

**CITY OF BALTIMORE
COUNCIL BILL 19-0442
(First Reader)**

Introduced by: President Scott, Councilmembers Dorsey, Pinkett, Bullock, Henry, Cohen,
McCray, Stokes, Reisinger, Clarke, Sneed, Burnett, Costello, Schleifer

Introduced and read first time: September 9, 2019

Assigned to: Budget and Appropriations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Office of Civil
Rights and Wage

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Legislation – Equity Assessment and Fiscal Note Requirement**

3 FOR the purpose of requiring that certain legislation be accompanied by an equity assessment and
4 fiscal note prior to being voted on by a legislative committee; establishing that the Office of
5 Council Services prepare the required equity assessment and fiscal notes; defining certain
6 terms; providing for the time for submission of the equity assessment and fiscal note;
7 providing for the content of a fiscal note; and providing for a special effective date.

8 BY adding

9 Article 1 - Mayor, City Council, and Municipal Agencies
10 Section(s) 1-3.1
11 Baltimore City Code
12 (Edition 2000)

13 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
14 Laws of Baltimore City read as follows:

15 **Baltimore City Code**

16 **Article 1. Mayor, City Council, and Municipal Agencies**

17 **Subtitle 1. City Council**

18 **§ 1-3.1. EQUITY ASSESSMENT AND FISCAL NOTE REQUIREMENT.**

19 (A) *DEFINITIONS.*

20 (1) *IN GENERAL.*

21 IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (2) *BILL*.

2 "BILL" MEANS ANY:

3 (I) PROPOSED ORDINANCE; OR

4 (II) PROPOSED RESOLUTION OF THE MAYOR AND CITY COUNCIL.

5 (3) *EQUITY*.

6 "EQUITY" HAS THE MEANING STATED IN § 39-1(C) {"DEFINITIONS: EQUITY"} OF THIS
7 ARTICLE.

8 (4) *EQUITY ASSESSMENT*.

9 "EQUITY ASSESSMENT" HAS THE MEANING STATED IN § 39-1(D) {"DEFINITIONS:
10 EQUITY ASSESSMENT"} OF THIS ARTICLE.

11 (B) *BILL REQUIREMENTS*.

12 (1) *IN GENERAL*.

13 EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, A LEGISLATIVE
14 COMMITTEE MAY NOT VOTE ON A BILL UNLESS ACCOMPANIED BY:

15 (I) A COMPREHENSIVE EQUITY ASSESSMENT EVALUATING THE BILL'S IMPACTS ON
16 EQUITY, IF ANY; AND

17 (II) A FISCAL NOTE SETTING FORTH THE CONTENTS SPECIFIED BY SUBSECTION (E)
18 OF THIS SECTION.

19 (2) *OTHER EQUITY ASSESSMENTS*.

20 THE EQUITY ASSESSMENT REQUIRED BY THIS SECTION IS IN ADDITION TO ANY AGENCY
21 EQUITY ASSESSMENTS REQUIRED BY § 39-9 {"AGENCY IMPLEMENTATION – BILL
22 REPORTS"} OF THIS ARTICLE.

23 (3) *FISCAL NOTE EXCEPTION*.

24 A FISCAL NOTE IS NOT REQUIRED FOR ANY PROPOSED ORDINANCE OR PROPOSED
25 RESOLUTION OF THE MAYOR AND CITY COUNCIL THAT INCLUDES AN APPROPRIATION
26 FOR A SPECIFIC AMOUNT, INCLUDING:

27 (I) THE ORDINANCE OF ESTIMATES; OR

28 (II) ANY SUPPLEMENTARY APPROPRIATION AUTHORIZED UNDER THE CITY
29 CHARTER.

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1 (C) *PREPARATION.*

2 THE EQUITY ASSESSMENT AND FISCAL NOTE REQUIRED BY THIS SECTION MUST BE
3 PREPARED BY THE OFFICE OF COUNCIL SERVICES.

4 (D) *TIME FOR SUBMISSION.*

5 (1) *IN GENERAL.*

6 THE EQUITY ASSESSMENT AND FISCAL NOTE REQUIRED BY THIS SECTION MUST BE
7 SUBMITTED NO LATER THAN 48 HOURS BEFORE THE SCHEDULED COMMITTEE HEARING
8 ON THE BILL.

