

Introduced 03.03.2025  
Public Hearing 03.17.2025  
Council Action 04.07.2025  
Executive Action 04-10.2025  
Effective Date 06.10.2025

## County Council of Howard County, Maryland

2025 Legislative Session

Legislative Day No. 3

### Bill No. 20 -2025

Introduced by: Liz Walsh

Short Title: Excess Surplus Revenue- Modification

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 deferred school capital projects in the Fiscal Year ~~2026~~ 2027 budget; and generally relating to excess surplus revenue.

Introduced and read first time March 3, 2025. Ordered posted and hearing scheduled.  
By order Michelle Harrod  
Michelle Harrod, 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 March 17, 2025.

By order Michelle Harrod  
Michelle Harrod, Administrator

This Bill was read the third time on April 7, 2025 and Passed , Passed with amendments , Failed .

By order Michelle Harrod  
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 8 day of April, 2025 at 2<sup>00</sup> a.m./p.m.

By order Michelle Harrod  
Michelle Harrod, Administrator

Approved by the County Executive April 10, 2025

Calvin Ball  
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~~ will prepare the Annual Budget and  
2 Appropriation Ordinance of Howard County, Fiscal Year ~~2026~~ 2027 that contains the capital and  
3 operating budget for the fiscal year beginning ~~July 1, 2025, and ending June 30, 2026~~ July 1, 2026,  
4 and ending June 30, 2027 (~~FY26~~ FY27 Budget); and

5           **WHEREAS**, the Board of Education for Howard County’s proposed capital budget for  
6 Fiscal Year ~~2026~~ 2027 requests requested that the County Executive fund Howard County Public  
7 School System projects – including all new construction, renovations, additions, and required  
8 maintenance-in the amount of \$62.0 million; and

9  
10           **WHEREAS**, six prior fiscal-year<sup>2</sup> years capital budgets have similarly limited the County’s  
11 annual allocation for all combined Howard County Public School System projects-to an average  
12 \$56.9 million:

13           In FY2025, the County allocated to School System Projects \$61.2M in local  
14 general bonds, excise tax, pay as you go, and transfer tax funds (State Aid for  
15 Schools in FY2025 was \$14.5M);

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17           In FY2024, the County allocated to School System Projects \$51.6M (State  
18 Aid for Schools was \$57.5M);

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20           In FY2023, the County allocated to School System Projects \$54.3M (State  
21 Aid for Schools was \$51.5M);

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23           In FY2022, the County allocated to School System Projects \$57.3M (State  
24 Aid for Schools was \$33.1M);

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26           In FY2021, the County allocated to School System Projects \$68.7M (State  
27 Aid for Schools was \$33.7M); and

28  
29           In FY2020, the County allocated to School System Projects \$48.5M (State

1 Aid for Schools was \$6.1M).

2 **WHEREAS**, the County for these several years has underfunded, and so deferred, an ever-  
3 growing backlog of identified schools capital needs to the detriment of both the students and staff  
4 daily inside those ailing buildings; and

5  
6 **WHEREAS**, excess surplus revenue from prior fiscal years' budgets exists in material  
7 respect:

8  
9 In FY2024, in the amount of at least \$36.5M (Annual Comprehensive  
10 Financial Report for the Fiscal Year Ended June 30, 2024, p. 87);

11  
12 In FY2023, in the amount of at least \$76.1M (Annual Comprehensive  
13 Financial Report for the Fiscal Year Ended June 30, 2023, p. 86);

14  
15 In FY2022, in the amount of at least \$34.5M (Annual Comprehensive  
16 Financial Report for the Fiscal Year Ended June 30, 2022, p. 82);

17  
18 In FY2021, in the amount of at least \$24.5M (Annual Comprehensive  
19 Financial Report for the Fiscal Year Ended June 30, 2021, p. 77);

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21 In FY2020, in the amount of at least \$21.8M (Annual Comprehensive  
22 Financial Report for the Fiscal Year Ended June 30, 2020, p. 75); and

23  
24 In FY2019, in the amount of at least \$18.4M (Annual Comprehensive  
25 Financial Report for the Fiscal Year Ended June 30, 2019, p. 76).

