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**By: Delegate Hurson**

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Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

**2 General Assembly - Legislation with Impact on Children - Economic Analysis**

3 FOR the purpose of requiring the Department of Fiscal Services to prepare an impact on  
4 children analysis rating and an impact on children analysis concerning the effect of  
5 certain legislation on children as a group under certain circumstances; requiring  
6 certain agencies of the executive branch of State government to prepare an impact  
7 on children analysis rating and an impact on children analysis under certain  
8 circumstances; specifying the circumstances and procedures applicable to the  
9 preparation and transmittal of impact on children analysis ratings and impact on  
10 children analyses; specifying the legal effect of an impact on children analysis rating  
11 and an impact on children analysis; requiring the Department of Fiscal Services to  
12 keep copies of impact on children analysis ratings and impact on children analyses  
13 for a certain period of time; providing that copies of impact on children analysis  
14 ratings and impact on children analyses be reasonably available for public  
15 inspection; providing that impact on children analysis ratings and impact on  
16 children analyses need not be published in Senate or House Journals; defining  
17 certain terms; encouraging the members of the General Assembly to take certain  
18 action when submitting proposed legislation; requiring a unit of the State or local  
19 government to provide certain information upon a certain request; providing for a  
20 certain effective date; and generally relating to the establishment of certain  
21 requirements to assess the impact of certain legislation on children as a group.

22 BY adding to

23 Article - State Government  
24 Section 2-1505.2  
25 Annotated Code of Maryland  
26 (1995 Replacement Volume)

27 Preamble

28 WHEREAS, Over two-thirds of all people on welfare in Maryland are children; and

29 WHEREAS, Over 197,000 children a year receive food stamps in Maryland; and

30 WHEREAS, More than 147,000 Maryland children have no health insurance; and

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1 WHEREAS, More than one in four homeless persons in Maryland is a child, and on  
2 any given night in Maryland, 6,000 to 7,000 people are homeless, many of whom are  
3 children; and

4 WHEREAS, Over 48,000 Maryland children were reported abused or neglected in  
5 1994; and

6 WHEREAS, More than 22% of Maryland's youth between the ages of 16 and 19 are  
7 unemployed but looking for work, making Maryland's youth employment rating 45th in  
8 the nation; now, therefore,

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

11 **Article - State Government**

12 2-1505.2.

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

15 (2) "IMPACT ON CHILDREN ANALYSIS" MEANS AN ESTIMATE OF ANY  
16 DISTINCTIVE ECONOMIC OR SOCIAL IMPACT ON CHILDREN AS A GROUP THAT MAY  
17 RESULT FROM A PROPOSED BILL INTRODUCED AT A SESSION OF THE GENERAL  
18 ASSEMBLY.

19 (3) "IMPACT ON CHILDREN ANALYSIS RATING" MEANS AN ESTIMATE  
20 THAT A PROPOSED BILL WILL HAVE:

21 (I) MINIMAL OR NO DISTINCTIVE IMPACT ON CHILDREN; OR

22 (II) DISTINCTIVE IMPACT ON CHILDREN AS A GROUP.

23 (B) (1) BEGINNING WITH THE 1997 REGULAR SESSION OF THE GENERAL  
24 ASSEMBLY, AN IMPACT ON CHILDREN ANALYSIS RATING AND AN IMPACT ON  
25 CHILDREN ANALYSIS, AS APPROPRIATE, SHALL BE PREPARED BY THE APPROPRIATE  
26 EXECUTIVE BRANCH AGENCY FOR EACH BILL THAT IS INTRODUCED AT THE  
27 REQUEST OF THE ADMINISTRATION OR A DEPARTMENT, AGENCY, OR COMMISSION  
28 OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT.

29 (2) A COPY OF THE IMPACT ON CHILDREN ANALYSIS RATING AND THE  
30 IMPACT ON CHILDREN ANALYSIS REQUIRED UNDER THIS SUBSECTION SHALL BE  
31 SUBMITTED BY THE GOVERNOR'S OFFICE:

32 (I) TO THE DEPARTMENT OF FISCAL SERVICES WITHIN A  
33 REASONABLE TIME FRAME PRIOR TO THE HEARING ON THE BILL TO ALLOW THE  
34 DEPARTMENT OF FISCAL SERVICES TO COMMENT ON THE IMPACT ON CHILDREN  
35 ANALYSIS RATING AND THE IMPACT ON CHILDREN ANALYSIS; AND

36 (II) TO THE COMMITTEE TO WHICH THE BILL IS REFERRED PRIOR  
37 TO THE HEARING ON THE BILL.

38 (C) (1) BEGINNING WITH THE 1998 REGULAR SESSION OF THE GENERAL  
39 ASSEMBLY, AN IMPACT ON CHILDREN ANALYSIS RATING AND AN IMPACT ON

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1 CHILDREN ANALYSIS, AS APPROPRIATE, SHALL BE PREPARED BY THE DEPARTMENT  
2 OF FISCAL SERVICES FOR EACH BILL THAT IS INTRODUCED BY A MEMBER OF THE  
3 GENERAL ASSEMBLY.

4 (2) A COPY OF THE IMPACT ON CHILDREN ANALYSIS RATING AND THE  
5 IMPACT ON CHILDREN ANALYSIS REQUIRED UNDER THIS SUBSECTION SHALL BE  
6 SUBMITTED BY THE DEPARTMENT OF FISCAL SERVICES:

7 (I) TO THE PRIMARY SPONSOR OF THE BILL; AND

8 (II) TO THE COMMITTEE TO WHICH THE BILL IS REFERRED PRIOR  
9 TO THE HEARING ON THE BILL.

