

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

County Council of Howard County, Maryland

2016 Legislative Session

Legislative Day No. 14

Bill No. 64 -2016

Introduced by: Calvin Ball

AN ACT authorizing the Howard County Office of Law to institute any civil action or other proceedings to enforce the financial audit of the Howard County Public School System mandated by Council Resolution No. 88-2016; and generally relating to enforcement of Resolution No. 88-2016.

Introduced and read first time _____, 2016. Ordered posted and hearing scheduled.

By order _____
Jessica Feldmark, 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 _____, 2016.

By order _____
Jessica Feldmark, Administrator

This Bill was read the third time on _____, 2016 and Passed ____, Passed with amendments _____, Failed _____.

By order _____
Jessica Feldmark, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2016 at ___ a.m./p.m.

By order _____
Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive _____, 2016

Allan H. Kittleman, 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**, on July 8, 2016, the County Council unanimously adopted Council Resolution No.
2 88-2016, which calls for the County Auditor to conduct a financial audit of the Howard
3 County Public School System as authorized in Section 5-109(d) of the Education Article
4 of the Maryland Code; and

5 **WHEREAS**, the County Auditor, in attempting to begin the financial audit, has been unable to
6 obtain from the Howard County Public School System requested materials, data,
7 computer systems access, documents, and information in a timely fashion or to arrange
8 interviews of school system personnel relevant to the audit; and

9 **WHEREAS**, all information relevant to conducting the financial audit must be available to the
10 County Auditor; and

11 **WHEREAS** Section 405(b) of the Howard County Charter provides that the County Solicitor
12 shall have such legal duties as may be prescribed by legislative act of the Howard County
13 Council; and

14 **WHEREAS**, legal action may be necessary to ensure that the Howard County Public School
15 System complies with Council Resolution No. 88-2016 by providing to the County
16 Auditor in a timely fashion the information and materials needed to conduct the financial
17 audit authorized by Section 5-109(d) of the Education Article of the Maryland Code.

18
19 **NOW, THEREFORE,**

20
21 **Section 1. Be It Enacted by the County Council of Howard County, Maryland**, that the
22 Howard County Office of Law is authorized to institute any civil action or other
23 proceedings to enforce the financial audit of the Howard County Public School System
24 mandated by Council Resolution No. 88-2016.

25 **Section 2. And Be It Further Enacted**, that this Act shall be construed to apply retroactively
26 and shall be applied to and interpreted to authorize any civil action or other proceedings
27 to carry out its purpose instituted by the Office of Law on or after September 6, 2016.

28 **Section 3. And Be It Further Enacted**, that this Act shall become effective 61 days after its
29 enactment.