

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2020 Legislative Session

Legislative Day No. **6**

Bill No. 17 -2020

Introduced by: The Chairperson at the request of the County Executive

AN ACT to modify the restriction on the use of excess surplus revenue pursuant to Section 615B of the Howard County Charter in order to use excess surplus revenue from prior years to fund recurring expenses in the Fiscal Year 2021 budget; providing that this act shall be temporary, in an attempt to minimize service or employee reductions due to COVID-19 and recession impact, and shall expire by June 30, 2021; and declaring that this Act is an Emergency Bill necessary to meet an immediate emergency affecting public health, safety or welfare.

Introduced and read first time _____, 2020. Ordered posted and hearing scheduled.

By order _____
Diane Schwartz Jones, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2020.

By order _____
Diane Schwartz Jones, Administrator

This Bill was read the third time on _____, 2020 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Diane Schwartz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ____ day of _____, 2020 at ____ a.m./p.m.

By order _____
Diane Schwartz Jones, Administrator

Approved by the County Executive _____, 2020

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment

1 **WHEREAS**, the County Executive has prepared the Annual Budget and Appropriation
2 Ordinance of Howard County, Fiscal Year 2021 that contains the capital and operating budget
3 for the fiscal year beginning July 1, 2020 and ending June 30, 2021 (FY21 Budget); and
4

5 **WHEREAS**, because of the state of emergency surrounding the COVID-19 pandemic
6 and economic recession, the County will face a significant loss in revenue upon which to fund
7 necessary and recurring expenses in the FY21 Budget; and
8

9 **WHEREAS**, for Fiscal Year 2021, only, the County has determined that excess surplus
10 revenue from prior fiscal years is necessary to fund recurring expenditures in the FY21 Budget in
11 order to minimize service or employee reductions due to COVID-19 and to minimize the impact
12 of an economic recession; and
13

14 **WHEREAS**, pursuant to Section 615B of the Howard County Charter, the use of excess
15 surplus revenue is restricted to (1) fund capital projects, (2) reduce existing County debt; and/or
16 (3) fund appropriations in the current expense budget for capital outlay and for non-recurring
17 expenses; and
18

19 **WHEREAS**, Section 615B also provides that the restriction on the use of excess surplus
20 may be modified by an ordinance passed by an affirmative vote of 2/3 of the members of the
21 County Council; and
22

23 **WHEREAS**, the County wishes to temporarily modify the restriction on the use of
24 excess surplus revenue to allow for the use of excess surplus revenue to fund recurring
25 expenditures in the FY21 Budget; and
26

27 **WHEREAS**, because the necessary and recurring expenditures contained in the FY21
28 budget cannot be funded without this temporary modification of the restriction on the use of
29 excess surplus revenue, pursuant to Section 209(d) of the Howard County Charter, this
30 Emergency Bill is necessary to meet an immediate emergency affecting the public health, safety,

1 and welfare of the County.

2

3 **NOW, THEREFORE,**

4

5 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, the restriction on
6 *the use of excess surplus revenue required by Section 615B of the Charter is temporarily modified*
7 *to allow the use of excess surplus revenue from prior fiscal years for recurring expenditures in the*
8 *FY21 Budget.*

9

10 **Section 2. *And Be It Further Enacted*** by the County Council of Howard County, Maryland
11 *that, this modification is temporary in nature in that it only applies to the Fiscal Year 2021*
12 *budget, and at the end of Fiscal Year 2021, this Act, with no further action required by the*
13 *County Council, shall be abrogated and of no further force and effect.*

14

15 **Section 3. *And Be It Further Enacted*** by the County Council of Howard County, Maryland that
16 *this Act is adopted as an emergency measure to address an immediate emergency affecting*
17 *public health, safety, or welfare and having been passed by two-thirds of its members, this Act*
18 *shall be effective immediately upon its enactment.*