

Introduced May 4, 2020
Public Hearing May 18, 2020
Council Action May 18, 2020
Executive Action May 20, 2020
Effective Date May 20, 2020

County Council Of Howard County, Maryland

2020 Legislative Session

Legislative Day No. 70

Bill No. 17 -2020

Introduced by: The Chairperson at the request of the County Executive

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 recurring expenses in the Fiscal Year 2021 budget; providing that this act shall be temporary, in an attempt to minimize service or employee reductions due to COVID-19 and recession impact, and shall expire by June 30, 2021; and declaring that this Act is an Emergency Bill necessary to meet an immediate emergency affecting public health, safety or welfare.

Introduced and read first time May 4, 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 May 18, 2020.
By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

This Bill was read the third time on May 18, 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 20th day of May, 2020 at 9:35 a.m./p.m.
By order Diane Schwartz Jones
Diane Schwartz Jones, Administrator

Approved by the County Executive May 20, 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 **WHEREAS**, the County Executive has prepared the Annual Budget and Appropriation
2 Ordinance of Howard County, Fiscal Year 2021 that contains the capital and operating budget
3 for the fiscal year beginning July 1, 2020 and ending June 30, 2021 (FY21 Budget); and
4

5 **WHEREAS**, because of the state of emergency surrounding the COVID-19 pandemic
6 and economic recession, the County will face a significant loss in revenue upon which to fund
7 necessary and recurring expenses in the FY21 Budget; and
8

9 **WHEREAS**, for Fiscal Year 2021, only, the County has determined that excess surplus
10 revenue from prior fiscal years is necessary to fund recurring expenditures in the FY21 Budget in
11 order to minimize service or employee reductions due to COVID-19 and to minimize the impact
12 of an economic recession; and
13

14 **WHEREAS**, pursuant to Section 615B of the Howard County Charter, the use of excess
15 surplus revenue is restricted to (1) fund capital projects, (2) reduce existing County debt; and/or
16 (3) fund appropriations in the current expense budget for capital outlay and for non-recurring
17 expenses; and
18

19 **WHEREAS**, Section 615B also provides that the restriction on the use of excess surplus
20 may be modified by an ordinance passed by an affirmative vote of 2/3 of the members of the
21 County Council; and
22

23 **WHEREAS**, the County wishes to temporarily modify the restriction on the use of
24 excess surplus revenue to allow for the use of excess surplus revenue to fund recurring
25 expenditures in the FY21 Budget; and
26

27 **WHEREAS**, because the necessary and recurring expenditures contained in the FY21
28 budget cannot be funded without this temporary modification of the restriction on the use of
29 excess surplus revenue, pursuant to Section 209(d) of the Howard County Charter, this
30 Emergency Bill is necessary to meet an immediate emergency affecting the public health, safety,

1 and welfare of the County.

2
3 **NOW, THEREFORE,**

4
5 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, the restriction on
6 *the use of excess surplus revenue required by Section 615B of the Charter is temporarily modified*
7 *to allow the use of excess surplus revenue from prior fiscal years for recurring expenditures in the*
8 *FY21 Budget.*

9
10 **Section 2. *And Be It Further Enacted*** by the County Council of Howard County, Maryland
11 *that, this modification is temporary in nature in that it only applies to the Fiscal Year 2021*
12 *budget, and at the end of Fiscal Year 2021, this Act, with no further action required by the*
13 *County Council, shall be abrogated and of no further force and effect.*

14
15 **Section 3. *And Be It Further Enacted*** by the County Council of Howard County, Maryland that
16 *this Act is adopted as an emergency measure to address an immediate emergency affecting*
17 *public health, safety, or welfare and having been passed by two-thirds of its members, this Act*
18 *shall be effective immediately upon its enactment.*

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on May 20, 2020.



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