

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1332
Appropriations

(Delegate Acevero, *et al.*)

State Budget

This proposed constitutional amendment, if approved by the Maryland voters at the November 2020 election, modifies the State budget process by allowing the General Assembly to increase appropriations made by the Governor and add items to appropriations for Executive Branch agencies. The total appropriation for the Executive Branch approved by the General Assembly cannot exceed the total allowance for the Executive Branch submitted by the Governor. The Governor can veto any increase or item added by the General Assembly. If the Governor exercises the veto authority, the Presiding Officers may convene an extraordinary session within 30 days after the Governor's action to consider the vetoed items. The extraordinary session is limited solely to consideration of the budget vetoes.

Fiscal Summary

State Effect: If approved by the voters, the constitutional amendment may result in an increase in State expenditures due to convening extraordinary legislative sessions to consider the Governor's vetoes of legislative budgetary actions. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Section 52 of Article III of the Maryland Constitution prohibits the General Assembly from increasing any budget item or adding any new appropriations item to the Governor's budget for Executive Branch agencies. The General Assembly can decrease an appropriation for any branch of State government and increase appropriations

relating only to the legislature or Judiciary. In addition, through a supplementary appropriations bill, the General Assembly can add expenditures if matched with new revenues. Through legislation, the General Assembly can also mandate expenditures in the Executive budget for a subsequent fiscal year.

Background: Most state legislatures have the authority to increase or add an appropriation to the governor's budget.

State Expenditures: The proposed modifications to the State's budget process are not anticipated to increase State expenditures incurred by the Executive Branch in preparing the budget or the Legislative Branch in approving the budget. To the extent the Governor exercises the veto power, extraordinary sessions of the General Assembly may be convened. It is assumed these sessions will be of limited duration and cost between \$10,000 and \$23,000 per day for expense reimbursements for members of the General Assembly. This estimate range is based on the average daily cost of the May 2012 special session that lasted 3 days and cost approximately \$9,800 per day and the 2007 special session that lasted 21 days and cost \$22,600 per day.

Additional Information

Prior Introductions: HB 1108 of 2019 received a hearing in the House Appropriations Committee, but no further action was taken. SB 990 of 2019 was referred to the Senate Rules Committee, and a similar bill, SB 820 of 2018, received a hearing in the Senate Budget and Taxation Committee, but no further action was taken on either bill. In addition, similar bills were introduced in the 2010 through 2012 sessions and in the 2015 through 2017 sessions.

Designated Cross File: None.

Information Source(s): Department of Budget and Management; Department of Legislative Services

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mr/mcr

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