

FOR the purpose of preventing any bylaw, rule, or regulation that requires county boards of education to expend additional funds in excess of a certain amount from taking effect unless certain conditions are present; defining a certain term; preventing certain programs initiated by the State Board from taking effect unless certain conditions are met; excluding certain items from certain calculations; providing for a certain exception; specifying that the Department of Fiscal Services shall determine the projected cost of implementing the bylaw, rule, or regulation; and generally relating to education funding.

BY repealing and reenacting, with amendments,

Article - Education

Section 2-205(c)

Annotated Code of Maryland

(1992 Replacement Volume and 1993 Supplement)

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

Article - Education

2-205.

(c) (1) The State Board shall adopt bylaws, rules, and regulations for the administration of the public schools.

(2) These bylaws, rules, and regulations have the force of law when adopted and published.

(3) The bylaws, rules, and regulations apply to each county. However, they do not apply to Baltimore City to the extent that they relate to matters that are the subject of other provisions of this article that do not apply to Baltimore City.

(4) (I) IN THIS PARAGRAPH, "PROGRAM" MEANS ANY NEW REQUIREMENT OR A MODIFICATION OF ANY EXISTING REQUIREMENT IMPOSED BY THE STATE BOARD BY BYLAW, RULE, OR REGULATION THAT REQUIRES ADDITIONAL EXPENDITURES BY COUNTY BOARDS.

(II) EXCEPT AS PROVIDED IN PARAGRAPH (5) (8) OF THIS SUBSECTION, IF A BYLAW, RULE, OR REGULATION PROGRAM ADOPTED BY THE STATE BOARD WILL REQUIRE THE COUNTY BOARDS TO EXPEND ADDITIONAL FUNDS IN EXCESS OF AN AGGREGATE OF \$250,000 \$1,000,000 PER PROGRAM, AS DETERMINED BY THE DEPARTMENT OF FISCAL SERVICES, THE BYLAW, RULE, OR REGULATION PROGRAM MAY NOT TAKE EFFECT UNTIL:

(A) 1. THE STATE PROVIDES FUNDS SPECIFICALLY IDENTIFIED TO REIMBURSE THE COUNTY BOARDS FOR THE EXPENDITURES REQUIRED BY THE BYLAW, RULE, OR REGULATION PROGRAM; OR

(B) 2. THE GENERAL ASSEMBLY, BY LAW, WAIVES THE REQUIREMENT FOR REIMBURSEMENT.