

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

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day No. 1

Bill No. 4 -2021

Introduced by the Chairperson at the request of the County Executive

AN ACT 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.


Introduced and read first time January 4, 2021. 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 January 19, 2021.

By order 
Diane Schwartz Jones, Administrator

This Bill was read the third time on February 3, 2021 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 _____, 2021 at ___ a.m./p.m.

By order _____
Diane Schwartz Jones, Administrator

Approved/Vetoed by the County Executive _____, 2021

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**, by passage of Council Bill No. 8-2020 and Council Bill No. 55-2020, the Council
2 adopted a process for Fiscal Analysis for Council-filed and Executive-filed legislation; and

3
4 **WHEREAS**, the County Executive agrees that the hallmark of good government includes ensuring
5 open and transparent communication between the Executive and the Legislative branches; and

6
7 **WHEREAS**, most of the surrounding counties, including Montgomery and Frederick already require
8 a fiscal note for legislation and Baltimore City is currently considering a fiscal impact analysis; and

9
10 **WHEREAS**, having Fiscal Analysis completed and available to the public in a timely fashion will
11 assist the Council in making better informed decisions, potentially reduce the workload at the work
12 sessions, create a collaborative atmosphere where information is shared, and promote oversight that
13 builds public confidence in government decision making; and

14
15 **WHEREAS**, furthermore, timely Fiscal Analysis provides the Council the best possible opportunity
16 to be better informed before the Council votes on any legislation that has a fiscal impact; and

17
18 **WHEREAS**, for the above reasons, the timing for Fiscal Analysis submitted by the County Auditor
19 should be consistent with Fiscal Analysis for legislation submitted for introduction by the County
20 Executive; and

21
22 **WHEREAS**, there may be extenuating circumstances, like the receipt of emergency funding, where a
23 Fiscal Analysis may not be ready in time for the introduction of emergency legislation but would be ready
24 shortly thereafter and the Code should account for this scenario with respect to legislation submitted by
25 the County Executive.

26
27 ***NOW THEREFORE,***

28
29 ***Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard County***
30 ***Code is hereby amended as follows:***

31
32 *By amending:*

33 *Title 5 – County Council.*

34 *Subtitle 4. Miscellaneous.*

1 Thursday before the public hearing for the legislation]], or the day the Council
2 Chairperson sets to accommodate a holiday or other change in the normal schedule.

3 (2) If the County Auditor OR COUNTY EXECUTIVE cannot submit the fiscal analysis within
4 the time required by paragraph (1) of this subsection, the Auditor OR COUNTY EXECUTIVE
5 must notify the Council Chairperson in writing of the delay, the reason for the delay, and
6 the revised delivery date. If the Council Chairperson finds that the revised delivery date
7 is unreasonable, the Chairperson may set a different delivery deadline.

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

11 (f) *Publication.*

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

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

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

18
19 ***Section 2. Be it further enacted by the County Council of Howard County, Maryland, that this Act shall***
20 ***become effective 61 days after its enactment.***