

Chapter 105

(House Bill 160)

AN ACT concerning

Baltimore County Public Schools – Funding Accountability and Transparency Act

FOR the purpose of requiring the Baltimore County Board of Education to develop and operate a certain Web site that includes certain information about certain payments; specifying certain parameters of the Web site; defining certain terms; and generally relating to the development and operation of a searchable Web site by the Baltimore County Board of Education.

BY adding to

Article – Education

Section 5–117

Annotated Code of Maryland

(2008 Replacement Volume and 2010 Supplement)

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

Article – Education

5–117.

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

(2) (I) “PAYEE” MEANS ANY PARTY WHO RECEIVES FROM THE BALTIMORE COUNTY BOARD OF EDUCATION AN AGGREGATE PAYMENT OF \$25,000 IN A FISCAL YEAR.

(II) “PAYEE” DOES NOT INCLUDE:

1. A BALTIMORE COUNTY PUBLIC SCHOOL EMPLOYEE WITH RESPECT TO THE EMPLOYEE’S COMPENSATION; ~~OR~~

2. A BALTIMORE COUNTY PUBLIC SCHOOL RETIREE WITH RESPECT TO THE RETIREE’S RETIREMENT ALLOWANCE; OR

3. A THIRD PARTY PAYEE THAT ACCEPTS EMPLOYEE PAYROLL-RELATED PAYMENTS INCLUDING:

- A. RECURRING PAYMENTS FOR PAYROLL TAXES;**
- B. EMPLOYEE PAYROLL DEDUCTIONS; AND**
- C. INVESTMENT-RELATED ACTIVITIES RELATING TO FUND BALANCES.**

(3) “SEARCHABLE WEB SITE” MEANS A WEB SITE CREATED IN ACCORDANCE WITH THIS SECTION THAT DISPLAYS AND SEARCHES PAYMENT DATA OF THE BALTIMORE COUNTY BOARD OF EDUCATION.

(B) ON OR BEFORE JANUARY 1, 2013, THE BALTIMORE COUNTY BOARD OF EDUCATION SHALL DEVELOP AND OPERATE A SINGLE SEARCHABLE WEB SITE ACCESSIBLE TO THE PUBLIC AT NO COST THROUGH THE INTERNET.

(C) THE SEARCHABLE WEB SITE SHALL CONTAIN BALTIMORE COUNTY BOARD OF EDUCATION PAYMENT DATA INCLUDING:

- (1) THE NAME OF A PAYEE RECEIVING A PAYMENT;
- (2) THE LOCATION OF A PAYEE BY ZIP CODE; ~~AND~~
- (3) THE AMOUNT OF A PAYMENT MADE TO THE PAYEE DURING THE APPLICABLE FISCAL YEAR;
- (4) THE PURPOSE FOR THE PAYMENT; AND
- (5) WHETHER THE PAYEE IS A MINORITY BUSINESS ENTERPRISE.

(D) THE SEARCHABLE WEB SITE SHALL ALLOW THE USER TO:

- (1) SEARCH DATA FOR FISCAL YEAR 2012 AND EACH YEAR THEREAFTER; AND
- (2) SEARCH BY THE FOLLOWING DATA FIELDS:
- (I) A PAYEE RECEIVING A PAYMENT; AND
- (II) THE ZIP CODE OF A PAYEE RECEIVING A PAYMENT.

(E) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE DISCLOSURE OF INFORMATION THAT IS CONFIDENTIAL UNDER FEDERAL, STATE, OR LOCAL LAW.

(F) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE "BALTIMORE COUNTY PUBLIC SCHOOLS FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT".

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2011.

Approved by the Governor, April 12, 2011.