

HOUSE BILL 202

B1

3lr0120
CF 3lr0121

By: **The Speaker (By Request – Administration)**

Introduced and read first time: January 20, 2023

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Budget Reconciliation and Financing Act of 2023**

3 FOR the purpose of authorizing or altering the distribution of certain revenue; altering or
4 repealing certain required appropriations; authorizing the use of certain funds for
5 certain purposes; repealing a certain required appropriation to the Revenue
6 Stabilization Account; reducing the budgeted Medicaid Deficit Assessment for a
7 certain fiscal year; and generally relating to the financing of State and local
8 government.

9 BY repealing and reenacting, with amendments,
10 Article – State Finance and Procurement
11 Section 7–311(j)(1)(v)
12 Annotated Code of Maryland
13 (2021 Replacement Volume and 2022 Supplement)

14 BY repealing and reenacting, with amendments,
15 Chapter 397 of the Acts of the General Assembly of 2011, as amended by Chapter
16 425 of the Acts of the General Assembly of 2013, Chapter 464 of the Acts of
17 the General Assembly of 2014, Chapter 489 of the Acts of the General
18 Assembly of 2015, Chapter 23 of the Acts of the General Assembly of 2017,
19 Chapter 10 of the Acts of the General Assembly of 2018, Chapter 16 of the
20 Acts of the General Assembly of 2019, and Chapter 538 of the Acts of the
21 General Assembly of 2020
22 Section 16(c)

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

25 **Article – State Finance and Procurement**

26 7–311.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(j) (1) Except as provided in paragraph (2) of this subsection, for fiscal year 2007 and for each subsequent fiscal year, the Governor shall include in the budget bill an appropriation:

(v) for fiscal year 2024:

1. to the Maryland Equity Investment Fund established under § 10–487 of the Economic Development Article an amount, up to \$10,000,000, that is equal to 10% of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000;

2. to the accumulation funds of the State Retirement and Pension System an amount, up to a maximum of \$15,000,000, that is equal to 15% of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000; AND

3. to the Postretirement Health Benefits Trust Fund established under § 34–101 of the State Personnel and Pensions Article an amount, up to a maximum of \$25,000,000, that is equal to 25% of the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000[; and

4. to the Account equal to the amount by which the unappropriated General Fund surplus as of June 30 of the second preceding fiscal year exceeds \$10,000,000, less the amount of the appropriations under items 1 through 3 of this item].

Chapter 397 of the Acts of 2011, as amended by Chapter 425 of the Acts of 2013, Chapter 464 of the Acts of 2014, Chapter 489 of the Acts of 2015, Chapter 23 of the Acts of 2017, Chapter 10 of the Acts of 2018, Chapter 16 of the Acts of 2019, and Chapter 538 of the Acts of 2020

SECTION 16. AND BE IT FURTHER ENACTED, That, in addition to any other revenue generated under § 19–214 of the Health – General Article, as amended by this Act:

(c) (1) For fiscal year 2015 and 2016, the Commission and the Maryland Department of Health shall adopt policies that will provide up to \$389,825,000 in special fund revenues from hospital assessment and remittance revenue.

(2) For fiscal year 2017, the Governor shall reduce the budgeted Medicaid Deficit Assessment by \$25,000,000 over the assessment level for the prior year.

(3) For fiscal year 2018, the budgeted Medicaid Deficit Assessment shall be \$364,825,000.

1 (4) For fiscal year 2019, the budgeted Medicaid Deficit Assessment shall be
2 \$334,825,000.

3 (5) For fiscal year 2020, the budgeted Medicaid Deficit Assessment shall be
4 \$309,825,000.

5 (6) [For] **EXCEPT AS PROVIDED IN PARAGRAPH (7) OF THIS**
6 **SUBSECTION, FOR** fiscal year 2021 and each fiscal year thereafter, the budgeted Medicaid
7 Deficit Assessment shall be \$294,825,000.

8 **(7) FOR FISCAL YEAR 2024 ONLY, THE BUDGETED MEDICAID**
9 **DEFICIT ASSESSMENT SHALL BE \$244,825,000.**

10 **[(7)] (8)** To the extent that the Commission takes other actions that
11 reduce Medicaid costs, those savings shall also be used to reduce the budgeted Medicaid
12 Deficit Assessment.

13 **[(8)] (9)** To the maximum extent possible, the Commission and the
14 Maryland Department of Health shall adopt policies that preserve the State's Medicare
15 waiver.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
17 1, 2023.