

Chapter 770

(House Bill 417)

AN ACT concerning

**Washington Suburban Sanitary Commission – Funding Accountability and
Transparency Act**

PG/MC 111–18

FOR the purpose of requiring the Washington Suburban Sanitary Commission to develop and operate a certain website that includes certain information about certain payees and certain payments; specifying certain requirements for the website; defining certain terms; and generally relating to the development and operation of a searchable website by the Washington Suburban Sanitary Commission.

BY repealing and reenacting, without amendments,
Article – Public Utilities
Section 16–101(a) and (b)
Annotated Code of Maryland
(2010 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,
Article – Public Utilities
Section 17–401
Annotated Code of Maryland
(2010 Replacement Volume and 2017 Supplement)

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

Article – Public Utilities

16–101.

- (a) In this division the following words have the meanings indicated.
- (b) “Commission” means the Washington Suburban Sanitary Commission.

17–401.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) “PAYEE” MEANS A PERSON THAT RECEIVES FROM THE COMMISSION AN AGGREGATE PAYMENT OF \$25,000 IN A SINGLE FISCAL YEAR.

(II) “PAYEE” DOES NOT INCLUDE:

1. A COMMISSION EMPLOYEE WITH RESPECT TO THE EMPLOYEE’S COMPENSATION; OR

2. A COMMISSION RETIREE WITH RESPECT TO THE RETIREE’S RETIREMENT ALLOWANCE.

(3) “SEARCHABLE WEBSITE” MEANS A WEBSITE CREATED IN ACCORDANCE WITH THIS SECTION THAT DISPLAYS AND SEARCHES PAYMENT DATA OF THE COMMISSION.

[(a)] (B) The Commission shall:

(1) publish annually in at least one newspaper in Montgomery County and one newspaper in Prince George’s County a copy of the current financial statement of the Commission;

(2) employ a certified public accountant licensed to practice in the State to audit the books and accounts of the Commission;

(3) keep available for public inspection during business hours at its principal office the annual audit and current financial statement; and

(4) file annually with the county executives and county councils of Montgomery County and Prince George’s County, and the Montgomery County and Prince George’s County Senate and House delegations to the Maryland General Assembly a certified copy of the annual audit and current financial statement.

(C) ON OR BEFORE ~~JANUARY 1, 2020~~ JULY 1, 2020, THE COMMISSION SHALL DEVELOP AND OPERATE A SINGLE SEARCHABLE WEBSITE ACCESSIBLE TO THE PUBLIC AT NO COST THROUGH THE INTERNET.

(D) THE SEARCHABLE WEBSITE SHALL CONTAIN COMMISSION PAYMENT DATA INCLUDING:

(1) THE NAME OF EACH PAYEE RECEIVING A PAYMENT;

(2) THE LOCATION OF THE PAYEE BY POSTAL ZIP CODE; AND

(3) THE AMOUNT OF THE PAYMENT.

(E) THE SEARCHABLE WEBSITE SHALL ALLOW THE USER TO:

(1) SEARCH DATA FOR FISCAL YEAR 2019 AND EACH FISCAL YEAR THEREAFTER; AND

(2) SEARCH BY THE FOLLOWING DATA FIELDS:

(I) A PAYEE RECEIVING A PAYMENT; AND

(II) THE ZIP CODE OF A PAYEE RECEIVING A PAYMENT.

(F) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE DISCLOSURE OF INFORMATION THAT IS REQUIRED TO BE KEPT CONFIDENTIAL UNDER FEDERAL, STATE, OR LOCAL LAW.

[(b)] (G) (1) Subject to paragraph (2) of this subsection, the county council or county executive of Montgomery County or Prince George's County may, in person or by a duly authorized agent, audit and examine the books and records of the Commission.

(2) The Commission may not be required to pay the cost of the audit or examination under paragraph (1) of this subsection.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

Approved by the Governor, May 15, 2018.