

HOUSE BILL 417

L5

8lr0903

By: **Prince George's County Delegation and Montgomery County Delegation**
Introduced and read first time: January 24, 2018
Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

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

4 **PG/MC 111–18**

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

10 BY repealing and reenacting, without amendments,
11 Article – Public Utilities
12 Section 16–101(a) and (b)
13 Annotated Code of Maryland
14 (2010 Replacement Volume and 2017 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Public Utilities
17 Section 17–401
18 Annotated Code of Maryland
19 (2010 Replacement Volume and 2017 Supplement)

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

22 **Article – Public Utilities**

23 16–101.

24 (a) In this division the following words have the meanings indicated.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (b) "Commission" means the Washington Suburban Sanitary Commission.

2 17-401.

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

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

7 (II) "PAYEE" DOES NOT INCLUDE:

8 1. A COMMISSION EMPLOYEE WITH RESPECT TO THE
9 EMPLOYEE'S COMPENSATION; OR

10 2. A COMMISSION RETIREE WITH RESPECT TO THE
11 RETIREE'S RETIREMENT ALLOWANCE.

12 (3) "SEARCHABLE WEBSITE" MEANS A WEBSITE CREATED IN
13 ACCORDANCE WITH THIS SECTION THAT DISPLAYS AND SEARCHES PAYMENT DATA
14 OF THE COMMISSION.

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

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

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

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

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

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

30 (D) THE SEARCHABLE WEBSITE SHALL CONTAIN COMMISSION PAYMENT

1 DATA INCLUDING:

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

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

4 (3) THE AMOUNT OF THE PAYMENT.

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

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

8 (2) SEARCH BY THE FOLLOWING DATA FIELDS:

9 (I) A PAYEE RECEIVING A PAYMENT; AND

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

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

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

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

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