AN EXPEDITED ACT to:

(1) require the Chief Administrative Officer to notify the Council before certain applications for federal, state, or private funds are submitted;

(2) require Council approval before the County government applies for certain federal, state, or private funds; and

(3) generally amend the law governing application for and receipt of external funds.

By adding
Montgomery County Code
Chapter 2, Administration
Section 2-25A

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Chapter 2 is amended by inserting Section 2-25A as follows:

2-25A. External grants – restrictions.

(a) The Chief Administrative Officer must notify the Council President at least 30 days before the County Executive, the Chief Administrative Officer, or any County Department or Office applies for a grant from the federal or state government or any private foundation or other private funding source, or responds to a granting agency on how it would spend a formula-awarded grant, if:

(1) the application seeks a grant or award of more than $500,000 for a new program or activity;

(2) compliance with the grant or award would require the Council to appropriate more than $250,000 of tax-supported funds in the current or any future fiscal year; or

(3) the program or activity to be funded would require two or more new positions to be created in the County government.

(b) The notice provided under subsection (a) must include:

(1) the name of the federal or state agency or other source from which funds are sought;

(2) the name and purpose of the grant;

(3) the amount of funds sought or the award amount;

(4) all terms and conditions of the grant, including any future County funding requirement for each year the grant is received and any later year; and

(5) all available fiscal analyses and other supporting documents to be submitted with the application.

(c) The Executive, the Chief Administrative Officer, and any Department or Office in County government must not submit the application or
response or take any other action to receive the funds until the Council by resolution approves the application or response.

(d) If during the 30-day notice period under subsection (a) the Executive notifies the Council President that an emergency requires an immediate decision on the application or response, the Council President must schedule a vote on the approval resolution at the next available Council meeting. If no Council meeting is held during that 30-day period, the Executive may submit the application to the federal or state agency or other funding source, but must withdraw the application or response if the Council so directs by resolution adopted within 30 days after the next Council meeting.

Sec. 2. Expedited Effective Date.

The Council declares that this Act is necessary for the immediate protection of the public interest. This Act takes effect on the date when it becomes law.

Approved:

Michael J. Knapp, President, County Council

Isiah Leggett, County Executive

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council