


MEMORANDUM

TO: County Council

FROM: Robert H. Drummer, Legislative Attorney 

SUBJECT: **Public Hearing:** Bill 1-09, Finance – Spending Disclosure

Bill 1-09, Finance – Spending Disclosure, sponsored by Council Vice President Berliner and Council President Andrews, was introduced on January 13, 2009. A Management and Fiscal Policy Committee worksession is tentatively scheduled for February 9, 2009 at 2:00 p.m.

Bill 1-09 would require the County to develop and operate a searchable public website displaying information on certain County payments to contractors and grantees that total more than \$25,000 in any fiscal year. The Bill would also provide guidelines for public access to the information on the website.

The State of Maryland recently enacted a similar law requiring a searchable website for State payments to contractors and grantees. The Maryland Funding Accountability and Transparency website can be found at www.spending.dbm.maryland.gov/. The Federal government also has a similar website for Federal payments at www.USASpending.gov.

This packet contains

Bill 1-09
Legislative Request Report

Circle

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Bill No. 1-09
Concerning: Finance - Spending
Disclosure
Revised: 10-28-08 Draft No. 1
Introduced: January 13, 2009
Expires: July 13, 2010
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council Vice-President Berliner and Council President Andrews

AN ACT to:

- (1) require the County to develop and operate a website that includes information on certain County payments to contractors and grantees;
- (2) providing guidelines for public access to the information on the website; and
- (3) generally amend the County law governing public access to information about County payments.

By adding

Montgomery County Code
Chapter 20, Department of Finance
Section 20-42A

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 20-42A is added as follows:**

2 **20-42A. Spending Disclosure.**

3 (a) Definitions. In this Section, the following words have the meaning
4 indicated:

5 Payee means any person who receives an aggregate payment of \$25,000
6 or more from the County in any fiscal year, except:

7 (1) a County employee with respect to salary or benefits; and

8 (2) a County retiree with respect to a County retirement pension.

9 Payment includes any County funds transferred to a contractor, grantee,
10 or loan recipient.

11 Searchable website means a series of web pages on the World Wide
12 Web that displays County payment data in a searchable form.

13 (b) The Chief Administrative Officer must develop and operate a
14 searchable website accessible to the public at no cost that includes the:

15 (1) name of each payee;

16 (2) location of each payee by postal zip code;

17 (3) amount of each payment; and

18 (4) name of the County department or office making the payment.

19 (c) The searchable website must permit the user to search data for each
20 fiscal year by the following fields:

21 (1) payee;

22 (2) department or office making the payment; and

23 (3) postal zip code of a payee.

24 (d) This Section does not require the disclosure of any information that is
25 confidential under State or Federal law.

26 **Sec. 2. Effective Date.**

27 This Act takes effect on July 1, 2009.

LEGISLATIVE REQUEST REPORT

Bill 1-09

Finance – Spending Disclosure

DESCRIPTION: The Bill would require the County to develop and operate a searchable website that includes information on certain County payments to contractors and grantees.

PROBLEM: The County taxpayers do not have a simple method to review County payments to contractors and grantees.

GOALS AND OBJECTIVES: To amend the County law governing public access to information about County payments to provide greater public oversight of County spending.

COORDINATION: Department of Finance

FISCAL IMPACT: To be requested.

ECONOMIC IMPACT: To be requested.

EVALUATION: To be requested.

EXPERIENCE ELSEWHERE: The State of Maryland recently enacted a similar law requiring a searchable website for State payments to contractors and grantees. The Federal government also has a similar website for Federal payments at www.USASpending.gov.

SOURCE OF INFORMATION: Robert H. Drummer, Legislative Attorney

APPLICATION WITHIN MUNICIPALITIES: To be researched.

PENALTIES: None

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