
By: Allegany County Delegation

Introduced and read first time: January 18, 1996
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **County-Funded State Offices - Fiscal Control**

3 FOR the purpose of providing that certain county-funded State entities in a county are
4 subject to the county's budget approval and deduction authority to the same extent
5 as if the entities were county agencies, subject to certain limitations; requiring that
6 a county budget include certain appropriations; adding the orphans' court to the list
7 of county-funded State entities in provisions of law relating to budgetary and
8 procurement policies; specifying that this Act does not authorize a county to assume
9 certain functions; providing for the construction of this Act; and generally relating
10 to the authority of counties over certain State entities pertaining to budgetary
11 matters.

12 BY repealing and reenacting, with amendments,
13 Article 24 - Political Subdivisions - Miscellaneous Provisions
14 Section 8-101
15 Annotated Code of Maryland
16 (1994 Replacement Volume and 1995 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article 24 - Political Subdivisions - Miscellaneous Provisions**

20 8-101.

21 (A) Each of the following entities is subject to the budget [and fiscal policies]
22 APPROVAL AND REDUCTION AUTHORITY, FISCAL POLICIES, and purchasing laws of
23 the county in which it is located TO THE SAME EXTENT AS IF IT WERE A COUNTY
24 AGENCY:

- 25 (1) Any county board of supervisors of elections;
- 26 (2) Any State's Attorney's office;
- 27 (3) Any sheriff's office;
- 28 (4) Any county board of liquor license commissioners; [or]
- 29 (5) Any circuit court, but not the office of a clerk of court; AND

2

1 (6) ANY ORPHANS' COURT.

2 (B) A COUNTY BUDGET SHALL CONTAIN AN APPROPRIATION AS PROVIDED
3 BY LAW TO PAY THE SALARY OF EACH:

4 (1) BOARD OF ELECTION SUPERVISORS;

5 (2) STATE'S ATTORNEY;

6 (3) SHERIFF;

7 (4) LIQUOR LICENSE COMMISSIONER; AND

8 (5) ORPHANS' COURT JUDGE.

9 (C) (1) ANY CHANGES MADE TO A PREVIOUSLY APPROVED
10 APPROPRIATION BY THE GOVERNING BODY OF A COUNTY UNDER THIS SECTION
11 MAY NOT AFFECT ANY APPROPRIATION MADE UNDER SUBSECTION (B) OF THIS
12 SECTION.

13 (2) UNLESS OTHERWISE MUTUALLY AGREED UPON, A REDUCTION
14 DURING THE COURSE OF A FISCAL YEAR TO A PREVIOUSLY APPROVED
15 APPROPRIATION MADE TO AN ENTITY LISTED IN SUBSECTION (A) OF THIS SECTION,
16 COMPUTED AS A PERCENTAGE OF THE TOTAL REDUCTION MADE TO COUNTY
17 APPROPRIATIONS, MAY NOT EXCEED THE PREVIOUSLY APPROVED
18 APPROPRIATION'S PROPORTIONAL SHARE OF THE TOTAL APPROPRIATION FOR
19 THAT FISCAL YEAR.

20 (D) IN THE ABSENCE OF OTHER AUTHORITY, THIS SECTION DOES NOT
21 AUTHORIZE A COUNTY TO ASSUME THE FUNCTIONS OF AN ENTITY LISTED IN
22 SUBSECTION (A) OF THIS SECTION.

23 SECTION 2. AND BE IT FURTHER ENACTED, That, except as otherwise
24 specifically provided in this Act, this Act does not alter or reduce any existing authority.

25 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 July 1, 1996.