

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2020, Legislative Day No. 7

Bill No. 22-20

Mrs. Cathy Bevins, Chair
By Request of County Executive

By the County Council, March 31, 2020

A BILL
ENTITLED

AN ACT concerning

Temporary Authority to Accept Non-Monetary Donations
Emergency Measure

FOR the purpose of authorizing the County Administrative Officer to accept certain non-monetary donations on behalf of the county; authorizing a certain delegation; requiring the creation of a certain log; requiring certain disclosure of the log; providing for the effective date of this emergency measure; providing for the retroactivity of this act; and generally authorizing the acceptance of certain non-monetary donations.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter stricken from existing law.

~~Strike out~~ indicates matter stricken from bill.

Underlining indicates amendments to bill.

WHEREAS, on March 16, 2020 the County Council approved the continuation of a State of Emergency declared by the County Executive on March 13, 2020 (Executive Order No. 2020-002); and

WHEREAS, a Declaration of State of Emergency and Existence of a Catastrophic Health Emergency was declared by the Governor of the State of Maryland on March 5, 2020; and

WHEREAS, the World Health Organization, the Centers for Disease Control and Prevention, and the President of the United States have declared the COVID-19 outbreak a public health emergency of international concern that poses an immediate danger to public safety; and

WHEREAS, as the COVID-19 public health catastrophe and public safety emergency continues, it threatens lives, health and property in Baltimore County, requiring Baltimore County to call all of its resources into limited or long-term activation; and

WHEREAS, Section 306 of the Baltimore County Charter vests in the County Council the power to accept gifts and grants; and

WHEREAS, Article 3, Title 11 of the Baltimore County Code, 2015 allows a person or organization to donate to the county real property, personal property, services or other in-kind gifts that the County Administrative Officer may accept for the benefit of Baltimore County unless within 14 days after notifying the County Council, a member of the County Council requests in writing that the gift be presented for approval or disapproval by the County Council at a legislative meeting; and

WHEREAS, Section 3-1-502 of the Baltimore County Code, 2015 provides that the County Executive or the County Administrative Officer may authorize the use of any county resources, including employees, for any purpose if required in a local state of emergency; and

WHEREAS Section 308(f) of the Baltimore County Charter provides that by the affirmative vote of a majority plus one of the total number of county council members established by the Charter any law or ordinance shall be declared an emergency measure affecting the public health, safety or welfare, in which event the same shall take effect from the date of enactment; now therefore

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that, Article 3, Title 11 of the Baltimore County Code, 2015
3 notwithstanding, for the duration of the County Council approved State of Emergency declared
4 by the County Executive, the County Administrative Officer may accept and utilize any donation
5 of real property, personal property, services or other in-kind gifts for the specific use in the
6 COVID-19 public health catastrophe and public safety emergency.

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8 SECTION 2. AND BE IT FURTHER ENACTED, that the County Administrative
9 Officer may delegate the authority provided under Section 1 of this Act to any official of the
10 Administrative Services the County Administrative Officer deems prudent.

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1 SECTION 3. AND BE IT FURTHER ENACTED, that each person authorized to accept
2 donations under this Act shall, to the best of that person’s ability, keep a log of all donations
3 containing, where possible, the information required under Section 3-11-102(a)(2) of the
4 Baltimore County Code, 2015. The log shall be disclosed to the County Council not later than 30
5 days after the end of the local state of emergency.

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7 SECTION 4. AND BE IT FURTHER ENACTED, that this Act having been passed by
8 the affirmative vote of five members of the County Council, is declared an emergency measure
9 affecting the public health, safety or welfare and shall take effect from the date of enactment
10 retroactive to March 13, 2020.