

# HOUSE BILL 765

P4

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CF SB 743

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By: **Delegates Luedtke, Cullison, A. Kelly, and Mizeur**

Introduced and read first time: February 9, 2012

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Personnel – State Personnel Disability Accommodation Fund**

3 FOR the purpose of establishing the State Personnel Disability Accommodation Fund  
4 as a special, nonlapsing fund; specifying the purpose of the Fund; requiring the  
5 Secretary of Budget and Management to administer the Fund; requiring the  
6 State Treasurer to hold the Fund and the Comptroller to account for the Fund;  
7 specifying the contents of the Fund; specifying the purpose for which the Fund  
8 may be used; providing for the investment of money in and expenditures from  
9 the Fund; providing for the reimbursement of certain money to the Fund;  
10 requiring a certain appropriation to the Fund for a certain fiscal year; defining a  
11 certain term; and generally relating to the State Personnel Disability  
12 Accommodation Fund.

13 BY adding to

14 Article – State Personnel and Pensions  
15 Section 2–801 to be under the new subtitle “Subtitle 8. State Personnel  
16 Disability Accommodation Fund”  
17 Annotated Code of Maryland  
18 (2009 Replacement Volume and 2011 Supplement)

19 BY repealing and reenacting, without amendments,

20 Article – State Finance and Procurement  
21 Section 6–226(a)(2)(i)  
22 Annotated Code of Maryland  
23 (2009 Replacement Volume and 2011 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – State Finance and Procurement  
26 Section 6–226(a)(2)(ii)62. and 63.  
27 Annotated Code of Maryland  
28 (2009 Replacement Volume and 2011 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – State Finance and Procurement  
3 Section 6–226(a)(2)(ii)64.  
4 Annotated Code of Maryland  
5 (2009 Replacement Volume and 2011 Supplement)

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

8 **Article – State Personnel and Pensions**

9 **SUBTITLE 8. STATE PERSONNEL DISABILITY ACCOMMODATION FUND.**

10 **2–801.**

11 (A) IN THIS SECTION, “FUND” MEANS THE STATE PERSONNEL  
12 DISABILITY ACCOMMODATION FUND.

13 (B) THERE IS A STATE PERSONNEL DISABILITY ACCOMMODATION  
14 FUND.

15 (C) THE PURPOSE OF THE FUND IS TO ACCOMMODATE UNANTICIPATED  
16 JOB SITE OR EQUIPMENT NEEDS OF DISABLED INDIVIDUALS EMPLOYED BY THE  
17 STATE.

18 (D) THE SECRETARY SHALL ADMINISTER THE FUND.

19 (E) (1) THE FUND IS A SPECIAL, NONLAPSING FUND THAT IS NOT  
20 SUBJECT TO § 7–302 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

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

23 (F) THE FUND CONSISTS OF:

24 (1) REVENUE DISTRIBUTED TO THE FUND UNDER SUBSECTION  
25 (J) OF THIS SECTION;

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

27 (3) INVESTMENT EARNINGS; AND

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

3           **(G) THE FUND MAY BE USED ONLY TO PAY FOR UNANTICIPATED JOB**  
4 **SITE AND EQUIPMENT NEEDS OF DISABLED INDIVIDUALS EMPLOYED BY THE**  
5 **STATE.**

6           **(H) (1) THE STATE TREASURER SHALL INVEST THE MONEY OF THE**  
7 **FUND IN THE SAME MANNER AS OTHER STATE MONEY MAY BE INVESTED.**

8           **(2) ANY INVESTMENT EARNINGS OF THE FUND SHALL BE**  
9 **CREDITED TO THE FUND.**

10           **(I) THE SECRETARY SHALL:**

11                   **(1) ADOPT REGULATIONS SPECIFYING HOW EXPENDITURES MAY**  
12 **BE MADE FROM THE FUND, INCLUDING APPLICATION AND DISBURSEMENT**  
13 **PROCEDURES; AND**

14                   **(2) PROVIDE TECHNICAL ASSISTANCE TO USERS OF THE FUND.**

15           **(J) PRINCIPAL UNITS THAT RECEIVE DISBURSEMENTS FROM THE FUND**  
16 **SHALL REIMBURSE THE AMOUNT RECEIVED TO THE FUND NO LATER THAN THE**  
17 **END OF THE FIRST MONTH OF THE FOLLOWING FISCAL YEAR.**

18                                   **Article – State Finance and Procurement**

19 6–226.

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

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

28   62. Veterans Trust Fund; [and]

29   63. Transportation Trust Fund; AND

30   64. STATE PERSONNEL DISABILITY  
31 ACCOMMODATION FUND.

**HOUSE BILL 765**

1           SECTION 2. AND BE IT FURTHER ENACTED, That the Governor shall  
2 appropriate \$100,000 to the State Personnel Disability Accommodation Fund in fiscal  
3 2013.

4           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 July 1, 2012.