
By: Howard County Delegation

Introduced and read first time: February 1, 1996

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County - Mental Health Authority**
3 **Ho. Co. 23-96**

4 FOR the purpose of specifying that the Howard County Mental Health Authority is a
5 "local government" for purposes of the Local Government Tort Claims Act; and
6 providing that the Authority is exempt from State and county taxes.

7 BY repealing and reenacting, with amendments,
8 Article - Courts and Judicial Proceedings
9 Section 5-401(d)(18) and (19)
10 Annotated Code of Maryland
11 (1995 Replacement Volume and 1995 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article - Health - General
14 Section 10-1202.1
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 - Courts and Judicial Proceedings**

20 5-401.

21 (d) "Local government" means:

22 (18) The Howard County Economic Development Authority; [and]

23 (19) THE HOWARD COUNTY MENTAL HEALTH AUTHORITY; AND

24 (20) A commercial district management authority established by a county or
25 municipal corporation if provided under local law.

2

1 **Article - Health - General**

2 10-1202.1.

3 (a) This section applies only to Howard County.

4 (b) (1) The purpose of this section is to authorize the establishment of a
5 quasi-public authority which may be activated by Howard County, if the county decides to
6 designate a quasi-public authority as the core service agency to perform the duties
7 imposed under this subtitle.

8 (2) This section has no effect on any other form of core service agency,
9 whether it is a unit of Howard County government, a local health department, or a
10 private, nonprofit corporation.

11 (c) (1) If activated as a quasi-public authority by an ordinance or resolution of
12 the governing body of Howard County, there is established a quasi-public authority in
13 Howard County.

14 (2) The quasi-public authority shall:

15 (i) Serve as the core service agency for the jurisdiction;and

16 (ii) Be a public body, corporate, and politic.

17 (d) The local ordinance activating the quasi-public authority shall include the
18 following:

19 (1) The name of the quasi-public authority;

20 (2) The method of appointing individuals to the authority, including
21 whether or not appointments require approval of the chief elected official of the
22 jurisdiction and the legislative body of the jurisdiction;

23 (3) The number of members of the authority;

24 (4) The terms of members;

25 (5) The duties and powers of the authority in accordance with the provisions
26 of this subtitle; and

27 (6) Specific terms governing the operation of the authority, including, but
28 not limited to financial reporting, budgetary, and personnel requirements, provided that
29 these specific terms may not add powers to the authority which are not included under
30 this subtitle.

31 (E) THE QUASI-PUBLIC AUTHORITY IS EXEMPT FROM TAXATION BY THE
32 STATE AND THE COUNTY.

33 [(e)] (F) Howard County shall send to the Secretary a copy of any ordinance or
34 resolution activating a quasi-public authority which will serve as a core service agency.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 July 1, 1996.