

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1370 (Delegate Folden)
Rules and Executive Nominations

General Assembly - Limitation on Introduction of Bills

This bill prohibits (1) a member of the Senate from introducing more than 15 bills and (2) a member of the House of Delegates from introducing more than 10 bills during a regular or special legislative session. Prefiled bills filed in accordance with State law and bills introduced on behalf of local governments or entities, an executive department, or other unit of the Executive Branch, including the Governor's Office, are exempt from the prohibition.

Fiscal Summary

State Effect: General fund expenditures may decrease by as much as \$116,500 in FY 2017 due to reduced staffing needs for the Department of Legislative Services (DLS) under the assumptions discussed below. Out-year savings reflect annualization and inflation. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A member or member-elect of the General Assembly may prefile a bill at any regular session:

- by submitting a request on or before the preceding November 15 to DLS to prepare the bill; and

- on or before the second Friday following Thanksgiving, directing DLS, in writing, to file the bill for introduction.

In a year when an election for members of the General Assembly is held, a bill may be prefiled only by an individual elected or reelected to the General Assembly at that election. The deadline for directing DLS to file a bill for introduction is December 10. The deadline for requesting DLS to prepare a bill for prefilings is November 20. An individual first elected at that election may not request DLS to prepare a bill until after the election.

DLS must prepare a fiscal and policy note for each bill considered by the General Assembly. In general, a standing committee of the General Assembly may not vote on a bill unless it is accompanied by a fiscal and policy note. A fiscal and policy note prepared by DLS must contain:

- an estimate of the fiscal impact of the bill on the revenues and expenditures of the State government and of local governments for five years, beginning with the year the bill takes effect. If the bill's full fiscal impact is not expected to occur during that time, the analysis must include each year until and including the first year during which the impact occurs;
- for bills that require a mandated appropriation in the State budget, a statement to that effect and an estimate of the fiscal impact of the mandated appropriation;
- for bills that impose a mandate on a unit of local government, a statement to that effect and an estimate of the fiscal impact of the local mandate, including the effect on local property tax rates;
- an analysis of the bill's economic impact on small businesses; and
- a list of sources of information used in preparing the fiscal impact estimates.

DLS must prepare a revised fiscal and policy note as soon as possible after the adoption of an amendment that changes the fiscal impact of a bill. A revised fiscal and policy note is typically prepared when a bill passes third reading in the house of origin and crosses over for consideration by the second house.

State Expenditures: DLS has averaged more than 3,000 bills drafted and 2,200 fiscal notes written annually for the past 10 years. The difference in the two numbers stems from some drafted bills not being introduced, and approximately 300 bond bills not requiring fiscal note analyses. With 47 Senators and 141 Delegates, the bill limits the number of bills introduced to 2,115, not including prefiled bills, delegation bills, Administration bills,

and departmental bills. Each year, those four categories add up to at least 150 bills, and often substantially more. To the extent that members increase the number of prefiled bills to avoid the limit imposed by the bill, the number of bills introduced could be higher.

Nevertheless, DLS believes that the limits imposed by the bill may result in a slightly reduced bill count each year. To the extent fewer bills are introduced, general fund expenditures for DLS may decrease by as much as \$116,527 in fiscal 2017, which accounts for the bill's October 1, 2016 effective date. This reflects the elimination of one fiscal note position and one bill drafting position due to the reduced workload. This analysis assumes that the bill does not materially affect other DLS activities, such as the print shop.

Positions	-2
Salaries and Fringe Benefits	-\$115,624
Operating Expenses	<u>-903</u>
Total FY 2017 DLS Impact	-\$116,527

Future year savings reflect annualization and inflation.

On the other hand, if members respond to the bill by simply prefiling more bills, the DLS workload may not decrease and the savings are not realized.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - February 25, 2016
min/mcr

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