
CITY OF BALTIMORE

BRANDON M. SCOTT,
Mayor



DEPARTMENT OF LAW
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February 14, 2025

The Honorable President and Members
of the Baltimore City Council
Room 409, City Hall
100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 25-0027 – General Fund Operating Appropriation Transfer –
General Fund Balance to Health Department (Service 315 - Emergency Services) –
\$5,251,429

Dear President Cohen, Vice President Middleton, and Members of the Council:

The Law Department reviewed City Council Bill 25-0027 for form and legal sufficiency. The bill provides for a transfer of a General Fund Operating Appropriation in the amount of \$5,251,429 from the General Fund Balance to the Health Department (Service 315 - Emergency Services). The bill is effective on the date it is enacted.

The City Charter permits transferring an appropriation in the Ordinance of Estimates from one entity to another so long as it is recommended by the Board of Estimates and approved by ordinance of the Mayor and City Council. City Charter, Art. VI, § 9(a)(2). However, this is not a transfer of funds from one agency to another, but, rather, is an appropriation of funds remaining in the General Fund. Accordingly, the bill requires the following amendments.

- In line 2 on page 1 remove the words “General Fund Operating Appropriation Transfer” and substitute “Supplementary General Revenue Fund Operating Appropriation”;
- In line 5 delete the words “FOR the purpose of transferring a General Fund Operating Appropriation” and substitute the words “FOR the purpose of providing a Supplementary General Revenue Fund Operating Appropriation”;
- Correct the citation of authority in line 10 on page 1 to read “Section 8(b)(2)(iii) and (c)”;
- Delete lines 14 to 16 on page 1 and substitute the words “The revenue appropriated by this Ordinance represents \$5,251,429 in excess of the revenue relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2024.”;
- Delete lines 17 to 19 on page 1 and substitute “This additional revenue could not have been reasonably anticipated when the Ordinance of Estimates for Fiscal Year 2024 was formulated.”;
- After line 19 on page 1 insert the words “This appropriation is made necessary by a material change in circumstances since the Ordinance of Estimates for Fiscal Year

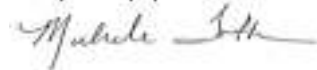
2024 was formulated or is for a new program that could not have been reasonably anticipated when that Ordinance of Estimates was formulated.”;

- Delete lines 22-25 on page 1 and substitute
“**SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE**, That \$5,251,429 shall be made available to the Health Department (Service 315 - Emergency Services) as a Supplementary General Revenue Fund Operating Appropriation for Fiscal Year 2024. The source of revenue for this appropriation is funds remaining in the General Fund in excess of the amount that was relied on by the Board of Estimates in determining the tax levy required to balance the budget for Fiscal Year 2024.”

The supplementary appropriation must be recommended by the Board of Estimates and approved by the Mayor and City Council via an ordinance. The ordinance must identify the source of the funds and may only involve a “single program, purpose, activity or project.” City Charter, Art. VI, § 8(c).

If the amendments noted in this bill report are made, the Law Department can approve this bill for form and legal sufficiency.

Very truly yours,



Michele Toth
Assistant Solicitor

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