

# HOUSE BILL 44

P5, B1

01r0821

(PRE-FILED)

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By: **Delegate Smigiel**

Requested: October 22, 2009

Introduced and read first time: January 13, 2010

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Spending Procedure – Fiscal Notes**

3 FOR the purpose of providing that a committee may not vote on certain bills or  
4 amendments unless a fiscal note is posted on the website of the General  
5 Assembly for at least a certain number of days; requiring the fiscal note to  
6 identify the sources of any assumptions that the Department of Legislative  
7 Services used in preparing the estimates of the fiscal impact of certain bills or  
8 amendments; and generally relating to a requirement that a fiscal note contain  
9 certain information and be available a certain number of days before a  
10 committee votes on certain bills or amendments.

11 BY repealing and reenacting, with amendments,  
12 Article – State Government  
13 Section 2–1505(a), (e)(4), and (f)  
14 Annotated Code of Maryland  
15 (2009 Replacement Volume)

16 BY adding to  
17 Article – State Government  
18 Section 2–1505(k)  
19 Annotated Code of Maryland  
20 (2009 Replacement Volume)

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

23 **Article – State Government**

24 2–1505.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Except as otherwise provided in this section, a committee may not vote on  
2 a bill unless:

3 (1) a fiscal note accompanies the bill **AND IS POSTED ON THE**  
4 **WEBSITE OF THE GENERAL ASSEMBLY AS REQUIRED IN SUBSECTION (K) OF**  
5 **THIS SECTION;** and

6 (2) if the bill affects the funding of a State pension system, an  
7 actuarial analysis of the bill is attached to or summarized in the note or the analysis is  
8 waived.

9 (e) (4) A fiscal note shall identify the sources of the information **AND ANY**  
10 **ASSUMPTIONS** that the Department used in preparing the estimates of fiscal impact.

11 (f) **(1) [As] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
12 **SUBSECTION, AS** soon as possible after the adoption of an amendment that changes  
13 the fiscal impact of a bill, the Department of Legislative Services shall:

14 **[(1)] (I)** prepare a revised fiscal note for the bill; and

15 **[(2)] (II)** send the revised note:

16 **[(i)] 1.** to the chairman of the committee to which the bill is  
17 referred in the house of origin;

18 **[(ii)] 2.** if the bill has reached the opposite house, to the  
19 chairman of the committee to which the bill is referred in that house;

20 **[(iii)] 3.** if the bill is in the custody of either the Secretary of  
21 the Senate or the Chief Clerk of the House, to that officer; and

22 **[(iv)] 4.** to the primary sponsor of the bill.

23 **(2) BEFORE THE ADOPTION OF A COMMITTEE AMENDMENT THAT**  
24 **CHANGES THE FISCAL IMPACT OF A BILL, THE DEPARTMENT OF LEGISLATIVE**  
25 **SERVICES SHALL PREPARE A FISCAL NOTE THAT REFLECTS THE PROPOSED**  
26 **AMENDMENT.**

27 **(K) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS**  
28 **SUBSECTION, A COMMITTEE MAY NOT VOTE ON A BILL OR AN AMENDMENT TO A**  
29 **BILL UNTIL 5 DAYS AFTER THE FISCAL NOTE IS POSTED ON THE WEBSITE OF**  
30 **THE GENERAL ASSEMBLY.**

31 **(2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A**  
32 **BILL OR AMENDMENT WITHOUT A FISCAL IMPACT.**

1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2    October 1, 2010.