

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1281

(Chair, Baltimore County Delegation)(By Request -
Baltimore County Administration)

Ways and Means

Education, Health, and Environmental Affairs

Baltimore County - Cooperative or Joint Administration of Programs

This bill authorizes the Baltimore County Board of Education to enter into an agreement with the Baltimore County Executive for the cooperative or joint administration of programs relating to purchasing, accounting, data processing, printing, insurance, building maintenance, or transportation. The bill also authorizes such an agreement related to personnel, but only in conjunction with other specified programs. Agreements made under the bill will be subject to limitations under State law governing agreements between local school boards and other specified entities regarding the cooperative or joint administration of programs.

The bill takes effect July 1, 2012.

Fiscal Summary

State Effect: None.

Local Effect: The bill does not directly impact the finances of Baltimore County or the Baltimore County Board of Education. The Baltimore County Board of Education is authorized, but not required, to enter into additional cooperative or joint administration agreements. This additional authority may allow for agreements intended to produce greater efficiencies for the Baltimore County Board of Education and/or Baltimore County government, however the impact of any agreements that may be entered into is indeterminate.

Small Business Effect: None.

Analysis

Current Law: A local school board is authorized to enter into an agreement for the cooperative or joint administration of one or more specified types of programs with one or more: local school boards, other educational institutions or agencies, and boards of county commissioners or county councils. Such an agreement may relate to personnel, purchasing, accounting, data processing, printing, insurance, building maintenance, and transportation. If the agreement establishes a separate administrative entity to conduct or administer the joint or cooperative undertaking and that administrative entity has certain powers (*e.g.*, to employ individual and to receive and spend money), the agreement must specify certain details (*e.g.*, the duration of the agreement and the purpose, organization, composition, and nature of any separate administrative entity that is established.) Any such administrative entity is limited to administering programs and exercise authorities that are specifically delegated to the entity by the public bodies that are party to the agreement.

A cooperative or joint agreement generally does not relieve a local school board or other party to the agreement of its legal obligations and responsibilities. The agreement for cooperative or joint agreement must be approved by the county governing body and submitted to the Attorney General. If the Attorney General finds the agreement is not in proper form or does not conform to State law, the Attorney General must detail in writing to the governing body of each public agency involved as to how the proposed agreement fails to meet legal requirements.

Additional Information

Prior Introductions: None.

Cross File: SB 988 (Senator Klausmeier) (By Request - Baltimore County Administration) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - March 8, 2012
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