
- 4 (7) any other money from any source accepted for the benefit of the Fund.
- 5 (f) The Fund does not include any money:
- 6 (1) received by the **DEPARTMENT OF TRANSPORTATION, THE** Maryland
7 Transportation Authority, Baltimore City Community College, or the Maryland Public
8 Broadcasting Commission;
- 9 (2) received by the Judicial or Legislative branches of State government; or
- 10 (3) generated from pay phone commissions that are credited to other
11 accounts or funds in accordance with other provisions of law or are authorized for other
12 purposes in the State budget or through an approved budget amendment.
- 13 (i) The Fund may be used:
- 14 (1) for major information technology development projects;
- 15 (2) as provided in subsections (j) and (l) of this section; or
- 16 (3) notwithstanding § 3A-301(b)(2) of this subtitle, for the costs of the first
17 12 months of operation and maintenance of a major information technology development
18 project.

19 Article – Transportation

20 3–216.

- 21 (a) There is a Transportation Trust Fund for the Department.
- 22 (b) [(1)] Except as otherwise expressly provided by statute [and paragraph (2)
23 of this subsection], there shall be credited to the Transportation Trust Fund for the account
24 of the Department all taxes, fees, charges, and revenues collected or received by or paid,
25 appropriated, or credited to the account of the Department or any of its units in the exercise
26 of their rights, powers, duties, or obligations, including the cash proceeds of the sale of
27 consolidated transportation bonds, notes, or other evidences of obligation issued by the
28 Department, any General Fund appropriations, and the proceeds of any State loan or
29 federal grant made for transportation purposes.

- 30 [(2)] Any revenues from an information technology agreement involving
31 resource sharing that are collected or received by or paid, appropriated, or credited to the

1 account of the Department or any of its units shall be distributed to the Major Information
2 Technology Development Project Fund established under § 3A-309 of the State Finance
3 and Procurement Article.]

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
5 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.