Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2008 Legislative Session Legislative Day No. 2

Bill No. 9-2008

Introduced by: Greg Fox and Courtney Watson

AN ACT requiring the Purchasing Agent to develop and operate a specified website that includes specified information for certain County expenditures; specifying certain parameters of the website; providing that certain provisions of law may not be construed to require the disclosure of certain information exempt from disclosure under federal, State, or County law; and generally relating to providing searchable purchasing information to the public.

Introduced and read first time _____, 2008. Ordered posted and hearing scheduled.

By order_____
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2008.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2008 and Passed ___, Passed with amendments _____, Failed _____.

By order _____
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___day of _____, 2008 at ___ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved by the County Executive _____, 2008

_____
Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

Section 1. Be It Enacted *by the County Council of Howard County, Maryland that Section 4.103A "Searchable purchasing data"be added to Subtitle 1 "Purchasing" of Title 4 "Contracts, purchasing and property" of the Howard County Code to read as follows:*

Title 4. Contracts, purchasing and property.

Subtitle 1. Purchasing.

4.103A. SEARCHABLE PURCHASING DATA.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) (I) "RECIPIENT ENTITY" MEANS AN ENTITY THAT RECEIVES A COUNTY AWARD.

(II) "RECIPIENT ENTITY" INCLUDES:

1. A NONPROFIT ENTITY

2. A CORPORATION, ASSOCIATION, PARTNERSHIP, LIMITED LIABILITY COMPANY, LIMITED LIABILITY PARTNERSHIP, SOLE PROPRIETORSHIP, OR OTHER LEGAL BUSINESS ENTITY;

3. A GRANTEE, CONTRACTOR, SUBCONTRACTOR, OR SUBGRANTEE; OR

4. A GOVERNMENT OTHER THAN HOWARD COUNTY OR A UNIT OF A GOVERNMENT OTHER THAN HOWARD COUNTY.

(III) "RECIPIENT ENTITY" DOES NOT INCLUDE:

1. AN INDIVIDUAL WHO RECEIVES COUNTY, STATE OR FEDERAL ASSISTANCE PAYMENTS; OR

2. A COUNTY EMPLOYEE WHO RECEIVES A COUNTY SALARY OR WAGES.

(3) (I) "COUNTY AWARD" MEANS FINANCIAL ASSISTANCE OR AN EXPENDITURE BY THE COUNTY, INCLUDING:

1. A GRANT, SUBGRANT, LOAN, AWARD, COOPERATIVE AGREEMENT, OR OTHER FORM OF FINANCIAL ASSISTANCE; AND

2. A CONTRACT, SUBCONTRACT, PURCHASE ORDER, OR OTHER PAYMENT.

(II) "COUNTY AWARD" DOES NOT INCLUDE MONEY TRANSFERRED FROM ONE UNIT OF COUNTY GOVERNMENT TO ANOTHER UNIT OF COUNTY GOVERNMENT.

(4) "SEARCHABLE WEBSITE" MEANS A WEBSITE THAT ALLOWS THE PUBLIC TO:

(I) SEARCH AND AGGREGATE COUNTY FUNDING BY ANY ELEMENT REQUIRED UNDER SUBSECTION (C) OF THIS SECTION;

(II) ASCERTAIN THROUGH A SINGLE SEARCH THE TOTAL AMOUNT OF COUNTY FUNDING AWARDED TO A RECIPIENT ENTITY; AND

(III) DOWNLOAD DATA THAT RESULTS FROM A SEARCH.

(B) THE SEARCHABLE WEBSITE REQUIRED BY THIS SECTION NEED NOT INCLUDE A COUNTY AWARD THAT IS LESS THAN $30,000.

(C) THE PURCHASING AGENT SHALL HAVE A SINGLE, SEARCHABLE WEBSITE THAT INCLUDES FOR EACH COUNTY AWARD:

(1) THE NAME OF THE RECIPIENT ENTITY AND, IF APPLICABLE, THE PARENT ENTITY OF THE RECIPIENT ENTITY;

(2) THE AMOUNT OF THE COUNTY AWARD;

(3) THE TRANSACTION TYPE;

(4) THE NAME OF THE UNIT OF COUNTY GOVERNMENT MAKING THE COUNTY AWARD;

(5) THE BUDGET PROGRAM FUND SOURCE;

(6) A DESCRIPTIVE PURPOSE OF THE COUNTY AWARD;

(7) THE LOCATION OF THE RECIPIENT ENTITY AND THE PRIMARY LOCATION OF PERFORMANCE UNDER THE COUNTY AWARD; AND

(8) ANY OTHER RELEVANT INFORMATION THAT THE PURCHASING AGENT SPECIFIES.

(D) THE SEARCHABLE WEBSITE SHALL BE ACCESSIBLE BY THE PUBLIC AT NO COST AND ALLOW THE USER TO:

(1) SEARCH BY FISCAL YEAR;

(2) SEARCH ELECTRONICALLY BY FIELD IN A SINGLE SEARCH; AND

(3) OFFER COMMENTS ON THE SITE AND RECOMMEND IMPROVEMENTS.

(E) THIS SECTION DOES NOT REQUIRE DISCLOSURE OF ANY INFORMATION THAT IS EXEMPT FROM DISCLOSURE UNDER COUNTY, STATE, OR FEDERAL LAW.

Section 2. And Be It Further Enacted *by the County Council of Howard County, Maryland, that the purchasing agent shall implement the searchable website as soon as practical but not later than June 30, 2010 and that it shall include data from Fiscal Year 2010.*

Section 3. And Be It Further Enacted *by the County Council of Howard County, Maryland, that this Act shall become effective 61 days after its enactment.*