26  
27 **WHEREAS**, pursuant to Section 615B of the Howard County Charter, the use of excess  
28 surplus revenue is restricted to: (1) fund capital projects, (2) reduce existing County debt; and/or  
29 (3) fund appropriations in the current expense budget for capital outlay and for non-recurring  
30 expenses; and

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

**WHEREAS**, The County Council wishes to modify the restriction on the use of excess surplus revenue to allow for the use of excess surplus revenue to fund deferred capital needs of the Howard County Public School System capital projects in the FY ~~2026~~ 2027 Budget.

**NOW, THEREFORE,**

*Section 1. Be It Enacted by the County Council of Howard County, Maryland, the restriction on the use of excess surplus revenue permitted in section 615B of the County Charter is modified to allow the use of excess surplus revenue from prior fiscal years for deferred capital needs of Howard County Public School System FY ~~2026~~ 2027 Capital Budget.*

*Section 2. And Be It Enacted by the County Council of Howard County, Maryland that, this modification only applies to the Fiscal Year ~~2026~~ 2027 Operating and Capital Budgets, and at the end of Fiscal Year ~~2026~~ 2027, this Act, with no further action required by the County Council, shall be abrogated and of no further force and effect.*

**Amendment 1 to Council Bill No. 20-2025**

**BY: Liz Walsh**

**Legislative Day: 5**

**Date: April 7, 2025**

**Amendment No. 1**

*(This amendment strikes the references to Fiscal Year 2026 and substitutes Fiscal year 2027)*

1 Strike “2026” and substitute “2027” in the following instances:

2 On the title page, in line 3 of the title;

3 On page 1, in line 2;

4 On page 1, in line 5;

5 On page 3, in line 7;

6 On page 3, in line 13;

7 On page 3, in line 16; and

8 On page 3, in line 17

9

10 On page 1, in line 1 strike “has prepared” and substitute “will prepare”

11

12 On page 1 in line 3, strike “July 1, 2025, and ending June 30, 2026” and substitute “July 1, 2026,  
13 and ending June 30, 2027”.

14

15 On page 1, in line 3 strike “FY 26” and substitute “FY 27”

16

17 On page 1, in line 5 strike “requests” and substitute “requested”.

18

19 On page 1, in line 9 strike “year” and substitute “years”.

I certify that this is a true copy of

Am 1 to CB20-2025

passed on April 7, 2025

Murphy Hays

Council Administrator



Introduced 03.03.2025  
Public Hearing \_\_\_\_\_  
Council Action \_\_\_\_\_  
Executive Action \_\_\_\_\_  
Effective Date \_\_\_\_\_

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Introduced by: Liz Walsh

Short Title: Excess Surplus Revenue- Modification

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Introduced and read first time March 3, 2025. Ordered posted and hearing scheduled.

By order Michelle Harrod  
Michelle Harrod, 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 \_\_\_\_\_, 2025.

By order \_\_\_\_\_  
Michelle Harrod, Administrator

This Bill was read the third time on \_\_\_\_\_, 2025 and passed \_\_\_\_\_, Passed with amendments \_\_\_\_\_, Failed \_\_\_\_\_.

By order \_\_\_\_\_  
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this \_\_\_\_\_ day of \_\_\_\_\_, 2025 at \_\_\_ a.m./p.m.

