

SENATE BILL 208

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(PRE-FILED)

51r0051
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

A BILL ENTITLED

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)

22 Annotated Code of Maryland

23 (2021 Replacement Volume and 2024 Supplement)

24 BY repealing and reenacting, with amendments,

25 Article – State Finance and Procurement

26 Section 6–226(a)(2)(ii)204. and 205.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 BY adding to
4 Article – State Finance and Procurement
5 Section 6–226(a)(2)(ii)206.
6 Annotated Code of Maryland
7 (2021 Replacement Volume and 2024 Supplement)

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

10 **Article – Human Services**

11 7–114.

12 (b) The Department shall oversee and administer the following programs and
13 units:

14 (1) constituent services and ombudsmen programs;

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

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

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

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

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

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

26 **7–1201.**

27 **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**
28 **INDICATED.**

29 **(B) “ASSISTIVE TECHNOLOGY DEVICE” MEANS ANY ITEM, PIECE OF**
30 **EQUIPMENT, OR PRODUCT SYSTEM, WHETHER ACQUIRED COMMERCIALY,**

1 MODIFIED, OR CUSTOMIZED, THAT IS USED TO INCREASE, MAINTAIN, OR IMPROVE
2 FUNCTIONAL CAPABILITIES OF INDIVIDUALS WITH DISABILITIES.

3 (C) "ASSISTIVE TECHNOLOGY SERVICE" MEANS ANY SERVICE THAT ASSISTS
4 AN INDIVIDUAL WITH A DISABILITY IN THE SELECTION, ACQUISITION, OR USE OF AN
5 ASSISTIVE TECHNOLOGY DEVICE.

6 (D) "FUND" MEANS THE ASSISTIVE TECHNOLOGY SERVICES FUND.

7 (E) "PROGRAM" MEANS THE MARYLAND ASSISTIVE TECHNOLOGY
8 PROGRAM.

9 7-1202.

10 (A) THERE IS A MARYLAND ASSISTIVE TECHNOLOGY PROGRAM IN THE
11 DEPARTMENT.

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

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

15 (2) SUPPORT THE STATE'S EFFORTS TO IMPROVE THE PROVISION OF
16 ASSISTIVE TECHNOLOGY TO INDIVIDUALS WITH DISABILITIES OF ALL AGES,
17 INCLUDING UNDERREPRESENTED POPULATIONS, THROUGH COMPREHENSIVE
18 STATEWIDE PROGRAMS OF TECHNOLOGY-RELATED ASSISTANCE;

19 (3) ENSURE STATEWIDE ACCESS TO ASSISTIVE TECHNOLOGY
20 LENDING LIBRARIES THAT ALLOW INDIVIDUALS WITH DISABILITIES AND THOSE
21 SUPPORTING INDIVIDUALS WITH DISABILITIES TO LEARN ABOUT, TRY, AND BORROW
22 ASSISTIVE TECHNOLOGY DEVICES THROUGH SHORT-TERM LOANS; AND

23 (4) IMPLEMENT ACTIVITIES REQUIRED BY FEDERAL GRANTS,
24 INCLUDING FUNDING AUTHORIZED UNDER THE FEDERAL 21ST CENTURY ASSISTIVE
25 TECHNOLOGY ACT.

26 (C) THE PROGRAM SHALL PROVIDE ACCESS TO OR CONDUCT ASSISTIVE
27 TECHNOLOGY SERVICES THAT INCLUDE ANY ACTIVITY DESCRIBED IN THE FEDERAL
28 21ST CENTURY ASSISTIVE TECHNOLOGY ACT.

29 7-1203.

30 (A) THERE IS AN ASSISTIVE TECHNOLOGY SERVICES FUND IN THE
31 DEPARTMENT.

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

3 **(1) ASSISTIVE TECHNOLOGY ASSESSMENTS;**

4 **(2) ASSISTIVE TECHNOLOGY TRAINING;**

5 **(3) DIGITAL ACCESSIBILITY TRAINING;**

6 **(4) DIGITAL ACCESSIBILITY WEBSITE EVALUATIONS; AND**

7 **(5) DIGITAL ACCESSIBILITY REMEDIATION SERVICES.**

8 **(C) THE SECRETARY, THROUGH THE PROGRAM, SHALL ADMINISTER THE**
9 **FUND.**

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

12 **(2) THE STATE TREASURER SHALL HOLD THE FUND SEPARATELY,**
13 **AND THE COMPTROLLER SHALL ACCOUNT FOR THE FUND.**

14 **(E) THE FUND CONSISTS OF:**

15 **(1) REVENUE DISTRIBUTED TO THE FUND UNDER SUBSECTION (B) OF**
16 **THIS SECTION;**

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

18 **(3) INTEREST EARNINGS; AND**

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

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

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

25 **(2) ANY INTEREST EARNINGS OF THE FUND SHALL BE CREDITED TO**
26 **THE FUND.**

1 **(H) EXPENDITURES FROM THE FUND MAY BE MADE ONLY IN ACCORDANCE**
2 **WITH THE STATE BUDGET.**

3 **(I) MONEY EXPENDED FROM THE FUND FOR THE PROGRAM IS**
4 **SUPPLEMENTAL TO AND IS NOT INTENDED TO TAKE THE PLACE OF FUNDING THAT**
5 **OTHERWISE WOULD BE APPROPRIATED FOR THE PROGRAM.**

6 **7-1204.**

7 **THIS SUBTITLE MAY NOT BE CONSTRUED TO ESTABLISH AN ENTITLEMENT**
8 **PROGRAM.**

9 **7-1205.**

10 **THE SECRETARY MAY ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE.**

11 **Article – State Finance and Procurement**

12 **6-226.**

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

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

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

23 204. the Victims of Domestic Violence Program Grant Fund;
24 [and]

25 205. the Proposed Programs Collaborative Grant Fund; **AND**

26 **206. THE ASSISTIVE TECHNOLOGY SERVICES FUND.**

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