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Drafted by: Bennett

Bill No.: _____

Requested: _____

Committee: _____

By: **Montgomery County Delegation and Prince George's County Delegation**

A BILL ENTITLED

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Prince George's County Council Alterations to Budgets – Prohibition on Specific Allocations

MC/PG 103–27

FOR the purpose of altering a prohibition on the Prince George's County Council allocating any part of the Maryland–National Capital Park and Planning Commission's budgets; authorizing the Prince George's County Council to allocate part of the Commission's budgets that are allocable solely to a single county to certain nonprofit organizations; and generally relating to approval of the Maryland–National Capital Park and Planning Commission budgets.

BY repealing and reenacting, without amendments,
Article – Land Use
Section 18–102, 18–104, 18–105, and 18–106(b)
Annotated Code of Maryland
(2012 Volume and 2026 Supplement)

BY repealing and reenacting, with amendments,
Article – Land Use
Section 18–106(c)
Annotated Code of Maryland

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

(2012 Volume and 2026 Supplement)

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

Article – Land Use

18–102.

The Commission shall prepare annual capital and operating budgets for each fiscal year beginning on July 1 and ending on June 30 of the subsequent year.

18–104.

The Commission shall submit the proposed budgets on or before January 15 of each year to the county executives of Montgomery County and Prince George's County.

18–105.

(a) In Montgomery County, the County Executive shall submit the proposed budgets to the County Council, together with the County Executive's recommendations, on or before March 1 of each year.

(b) In Prince George's County, the County Executive shall submit the proposed budgets to the County Council, together with the County Executive's recommendations, on or before April 1 of each year.

18–106.

(b) On or before June 1 of each year, each county council shall, by resolution:

(1) approve the portion of the budgets allocable to that county, with any alterations made under subsection (c) of this section; and

(2) subject to the requirements and limitations of Subtitles 3 and 4 of this title and Title 21 of this article, impose taxes in the amounts the county council determines to be necessary to finance the portion of the budgets allocable to that county.

(c) (1) Subject to paragraph (2) of this subsection, each county council may add to, delete from, increase, or decrease any part of the budgets allocable solely to that county.

(2) (i) This paragraph applies only in Prince George's County.

(ii) In Prince George's County, the county council may not allocate any part of the budgets allocable solely to the county to:

1. the county council; **[**or

2. unless approved on or before June 1 in accordance with subsection (b) of this section:

A. the Prince George's County government, including a governmental unit of the county; or

B. any third–party business entity or individual.**]**

2. A SPECIFIC THIRD–PARTY ORGANIZATION OR INDIVIDUAL; OR

3. ANY GRANTS OFFERED TO THIRD–PARTIES BY THE COUNTY COUNCIL.

(III) 1. A. SUBJECT TO SUBSUBSUBPARAGRAPHS B, C, AND D OF THIS SUBSUBPARAGRAPH, THE COUNTY COUNCIL MAY ALLOCATE PART OF THE BUDGETS ALLOCABLE SOLELY TO THE COUNTY TO NONPROFIT ORGANIZATIONS IN THE AGGREGATE.

B. FOR ANY FISCAL YEAR, THE COUNTY COUNCIL MAY NOT ALLOCATE FROM THE COMMISSION'S RECREATION FUND MORE THAN $5,000,000 IN THE AGGREGATE TO NONPROFIT ORGANIZATIONS.

C. THE COMMISSION SHALL HAVE FINAL AUTHORITY OVER ITS PROCUREMENT AND CONTRACTING DECISIONS RELATED TO RECREATION SERVICES PROVIDED BY NONPROFIT ORGANIZATIONS AND THE FINAL REIMBURSED AMOUNTS FOR SUCH SERVICES.

D. A NONPROFIT THAT RECEIVES AN ALLOCATION OF THE COMMISSION'S BUDGETS IS SUBJECT TO AUDIT BY THE OFFICE OF THE INSPECTOR GENERAL AS PROVIDED IN SUBTITLE 5 OF THIS TITLE.

2. A. AT LEAST 30 DAYS BEFORE ADOPTING THE COMMISSION'S BUDGETS, THE COUNTY COUNCIL SHALL PROVIDE WRITTEN NOTICE TO THE COMMISSION OF THE SUPPLEMENTAL SERVICES THAT THE COUNTY COUNCIL PROPOSES ARE DIRECTLY RELATED TO THE COMMISSION'S ADMINISTRATIVE FUNCTIONS AND EXPENSES SET FORTH IN THIS DIVISION II.

B. IF THE COMMISSION APPROVES THE SUPPLEMENTAL SERVICES FOR THAT FISCAL YEAR, THE COMMISSION AND COUNTY SHALL ENTER A MEMORANDUM OF UNDERSTANDING SETTING FORTH THE TERMS AND CONDITIONS FOR THE COMMISSION TO REIMBURSE THE COUNTY FROM THE COMMISSION'S ADMINISTRATIVE FUND ESTABLISHED UNDER § 18–307 OF THIS TITLE FOR THE APPROVED COSTS INCURRED BY THE COUNTY IN PROVIDING THE SUPPLEMENTAL SERVICES.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2027.