

Department of Fiscal Services  
Maryland General Assembly

FISCAL NOTE

House Bill 215 (Allegany County Delegation)  
Commerce and Government Matters

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County-Funded State Offices - Fiscal Control

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This bill makes certain county-funded State entities subject to a county's budget approval and reduction authority as if the entities were county agencies. These county-funded State entities include the local elections board, state's attorney's office, sheriff's office, board of liquor license commissioners, circuit court (excluding the clerk of the court's office), and orphans' court. A county budget, however, must contain an appropriation, as provided by State law, to pay the salaries of specified officials. These salaries may not be reduced by the county. In addition, a county may not reduce the budget of a county-funded State entity by more than the entity's previously approved appropriation's proportional share of the county's total appropriation. The bill does not authorize a county to assume these entities.

The bill is effective July 1, 1996.

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Fiscal Summary

**State Effect:** None.

**Local Effect:** County expenditures could decrease by an indeterminate amount as discussed below.

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Fiscal Analysis

**Local Expenditures:** Currently, the six county-funded State agencies are only subject to county budget, fiscal, and purchasing procedures. As a result, the counties generally have very little fiscal control over these agencies' budgets, especially in difficult fiscal periods. For example, absent an agreement with a state's attorney's office, a county may not reduce the state's attorney's budget if the reduction would breach the state's attorney's constitutional duties. Since the General Assembly has mandated funding of a state's attorney's office at a

reasonable level, the office's funding needs take precedence over county agencies. See, 80 Opinions of the Attorney General No. 95-025 (1995).

If these agencies are subject to the same budget approval and reduction authority as other county departments, the agencies' budgets could be reduced similar to other county departments provided the salaries mandated by State law remain funded by the counties. At this time, the amount of the reductions cannot be reliably estimated and would vary by jurisdiction.

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**Information Source(s):** Office of the Attorney General; Allegany, Montgomery, Queen Anne's, Prince George's, and St. Mary's counties; Department of Fiscal Services

**Fiscal Note History:** First Reader - January 30, 1996

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