

Introduced October 5, 2020
Public Hearing October 19, 2020
Council Action November 2, 2020
Executive Action November 4, 2020
Effective Date January 5, 2021

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 October 5, 2020. Ordered posted and hearing scheduled.

By order

Diane Schwartz Jones
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 October 19, 2020.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Bill was read the third time on November 2, 2020 and Passed , Passed with amendments _____, Failed _____.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Sealed with the County Seal and presented to the County Executive for approval this 3rd day of November, 2020 at 1:30 a.m./p.m.

By order

Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Approved/Vetoed by the County Executive November 4, 2020

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 **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.

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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

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on November 4, 2020.

Diane Schwartz Jones
Diane Schwartz Jones, 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 _____, 2020.

Diane Schwartz Jones, 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 _____, 2020.

Diane Schwartz Jones, 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 _____, 2020.

Diane Schwartz Jones, 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 _____, 2020.

Diane Schwartz Jones, 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 _____, 2020.

Diane Schwartz Jones, Administrator to the County Council