

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

County Council of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 14

Bill No. 55 -2020

Introduced by: Deb Jung
Co-sponsored by: Liz Walsh and David Yungmann

AN ACT requiring the County Executive to submit fiscal analyses for specified legislative items; specifying when a fiscal analysis must be submitted; and generally relating to the enactment of legislation.

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/Vetoed 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 **Section 1. Be it enacted** by the County Council of Howard County, Maryland, that the Howard County
2 Code is hereby amended as follows:

3 By amending:

4 Title 5 – County Council.

5 Subtitle 4. Miscellaneous.

6 Sec. 5.400. Fiscal analyses.

7

8

9

HOWARD COUNTY CODE

10

Title 5 – County Council.

11

Subtitle 4. Miscellaneous.

12 Sec. 5.400. - Fiscal analyses.

13 (a) *Scope of Section.* This section applies to each bill, supplemental appropriation ordinance,
14 transfer of appropriation ordinance, an act with a fiscal impact on County finances, and a
15 resolution with a fiscal impact on County finances.

16 (b) *Fiscal analysis.* For purposes of this section, a fiscal analysis shall include:

17 (1) A summary of a bill or other legislation;

18 (2) An evaluation of the fiscal impact that a bill or other legislation would have on County
19 government operations, revenues, and spending; and

20 (3) An explanation of how the bill or other legislation will be implemented.

21 (c) *In General.*

22 (1) (I) EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, THE COUNTY
23 EXECUTIVE SHALL SUBMIT A FISCAL ANALYSIS CONCURRENTLY WITH EACH BILL OR
24 OTHER LEGISLATION THAT THE COUNTY EXECUTIVE REQUESTS TO BE INTRODUCED BY
25 THE COUNTY COUNCIL.

26 (II) Except as provided in [[subparagraph (ii) of this]] paragraph (3) OF THIS SUBSECTION,
27 the County Auditor must submit a fiscal analysis to the County Council of each bill
28 or other legislation under consideration by the Council.

1 [[(ii) This subsection does not apply to the annual budget and appropriation ordinance
2 of Howard County.]]

3 (2) A separate fiscal analysis is required for each bill or other legislation.

4 (3) THIS SUBSECTION DOES NOT APPLY TO:

5 (I) THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE OF HOWARD COUNTY; OR

6 (II) A RESOLUTION THAT APPOINTS AN INDIVIDUAL TO A BOARD, COMMISSION, TASK FORCE,
7 OR SIMILAR BODY.

8 (d) *Time for Submission BY AUDITOR.*

9 (1) A fiscal analysis COMPLETED BY THE COUNTY AUDITOR must be submitted to the County
10 Council on or before 5:00 p.m. on the Thursday before the public hearing for the
11 legislation, or the day the Council Chairperson sets to accommodate a holiday or other
12 change in the normal schedule.

13 (2) If the County Auditor cannot submit the fiscal analysis within the time required by
14 paragraph (1) of this subsection, the Auditor must notify the Council Chairperson in
15 writing of the delay, the reason for the delay, and the revised delivery date. If the Council
16 Chairperson finds that the revised delivery date is unreasonable, the Chairperson may set
17 a different delivery deadline.

18 (e) *Content of Fiscal Analysis.* Each fiscal analysis must include the sources of information,
19 assumptions, and methodologies used, a description of the variables that could affect fiscal
20 estimates, and, if legislation is likely to have no fiscal impact, the reason for that conclusion.

21 (f) *Publication.*

22 (1) At least one business day before the public hearing for the legislation, the County
23 Council shall make each fiscal analysis freely available to the public.

24 (2) The County Council shall archive fiscal analyses in a way that allows easy access to the
25 public.

26 (g) *Compliance.* Council action on legislation that is otherwise valid is not invalid because of
27 any failure to follow the requirements of this section.

1

2 **Section 2. Be it further enacted** by the County Council of Howard County, Maryland, that this Act shall
3 *become effective 61 days after its enactment.*

4