

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

2012 Legislative Session

Bill No. CB-57-2012

Chapter No. 24

Proposed and Presented by Council Chair Harrison

Introduced by Council Members Harrison, Davis and Turner

Co-Sponsors _____

Date of Introduction June 19, 2012

CHARTER AMENDMENT

1 AN ACT concerning

2 Amendment of Section 819, Charter of Prince George's County

3 For the purpose of proposing an amendment to Section 819 of the Charter of Prince George's
4 County to amend the procedure for approval of multiyear contracts by resolution of the County
5 Council upon notice and public hearing.

6 BY proposing an amendment to:

7 Section 819,

8 Charter of Prince George's County, Maryland.

9 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
10 Maryland, that the following amendment to Section 819, Charter of Prince George's County,
11 Maryland, is hereby proposed:

12 **Sec. 819. Appropriation Control and Certification of Funds.**

13 No agency of the County government shall during any fiscal year expend, or contract to
14 expend, any money or incur any liability, or enter into any contract which, by its terms, involves
15 the expenditure of money for any purpose in excess of the amounts appropriated in the budget
16 for such fiscal year, or in any supplemental appropriation as herein provided; and no such
17 payment shall be made nor any obligation or liability incurred, except for purchases in an amount
18 to be fixed by legislative act, unless the Director of Finance or his designee shall first certify that
19 the funds for the designated purpose are available. If any officer, agent or employee of the
20 County government shall knowingly violate this provision, he shall be personally liable and such
21 action shall be cause, after public hearing, for his removal from office by the County Executive

1 or by majority vote of the Council, notwithstanding the provisions of Article IX of this Charter.
 2 Nothing in this Charter shall authorize the making of contracts providing for the payment of
 3 funds at a time beyond the fiscal year in which such contracts are made for personal service
 4 contracts exceeding an aggregate of One Hundred Thousand Dollars (\$100,000.00) per
 5 contractor, or such other sum as may be set by legislative act, and an aggregate of Five Hundred
 6 Thousand Dollars (\$500,000.00) for all other multiyear contracts, or such other sum as may be
 7 set by legislative act, provided the nature of such transactions reasonably requires the making of
 8 such contracts, unless such contracts are approved by [legislative act] resolution of the County
 9 Council upon notice and public hearing. No language in such contract, including language
 10 subjecting the contract to further funding availability, shall obviate the requirement that all
 11 multiyear contracts shall be approved by [legislative act] resolution of the County Council upon
 12 notice and public hearing. Any contract, lease, or other obligation requiring the payment of
 13 funds from the appropriations of a later fiscal year shall made or approved by [legislative act]
 14 resolution of the County Council upon notice and public hearing. No contract for the purchase
 15 of real property shall be made unless the funds therefor are included in the capital budget.

16 SECTION 2. BE IT FURTHER ENACTED that a copy of this Act be transmitted to the
 17 County Executive for publication and that a copy also be transmitted to the Board of Supervisors
 18 of Elections for submission of the proposed amendment to the voters of this County at the 2012
 19 General Election pursuant to Section 1105 of the Charter.

20 SECTION 3. BE IT FURTHER ENACTED that the question of adoption of this proposed
 21 Charter Amendment shall be submitted to the voters of the County at the General Election
 22 occurring on November 6, 2012, and shall be placed on the ballot in the following form:

23 PROPOSED CHARTER AMENDMENT

24 To amend the procedure for approval of multiyear contracts by
 25 resolution of the County Council upon notice and public hearing.
 26

1 Adopted this 24th day of July , 2012, by an affirmative vote of two-thirds of the
2 members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
 Andrea C. Harrison
 Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

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

CB-57-2012 WAS APPROVED AT REFERENDUM ON 11/6/2012:

EFFECTIVE DATE: 12/7/2012