

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2016 Legislative Session

Bill No. CB-33-2016

Chapter No. 33

Proposed and Presented by Council Members Davis and Franklin

Introduced by Council Members Franklin, Glaros, Harrison, Lehman, Patterson,
Taveras and Toles

Date of Introduction June 21, 2016

BILL

1 AN ACT concerning

2 Finance and Taxation – Budget and Audit Control – Procedures – Multiyear Contracts

3 For the purpose of providing specific procedural requirements for review and approval of certain
4 multiyear personal service contracts and such other multiyear contracts exceeding a respective
5 maximum aggregate amount, as required by Section 819 of the Charter for Prince George’s
6 County, Maryland.

7 BY repealing and reenacting with amendments:

8 SUBTITLE 10. FINANCE AND TAXATION.

9 Sections 10-105, 10-106, and 10-109,

10 The Prince George's County Code

11 (2015 Edition).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that Sections 10-105, 10-106, and 10-109 of the Prince George's County Code be and
14 the same are hereby repealed and reenacted with the following amendments:

15 SUBTITLE 10. FINANCE AND TAXATION.

16 DIVISION 1. BUDGET AND AUDIT CONTROL.

17 **Sec. 10-105. Submission of budget to Council.**

18 * * * * *

19 (b) The County Executive, after review and revision, if necessary, of the proposed budget,
20 shall not later than [March 31] March 15 of each fiscal year submit to the Council the proposed
21 budget for the ensuing year. The proposed operating budget shall include the number of

1 permanent full-time and part-time employees in the classified service at or above Grades: 30, S-
2 07, L-06, I-16, H-23, R-23, and D-23 for each department or agency. A supplemental report shall
3 accompany the proposed operating budget which lists all classes of positions by County
4 department or agency at or above Grades: 30, S-07, L-06, I-16, H-23, R-23 and D-23, including
5 position titles and number of positions, filled and vacant, by job title for the last fiscal year, the
6 currently ending fiscal year, and the budget year.

7 (c) For purposes of compliance with the prescriptions of Section 819 of the County
8 Charter, at the time of the submission of the proposed budget for the ensuing fiscal year or, not
9 later than April 1 of each fiscal year, the County Executive shall submit to the County Council a
10 report listing all executory multiyear personal service contracts for the ensuing fiscal year
11 exceeding an aggregate of One Hundred Thousand Dollars (\$100,000) per contractor, and all
12 other executory multiyear contracts for the ensuing fiscal year exceeding an aggregate of Five
13 Hundred Thousand Dollars (\$500,000) for review, public comment, and approval as part the
14 Council budget approval process. The report shall list each contractor and total contract value of
15 the executory multiyear contract. Any contract listed therein not approved by the Council shall
16 be deemed disapproved.

17 **Sec. 10-106. Public hearings; adoption of budget.**

18 * * * * *

19 (b) After such hearings and any such amendments as authorized by Section 809 of the
20 Charter, the Council shall by ordinance adopt the budget for the forthcoming fiscal year,
21 appropriate the amount of the expense items, and fix the rates of all special taxes. The number of
22 permanent full-time and part-time positions in the classified service, as enumerated in Section
23 10-105(b), and funded in the budget document for each agency or department, shall constitute
24 the position authorization for those grade levels for that agency or department shall not be
25 exceeded unless approved in writing by a majority vote of the full Council. In addition, Council
26 approval by majority vote, after a public hearing, of the report listing all executory multiyear
27 personal service contracts for the ensuing fiscal year exceeding an aggregate of One Hundred
28 Thousand Dollars (\$100,000) per contractor, and all other executory multiyear contracts for the
29 ensuing fiscal year exceeding an aggregate of Five Hundred Thousand Dollars (\$500,000), as
30 enumerated in Section 10-105(c), and funded in the budget document for each agency or
31 department, shall constitute the approval required for such multiyear contracts required by
32 Section 819 of the Charter. The report shall list each contractor and total contract value of the

1 executory multiyear contract. Any contract listed therein not approved by the Council shall be
2 deemed disapproved.

3 **Sec. 10-109. Unauthorized contracts or liabilities.**

4 (a) No County liability shall be incurred or contracted by any department, agency, or
5 employee and no bill or invoice shall be approved or paid, unless the Council has authorized by
6 budget adoption or a specific appropriation to cover payment out of public funds.

7 (b) In addition to the requirements set forth above in Subsection (a) of this Section, no
8 County liability shall be incurred or contracted by any department, agency, or employee and no
9 bill or invoice shall be approved or paid for any multiyear contract not submitted, reviewed, and
10 approved by the County Council pursuant to the notice and hearing prescriptions set forth in
11 Section 819 of the County Charter and Section 10-105 of this Code.

12 (c) Any person willfully violating this provision shall be deemed to be responsible for the
13 contract, debt, or expenditure. The head of the department allowing such action shall be subject
14 to such disciplinary action as the Council shall determine.

1 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

Adopted this 19th day of July, 2016.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Derrick Leon Davis
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.