



Howard County

Internal Memorandum

Subject: Testimony & Fiscal Analysis Statement, The Parity Act

Council Bill No. ___-2021 Amending the timing for Fiscal Analysis provided by the County Auditor; providing that certain exceptions apply to Fiscal Analysis provided by the County Executive; and generally relating to the enactment of legislation.

To: Lonnie R. Robbins,
Chief Administrative Officer

From: Maureen Evans Arthurs,
Director of Government Affairs and Strategic Partnerships

Date: December 15, 2020

Background

Council Bill No 8-2020 and Council Bill No. 55-2020 collectively adopted a process for Fiscal Analysis to be completed for Council-filed and Executive-filed legislation. Once effective on January 5, 2021, CB 55 will require that Fiscal Analysis for legislation submitted by the County Executive shall be submitted concurrently with each bill that the County Executive requests to be introduced, historically set on the 1st Monday of the month. Currently, a Fiscal Analysis completed by the County Auditor for Council legislation must be submitted on the Thursday before a public hearing, historically set on the 3rd Monday of each month.

Proposed Changes

This Bill will make the timing consistent for all Fiscal Analysis regardless of whether the legislation is submitted by the County Council or the County Executive. Specifically, this Bill amends the timing for the Council Auditor Fiscal Analysis to be prior to introduction, versus prior to the public hearing. The Fiscal Analysis for County Executive-filed legislation is due for legislation required to be introduced. Aside from establishing uniformity, rationale for this change is that having a Fiscal Analysis to review upon the introduction of legislation will further allow for open and transparent communications between the branches of government. It will also allow the public more time to understand important aspects of the legislation that is before the County Council.

The Fiscal Analysis process set forth in in CBs 8 and 55 also provides for exceptions if the Auditor cannot submit a Fiscal Analysis within the prescribed deadline. This Bill would extend that exception to Fiscal Analysis for legislation filed by the County Executive. The rationale for this change is that emergency response often requires legislation that must be presented for consideration by the Council during very tight timeframes. In the past, emergency legislation has included declarations of emergency, budget amendments, and fee waivers. In this instance, a Fiscal Analysis may not be completed upon introduction but would be completed as soon as possible during the legislative process. The County Executive has proposed to allow the exception process to also apply to Fiscal Analysis for Executive-sponsored legislation.

Fiscal Analysis:

Fiscal Analysis are being completed currently. This Bill is proposing to change the timing for when Fiscal Analysis submitted by the County Auditors is due and extends an exemption to Fiscal Analysis for Executive-submitted legislation. No or little fiscal impact is expected.