

Expedited Bill No. 29-22
Concerning: Local Laws – Updates to
Required Numbers of Councilmember
Votes
Revised: 10/22/2022 Draft No. 1
Introduced: 11/01/2022
Enacted: 11/29/2022
Executive: _____
Effective: _____
Sunset Date: _____
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council President

AN EXPEDITED ACT to:

- (1) update provisions of County law to reflect the required numbers of votes due to the expansion of the County Council from 9 to 11 members.

By amending

Montgomery County Code
Chapter 14, Development Districts
Sections 14-6, 14-9, and 14-16

Chapter 20, Finance
Sections 20-25, 20-58, 20-62, and 20-72

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

3 14-6. First Council Resolution.

(d) If the Executive disapproves a resolution adopted under this Section within 10 days after it is adopted and the Council readopts it by a vote of [six] 7 Councilmembers, or if the Executive does not act within 10 days after the Council adopts it, the resolution takes effect.

10 **14-9. Second Council Resolution.**

(e) After the public hearing, the Council by resolution approved by the Executive may create a development district. If the Executive disapproves a resolution within 10 days after it is adopted and the Council readopts it by a vote of [six] 7 Councilmembers, or if the Executive does not act within 10 days after the Council adopts it, the resolution takes effect.

19 **14-16. Administration of district; Termination.**

(f) If the County has not issued any bonds for a district created under this Chapter, or if all bonds issued to finance a district have been repaid, the County has been reimbursed for the cost of any infrastructure improvement funded or reimbursed by the County, and the cost of any infrastructure improvement to be paid by the County directly from special assessments or special taxes has been paid, the Council may terminate the

district by resolution approved by the Executive. If the Executive disapproves a resolution within 10 days after it is adopted and the Council readopts it by a vote of [6] 7 Councilmembers, or if the Executive does not act within 10 days after the Council adopts it, the resolution takes effect.

* * *

20-35. County Executive concurrence, veto, Council override.

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(b) If the County Executive does not communicate disapproval of the resolution and the reasons for the disapproval to the Council within 10 days after receiving the resolution, the Council's approval stands. If the County Executive disapproves the resolution, the Council may override the disapproval by an affirmative vote of at least [6] 7 Councilmembers.

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20-58. Approval of Capital Budgets.

Any aggregate capital budget that exceeds the spending affordability guidelines in effect after the first Tuesday in February requires the affirmative vote of [7] 8 councilmembers for approval.

20-62. Approval of Aggregate Operating Budget.

Any aggregate operating budget that exceeds the ceiling on the aggregate operating budget adopted under Section 20-60(c) requires the affirmative vote of [7] 8 Councilmembers for approval.

Sec. 20-72. Use of Fund.

By an affirmative vote of [6] 7 Councilmembers, the Council, after holding a public hearing, reviewing relevant economic indicators, and seeking the recommendation of the Executive, may transfer any amount

53 from the Fund to the General Fund to support appropriations which have
54 become unfunded.

55 **Sec. 2. Expedited Effective Date.** The Council declares that this legislation
56 is necessary for the immediate protection of the public interest. This Act takes effect
57 on December 5, 2022.

Approved:



Gabriel Albornoz, President, County Council
12/2/2022
Date

Approved:

Marc Elrich, County Executive
Date

This is a correct copy of Council action.

Judy Rupp, Clerk of the Council
Date