

PROPOSED

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2024, Legislative Day No. 10

Bill No. 52-24

Introduced by Ms. Pickard, Chair
(by request of the County Executive)

By the County Council, May 6, 2024

Introduced and first read on May 6, 2024
Public Hearing set for June 3, 2024
Bill Expires August 9, 2024

By Order: Kaley Schultze, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Budget and Finance – Grants Special Revenue Fund –
2 Conditional Appropriation of Grants

3
4 FOR the purpose of allowing appropriations of certain grants to the Grants Special Revenue
5 Fund and County matching funds under certain conditions; and generally relating to
6 finance, taxation, and budget.

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8 BY repealing and reenacting, with amendments: § 4-11-114
9 Anne Arundel County Code (2005, as amended)

10
11 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
12 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

ARTICLE 4. FINANCE, TAXATION, AND BUDGET

TITLE 11. BUDGET

4-11-114. Grants Special Revenue Fund.

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16
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18 (a) **Fund established.** There is a Grants Special Revenue Fund into which shall be paid
19 revenues from the following sources:
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EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

1 (1) State, federal, and private grants that limit expenditure of grant funds to
2 purposes specified in the grants, except grants which are used solely as a funding source
3 for capital projects; and

4
5 (2) the estimated amount of the County matching funds that will be required during
6 a fiscal year by State, federal, and private grants, except grants which are used solely as a
7 funding source for capital projects, appropriated as part of an ordinance appropriating
8 funds.

9
10 (b) **Special fund.** The Grants Special Revenue Fund is a special, nonlapsing fund.

11
12 (c) **Conditional appropriation of grants.** EXCEPT FOR A GRANT WHICH IS USED
13 SOLELY AS A FUNDING SOURCE FOR CAPITAL PROJECTS, A GRANT NOT INCLUDED IN AN
14 ORDINANCE APPROPRIATING FUNDS AND ANY COUNTY MATCHING FUNDS REQUIRED BY
15 THE GRANT ARE DEEMED APPROPRIATED FOR THE PURPOSE SPECIFIED IN THE GRANT, IF:

16
17 (1) THERE IS A GRANT AWARD LETTER OR OTHER WRITING THAT, TO THE
18 SATISFACTION OF THE CONTROLLER, CONFIRMS THAT THE GRANT FUNDS ARE
19 AVAILABLE FOR EXPENDITURE BY THE COUNTY;

20
21 (2) THERE ARE SUFFICIENT FUNDS APPROPRIATED AND AVAILABLE IN THE BUDGET
22 FOR PAYMENT OF ANY REQUIRED COUNTY MATCHING FUNDS;

23
24 (3) THE COUNTY COUNCIL IS PRESENTED WITH A RESOLUTION TO APPROVE THE
25 APPROPRIATION OF THE GRANT; AND:

26
27 (I) WITHIN TWO BUSINESS DAYS, THREE OR MORE MEMBERS OF THE COUNTY
28 COUNCIL REQUEST A HEARING BE SCHEDULED TO ACT ON THE RESOLUTION, AND, WITHIN
29 10 BUSINESS DAYS OF PRESENTATION OF THE RESOLUTION A HEARING IS HELD; OR

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31 (II) THE CONDITIONS OF PARAGRAPH (I) ARE NOT MET.

32
33 ~~[(c)]~~ (D) **Conditional appropriation of unanticipated grant revenues.** Except for a
34 grant which is used solely as a funding source for capital projects, revenue from a grant
35 included in an ordinance appropriating funds but in excess of the amount anticipated for
36 the grant, and any County matching funds required by the grant, are deemed appropriated
37 for the purpose specified in the grant, subject to the following conditions:

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39 (1) there is a grant award letter or other writing that, to the satisfaction of the
40 Controller, confirms that the grant funds are available for expenditure by the County; and

41
42 (2) there are sufficient funds available in the budget of the agency administering
43 the grant in either the Grants Special Revenue Fund or the General Fund for payment of
44 any required County matching funds; and

45
46 (3) for appropriations of more than \$500,000 funded by Coronavirus State and
47 Local Fiscal Recovery Funds distributed by the U.S. Treasury, approval by the County
48 Council as described in subsection ~~[(D)]~~(E).

49
50 ~~[(d)]~~ (E) **Fiscal Recovery Funds – County Council approval.** Within two business
51 days of receipt of a resolution to approve an appropriation exceeding \$500,000 funded by
52 Coronavirus State and Local Fiscal Recovery Funds distributed by the U.S. Treasury, three

1 or more members of the County Council may request a hearing be scheduled to act on the
2 resolution, such hearing to be held not more than ten business days from the date of receipt
3 of the resolution. The failure of three or more members of the County Council to request a
4 hearing on the resolution within two business days shall constitute approval of the
5 appropriation.

6
7 **[[e]] (F) Amendment of budget.** Upon satisfaction of the conditions imposed on an
8 appropriation by **[[subsection]]** SUBSECTIONS (c) THROUGH (E), the Budget Officer,
9 without the necessity of further action by the County Council, shall amend the budget as
10 recorded in the County financial system to show the appropriation within the Grants
11 Special Revenue Fund to the agency that will administer the expenditure of the grant and
12 any matching funds, provided that the Budget Officer shall send a report to the Controller
13 and to the County Auditor that, for each grant, identifies the grant, the amount of the
14 budgetary change, and the agency to which the budgetary change was made.

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16 SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days
17 from the date it becomes law.