

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE
Revised

Senate Bill 766 (Senator McFadden) (By Request – Baltimore City Administration)

Budget and Taxation

Appropriations

Education - Baltimore City Public Schools - Facilities

This bill repeals the requirement that the Mayor and City Council of Baltimore transfer the real property assets of the Baltimore City Public School System (BCPSS) to the Baltimore City Board of School Commissioners.

Fiscal Summary

State Effect: None.

Local Effect: Repealing the requirement that Baltimore City school facilities be held by the board of school commissioners would not affect the overall finances of the board or Baltimore City.

Small Business Effect: None.

Analysis

Current Law: The real property assets associated with the operations of BCPSS must be transferred from Baltimore City to the legal possession of the Baltimore City Board of School Commissioners by June 2009. Until then, the Board of Public Works may approve funding for capital improvements on property held by Baltimore City or the board of school commissioners. State funds for the construction of new schools may only be approved on sites for which the board of school commissioners holds the title.

Background: The transfer of the assets of BCPSS from Baltimore City to the Baltimore City Board of School Commissioners was initiated eight years ago with the Baltimore

City-State Partnership legislation (Chapter 105 of 1997). With the exception of the school facilities, the legislation successfully separated the school system from the city government. Despite legislation requiring the school facilities to be transferred to the board of school commissioners, various legal and financial issues have arisen preventing the transfer. This bill would repeal the requirement that the real property assets be transferred and would bring Baltimore City into compliance with the law.

Additional Information

Prior Introductions: None.

Cross File: HB 929 (Delegate Marriott) (By Request – Baltimore City Administration) – Appropriations.

Information Source(s): Baltimore City, Maryland State Department of Education, Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2005
m/rhh Revised - Senate Third Reader - April 4, 2005

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