

Chapter 187

(Senate Bill 378)

AN ACT concerning

**Tri-County Council for Southern Maryland – Funding for Southern Maryland
Agricultural Development Commission**

FOR the purpose of requiring the Governor to appropriate a certain amount to the Tri-County Council for Southern Maryland from the Cigarette Restitution Fund in certain fiscal years; requiring the funds appropriated under this Act to be used for the purpose of funding certain activities of the Southern Maryland Agricultural Development Commission; and generally relating to the Tri-County Council for Southern Maryland.

BY repealing and reenacting, without amendments,
Article – Economic Development
Section 13–601
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – Economic Development
Section 13–611
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,
Article – State Finance and Procurement
Section 7–114(b), 7–118(b)(2), and 7–317(f)
Annotated Code of Maryland
(2021 Replacement Volume)

BY repealing and reenacting, without amendments,
Article – State Finance and Procurement
Section 7–317(a)
Annotated Code of Maryland
(2021 Replacement Volume)

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

Article – Economic Development

13–601.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Commissioners” means the Board of County Commissioners of Calvert County, Charles County, or St. Mary’s County, respectively.
- (c) “Council” means the Tri–County Council for Southern Maryland.
- (d) “Executive Director” means the Executive Director of the Council.
- (e) “Plan” means a regional plan that the Council prepares for the region.
- (f) “Region” means Calvert, Charles, and St. Mary’s counties.

13–611.

(a) The State and Calvert, Charles, and St. Mary’s counties may jointly finance the Council and its activities.

(b) (1) The State may provide financial support to the Council to assist in carrying out the activities of the Council.

(2) (i) On or before August 1 of each year, the Council shall submit its proposed work programs and operating budget for the following fiscal year to the Department.

(ii) The submission shall include supporting schedules to show how the budget is financed, and to provide for review and recommendations.

(iii) After review, the Department shall forward the submission and any recommendations to the Department of Budget and Management for consideration.

(3) (I) The Governor shall include in the State budget for the following fiscal year an appropriation to partially support the Council.

(II) 1. FOR FISCAL YEAR 2024 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$900,000 TO THE COUNCIL FROM THE CIGARETTE RESTITUTION FUND ESTABLISHED UNDER § 7–317 OF THE STATE FINANCE AND PROCUREMENT ARTICLE.

2. THE COUNCIL SHALL USE FUNDS APPROPRIATED FROM THE CIGARETTE RESTITUTION FUND FOR THE PURPOSE OF FUNDING THE ACTIVITIES OF THE SOUTHERN MARYLAND AGRICULTURAL DEVELOPMENT COMMISSION.

3. THE APPROPRIATION REQUIRED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH SHALL BE IN ADDITION TO, AND MAY NOT SUPPLANT, ANY FUNDING APPROPRIATED TO THE COUNCIL.

(c) (1) The county commissioners of Calvert, Charles, and St. Mary’s counties shall appropriate money each year for the Council to foster cooperative planning and development in the region as follows:

- (i) Calvert County – \$125,000;
- (ii) Charles County – \$125,000; and
- (iii) St. Mary’s County – \$125,000.

(2) Calvert, Charles, and St. Mary’s counties may appropriate any other money for the Council as they consider necessary and appropriate.

(d) The Council may accept additional money from any other public or private source.

Article – State Finance and Procurement

7–114.

(b) Each budget bill shall contain a separate section that includes the appropriation for:

- (1) each Component of the Tobacco Program;
- (2) each Component of the Cancer Program; [and]

(3) THE TRI-COUNTY COUNCIL FOR SOUTHERN MARYLAND, IN ACCORDANCE WITH § 13–611 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND

(4) any other program that is funded with money from the Cigarette Restitution Fund established under § 7–317 of this title.

7–118.

(b) (2) The budget books shall contain a budget presentation that provides an overview of the proposed expenditures for:

- (i) the Tobacco Program, including the proposed expenditures for:
 - 1. each Component of the Tobacco Program;

Tobacco Program; and

2. each program funded under each Component of the
3. each Local Public Health Tobacco Grant;

(ii) the Cancer Program, including the proposed expenditures for:

1. each Component of the Cancer Program;
2. each program funded under each Component of the Cancer Program;
3. each Local Public Health Cancer Grant;
4. each statewide Academic Health Center Public Health Grant;
5. each statewide Academic Health Center Cancer Research Grant;
6. each statewide Academic Health Center Tobacco–Related Diseases Research Grant; and
7. each statewide Academic Health Center Network Grant;

[and]

(iii) **THE TRI–COUNTY COUNCIL FOR SOUTHERN MARYLAND, IN ACCORDANCE WITH § 13–611 OF THE ECONOMIC DEVELOPMENT ARTICLE, INCLUDING PROPOSED EXPENDITURES FOR THE SOUTHERN MARYLAND AGRICULTURAL DEVELOPMENT COMMISSION; AND**

(IV) any other program that is funded with the Cigarette Restitution Fund established under § 7–317 of this title.

7–317.

(a) There is a Cigarette Restitution Fund.

(f) (1) The Cigarette Restitution Fund shall be used to fund:

(i) the Tobacco Use Prevention and Cessation Program established under Title 13, Subtitle 10 of the Health – General Article;

(ii) the Cancer Prevention, Education, Screening, and Treatment Program established under Title 13, Subtitle 11 of the Health – General Article; [and]

(iii) **THE ACTIVITIES OF THE SOUTHERN MARYLAND AGRICULTURAL DEVELOPMENT COMMISSION, IN ACCORDANCE WITH § 13-611 OF THE ECONOMIC DEVELOPMENT ARTICLE; AND**

(IV) other programs that serve the following purposes:

1. reduction of the use of tobacco products by individuals under the age of 21 years;
2. implementation of the Southern Maryland Regional Strategy–Action Plan for Agriculture adopted by the Tri–County Council for Southern Maryland with an emphasis on alternative crop uses for agricultural land now used for growing tobacco;
3. public and school education campaigns to decrease tobacco use with initial emphasis on areas targeted by tobacco manufacturers in marketing and promoting cigarette and tobacco products;
4. smoking cessation programs;
5. enforcement of the laws regarding tobacco sales;
6. the purposes of the Maryland Health Care Foundation under Title 20, Subtitle 5 of the Health – General Article;
7. primary health care in rural areas of the State and areas targeted by tobacco manufacturers in marketing and promoting cigarette and tobacco products;
8. prevention, treatment, and research concerning cancer, heart disease, lung disease, tobacco product use, and tobacco control, including operating costs and related capital projects;
9. substance abuse treatment and prevention programs; and
10. any other public purpose.

(2) The provisions of this subsection may not be construed to affect the Governor’s powers with respect to a request for an appropriation in the annual budget bill.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022. It shall remain effective for a period of 3 years and, at the end of June 30, 2025, this Act, with no further action required by the General Assembly, shall be abrogated and of no further force and effect.

Approved by the Governor, April 21, 2022.