

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2024 Legislative Session

Reference No.: CB-11-2024

Draft No.: 2

Committee: GOFP

Date: May 30, 2024

Action: FAV

REPORT: Committee Vote: Favorable 5-0 (Council Members Watson, Harrison, Dernoga, Oriadha), Absent (Franklin)

The Prince George's County Council's Government Operations and Fiscal Policy Committee convened on May 30, 2024, to consider **CB-011-2024**, which seeks to promote transparency relative to settlement agreements for actions involving the Prince George's County Government and its employees.

Committee staff provided an overview of the legislation, which, with enactment, would require that, by October 1 of each year, the County Attorney submit to the County Executive and Council and publish on the County website a written report summarizing the settlement of each Self-Insurance Fund Lawsuit during the prior fiscal year. Demographic data will be collected and made available, although a party to a settlement agreement may opt-out.

The enactment of CB-011-2024 will likely have an adverse direct fiscal impact. The Office of Law annually provides a list of settlements to the Council's Budget and Policy Analysis Division as part of their response package to budget questions. Additional administrative requirements of compliance with this legislation will require additional staff time and may require additional personnel.

The enactment of CB-011-2024 will increase data availability regarding settlements for the public, which enhances government transparency but may result in an increase in lawsuits. The prohibition on non-disclosure agreements may impair the County's ability to settle cases at terms more favorable than potential (or likely) jury verdicts and awards. Both circumstances may result in an adverse indirect fiscal impact in the form of increases in the number of, and awards from, claims against the County. The demographic data collected may help in identifying

any potential disparities in settlement outcomes with the new demographic data collection provision, which would have a favorable indirect impact in terms of equity.

County Attorney Rhonda Weaver noted for the record that she and Council Member Oriadha discussed the potential impacts of the legislation. On behalf of the Office of Law the County Attorney committed to ensuring the information is available. Technical, clarifying changes were discussed between draft 1 of the legislation and draft 2.

Council Member Oriadha, the sponsor, spoke about the desire to collect and keep data readily available to everyone as part of the effort to be more transparent to constituents.

After discussion, the Government Operations and Fiscal Policy Committee voted CB-011-2024 favorably 5-0.