

Expedited Bill No. 31-08  
Concerning: Grants – Council review  
Revised: 9-16-08 Draft No. 4  
Introduced: September 23, 2008  
Expires: March 23, 2010  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Councilmember Andrews, Council President Knapp, and Councilmembers Trachtenberg,  
Leventhal, Ervin, Elrich, Floreen, Praisner and Berliner

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### 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  
Chanter 2, Administration  
Section 2-25A

<b>Boldface</b>	<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. Chapter 2 is amended by inserting Section 2-25A as follows:**

2    **2-25A. External grants – restrictions.**

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

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

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

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

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

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

19           (2)   the name and purpose of the grant;

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

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

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

26           (c)   The Executive, the Chief Administrative Officer, and any Department  
 27           or Office in County government must not submit the application or

28 response or take any other action to receive the funds until the Council  
29 by resolution approves the application or response.

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

39 **Sec. 2. Expedited Effective Date.**

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

42 *Approved:*

43 \_\_\_\_\_  
Michael J. Knapp, President, County Council Date

44 *Approved:*

45 \_\_\_\_\_  
Isiah Leggett, County Executive Date

46 *This is a correct copy of Council action.*

47 \_\_\_\_\_  
Linda M. Lauer, Clerk of the Council Date