By order \_\_\_\_\_  
Michelle Harrod, Administrator

Approved by the County Executive \_\_\_\_\_, 2025

\_\_\_\_\_  
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 2026 that contains the capital and operating budget for  
3 the fiscal year beginning July 1, 2025, and ending June 30, 2026 (FY26 Budget); and

4           **WHEREAS**, the Board of Education for Howard County’s proposed capital budget for  
5 Fiscal Year 2026 requests that the County Executive fund Howard County Public School System  
6 projects – including all new construction, renovations, additions, and required maintenance-in the  
7 amount of \$62.0 million; and

8  
9           **WHEREAS**, six prior fiscal year’ capital budgets have similarly limited the County’s  
10 annual allocation for all combined Howard County Public School System projects-to an average  
11 \$56.9 million:

12           In FY2025, the County allocated to School System Projects \$61.2M in local  
13 general bonds, excise tax, pay as you go, and transfer tax funds (State Aid for  
14 Schools in FY2025 was \$14.5M);

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16           In FY2024, the County allocated to School System Projects \$51.6M (State  
17 Aid for Schools was \$57.5M);

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19           In FY2023, the County allocated to School System Projects \$54.3M (State  
20 Aid for Schools was \$51.5M);

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22           In FY2022, the County allocated to School System Projects \$57.3M (State  
23 Aid for Schools was \$33.1M);

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25           In FY2021, the County allocated to School System Projects \$68.7M (State  
26 Aid for Schools was \$33.7M); and

27  
28           In FY2020, the County allocated to School System Projects \$48.5M (State  
29 Aid for Schools was \$6.1M).



1           **WHEREAS**, the County for these several years has underfunded, and so deferred, an ever-  
2 growing backlog of identified schools capital needs to the detriment of both the students and staff  
3 daily inside those ailing buildings; and

4  
5           **WHEREAS**, excess surplus revenue from prior fiscal years' budgets exists in material  
6 respect:

7  
8           In FY2024, in the amount of at least \$36.5M (Annual Comprehensive  
9 Financial Report for the Fiscal Year Ended June 30, 2024, p. 87);

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11           In FY2023, in the amount of at least \$76.1M (Annual Comprehensive  
12 Financial Report for the Fiscal Year Ended June 30, 2023, p. 86);

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14           In FY2022, in the amount of at least \$34.5M (Annual Comprehensive  
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17           In FY2021, in the amount of at least \$24.5M (Annual Comprehensive  
18 Financial Report for the Fiscal Year Ended June 30, 2021, p. 77);

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20           In FY2020, in the amount of at least \$21.8M (Annual Comprehensive  
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23           In FY2019, in the amount of at least \$18.4M (Annual Comprehensive  
24 Financial Report for the Fiscal Year Ended June 30, 2019, p. 76).

25  
26           **WHEREAS**, pursuant to Section 615B of the Howard County Charter, the use of excess  
27 surplus revenue is restricted to: (1) fund capital projects, (2) reduce existing County debt; and/or  
28 (3) fund appropriations in the current expense budget for capital outlay and for non-recurring  
29 expenses; and

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

4  
5           **WHEREAS**, The County Council wishes to modify the restriction on the use of excess  
6 surplus revenue to allow for the use of excess surplus revenue to fund deferred capital needs of  
7 the Howard County Public School System capital projects in the FY 2026 Budget.

8           **NOW, THEREFORE,**

9  
10           *Section 1. Be It Enacted by the County Council of Howard County, Maryland, the*  
11 *restriction on the use of excess surplus revenue permitted in section 615B of the County Charter*  
12 *is modified to allow the use of excess surplus revenue from prior fiscal years for deferred capital*  
13 *needs of Howard County Public School System FY 2026 Capital Budget.*

14  
15           *Section 2. And Be It Enacted by the County Council of Howard County, Maryland that,*  
16 *this modification only applies to the Fiscal Year 2026 Operating and Capital Budgets, and at the*  
17 *end of Fiscal Year 2026, this Act, with no further action required by the County Council, shall be*  
18 *abrogated and of no further force and effect.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on April 10, 2025.

Michelle R. Harrod  
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on \_\_\_\_\_, 2025.

Michelle R. Harrod  
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2025.

Michelle R. Harrod  
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2025.

Michelle R. Harrod  
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2025.

Michelle R. Harrod  
Michelle R. Harrod, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2025.

Michelle R. Harrod  
Michelle R. Harrod, Administrator to the County Council