10 (D) (1) IF THE APPROPRIATE EXECUTIVE BRANCH AGENCY OR THE  
11 DEPARTMENT OF FISCAL SERVICES DETERMINES THAT A BILL WILL HAVE MINIMAL  
12 OR NO DISTINCTIVE IMPACT ON CHILDREN AS A GROUP, THE AGENCY OR  
13 DEPARTMENT OF FISCAL SERVICES SHALL INDICATE THAT DETERMINATION BY A  
14 BRIEF WRITTEN STATEMENT.

15 (2) IF THE APPROPRIATE EXECUTIVE BRANCH AGENCY OR THE  
16 DEPARTMENT OF FISCAL SERVICES DETERMINES THAT A BILL WILL HAVE A  
17 DISTINCTIVE IMPACT ON CHILDREN AS A GROUP, THE AGENCY OR DEPARTMENT OF  
18 FISCAL SERVICES SHALL DEVELOP A COMPLETE WRITTEN IMPACT ON CHILDREN  
19 ANALYSIS.

20 (3) (I) IF THE APPROPRIATE EXECUTIVE BRANCH AGENCY OR THE  
21 DEPARTMENT OF FISCAL SERVICES DETERMINES THAT A BILL WILL HAVE A  
22 DISTINCTIVE IMPACT ON CHILDREN AS A GROUP AND IS UNABLE TO PROVIDE A  
23 COMPLETE WRITTEN IMPACT ON CHILDREN ANALYSIS, THE AGENCY OR  
24 DEPARTMENT OF FISCAL SERVICES SHALL PROVIDE A WRITTEN EXPLANATION OF  
25 WHY THE AGENCY DETERMINED THAT THE BILL WILL HAVE A DISTINCTIVE IMPACT  
26 ON CHILDREN AS A GROUP.

27 (II) THE EXPLANATION MAY IDENTIFY THE IMPACT IN GENERAL  
28 TERMS AND NEED NOT QUANTIFY THE SPECIFIC IMPACT ON CHILDREN.

29 (E) (1) THE EXECUTIVE BRANCH AGENCY OR THE DEPARTMENT OF FISCAL  
30 SERVICES PREPARING THE IMPACT ON CHILDREN ANALYSIS RATING AND THE  
31 IMPACT ON CHILDREN ANALYSIS REQUIRED UNDER THIS SECTION SHALL CONSULT  
32 WITH, AS APPROPRIATE:

33 (I) OTHER UNITS OF STATE GOVERNMENT;

34 (II) UNITS OF LOCAL GOVERNMENT; AND

35 (III) CHILD ADVOCACY, AND OTHER GROUPS IMPACTED BY OR  
36 HAVING AN INTEREST IN THE LEGISLATION.

37 (2) ON REQUEST OF THE DIRECTOR OF THE DEPARTMENT OF FISCAL  
38 SERVICES, A UNIT OF THE STATE OR A LOCAL GOVERNMENT SHALL PROVIDE THE  
39 DEPARTMENT OF FISCAL SERVICES WITH ASSISTANCE OR INFORMATION IN THE  
40 PREPARATION OF AN IMPACT ON CHILDREN ANALYSIS RATING AND IMPACT ON  
41 CHILDREN ANALYSIS.

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1 (F) (1) THE DEPARTMENT OF FISCAL SERVICES MAY INCLUDE AN IMPACT  
2 ON CHILDREN ANALYSIS RATING AND IMPACT ON CHILDREN ANALYSIS PREPARED  
3 BY THE DEPARTMENT OF FISCAL SERVICES OR BY THE APPROPRIATE EXECUTIVE  
4 BRANCH AGENCY AS PART OF A FISCAL NOTE.

5 (2) THE DEPARTMENT OF FISCAL SERVICES MAY COMMENT ON THE  
6 IMPACT ON CHILDREN ANALYSIS RATING AND IMPACT ON CHILDREN ANALYSIS  
7 PREPARED BY THE APPROPRIATE EXECUTIVE BRANCH AGENCY.

8 (G) THE DEPARTMENT OF FISCAL SERVICES MAY REVISE THE IMPACT ON  
9 CHILDREN ANALYSIS RATING AND IMPACT ON CHILDREN ANALYSIS CONSISTENT  
10 WITH AN AMENDED VERSION OF A BILL.

11 (H) (1) THE DEPARTMENT OF FISCAL SERVICES SHALL KEEP A COPY OF  
12 EACH IMPACT ON CHILDREN ANALYSIS RATING AND IMPACT ON CHILDREN  
13 ANALYSIS FOR 3 YEARS AFTER PREPARATION OF THE RATING OR THE ANALYSIS.

14 (2) THE COPIES SHALL BE REASONABLY AVAILABLE FOR PUBLIC  
15 INSPECTION.

16 (I) IMPACT ON CHILDREN ANALYSIS RATINGS AND IMPACT ON CHILDREN  
17 ANALYSES NEED NOT BE PUBLISHED IN THE SENATE JOURNAL OR HOUSE JOURNAL.

18 (J) THE VALIDITY OF AN ENACTMENT OF A BILL IS NOT AFFECTED BY THE  
19 PRESENCE, ABSENCE, OR CONTENT OF AN IMPACT ON CHILDREN ANALYSIS RATING  
20 OR AN IMPACT ON CHILDREN ANALYSIS.

21 SECTION 2. AND BE IT FURTHER ENACTED, That the members of the  
22 General Assembly are encouraged to provide information to the appropriate legislative  
23 agency concerning the impact of their proposed legislation on children.

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