9 (2) *LATE SUBMISSIONS.*

10 (I) IF THE OFFICE OF COUNCIL SERVICES IS UNABLE TO SUBMIT THE EQUITY
11 ASSESSMENT AND FISCAL NOTE WITHIN THE TIME REQUIRED BY THIS SECTION, THE
12 DIRECTOR OF THE OFFICE OF COUNCIL SERVICES MUST NOTIFY THE CITY COUNCIL
13 PRESIDENT IN WRITING OF THE DELAY, THE REASON FOR THE DELAY, AND A
14 REVISED DELIVERY DATE.

15 (II) IF THE CITY COUNCIL PRESIDENT FINDS THE REVISED DELIVERY DATE
16 UNREASONABLE, THE CITY COUNCIL PRESIDENT MAY SET AN ALTERNATE DATE.

17 (E) *FISCAL NOTE CONTENTS.*

18 EACH FISCAL NOTE MUST INCLUDE:

- 19 (1) THE SOURCES OF INFORMATION, ASSUMPTIONS, AND METHODOLOGIES USED;
- 20 (2) AN ESTIMATE OF CHANGES IN CITY REVENUES AND EXPENDITURES REGARDLESS OF
21 WHETHER THE REVENUES OR EXPENDITURES ARE ASSUMED IN A RECOMMENDED OR
22 APPROVED BUDGET;
- 23 (3) REVENUE AND EXPENDITURE ESTIMATES COVERING AT LEAST THE NEXT 4 FISCAL
24 YEARS;
- 25 (4) AN ACTUARIAL ANALYSIS THROUGH THE ENTIRE AMORTIZATION PERIOD FOR EACH
26 BILL THAT WOULD AFFECT RETIREE PENSION OR GROUP INSURANCE COSTS;
- 27 (5) LATER ACTIONS THAT MAY AFFECT FUTURE REVENUE AND EXPENDITURES IF THE
28 BILL AUTHORIZES FUTURE SPENDING;
- 29 (6) AN ESTIMATE OF THE STAFF TIME NEEDED TO IMPLEMENT THE BILL;
- 30 (7) AN EXPLANATION OF HOW THE ADDITION OF NEW STAFF RESPONSIBILITIES WOULD
31 AFFECT OTHER DUTIES;
- 32 (8) AN ESTIMATE OF COSTS WHEN AN ADDITIONAL APPROPRIATION IS NEEDED;

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1 (9) A DESCRIPTION OF ANY VARIABLE THAT COULD AFFECT REVENUE AND COST
2 ESTIMATES;

3 (10) RANGES OF REVENUE OR EXPENDITURES THAT ARE UNCERTAIN OR DIFFICULT TO
4 PROJECT; AND

5 (11) IF A BILL IS LIKELY TO HAVE NO FISCAL IMPACT, WHY THAT IS THE CASE.

6 (F) *REVISION.*

7 AS SOON AS POSSIBLE AFTER THE ADOPTION OF AN AMENDMENT THAT WOULD
8 SIGNIFICANTLY ALTER THE EQUITY ASSESSMENT OR FISCAL IMPACT OF A BILL, THE OFFICE
9 OF COUNCIL SERVICES MUST:

10 (1) PREPARE A REVISED EQUITY ASSESSMENT OR REVISED FISCAL NOTE FOR THE BILL;
11 AND

12 (2) SUBMIT THE REVISED DOCUMENT TO:

13 (I) THE CHAIR OF THE COMMITTEE TO WHICH THE BILL WAS REFERRED; AND

14 (II) THE PRIMARY SPONSOR OF THE BILL.

15 (G) *EFFECT OF SECTION.*

16 (1) A BILL MAY BE INTRODUCED WITHOUT AN EQUITY ASSESSMENT OR FISCAL NOTE
17 ACCOMPANYING THE BILL.

18 (2) THE VALIDITY OF AN ENACTMENT IS NOT AFFECTED BY THE PRESENCE, ABSENCE, OR
19 CONTENT OF AN EQUITY ASSESSMENT OR A FISCAL NOTE.

20 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
21 are not law and may not be considered to have been enacted as a part of this or any prior
22 Ordinance.

23 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on July 1,
24 2020.