

HOUSE BILL 433

L2

8lr2462

By: **Delegate Otto**

Introduced and read first time: January 24, 2018

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: March 12, 2018

CHAPTER _____

1 AN ACT concerning

2 **Somerset County – Annual Financial Report and Annual Audit Report – Filing**
3 **Date**

4 FOR the purpose of altering the date by which Somerset County is required to file a certain
5 financial report with the Department of Legislative Services and report the results
6 of a certain audit with the Legislative Auditor; and generally relating to required
7 filings in Somerset County.

8 BY repealing and reenacting, with amendments,
9 Article – Local Government
10 Section 16–304
11 Annotated Code of Maryland
12 (2013 Volume and 2017 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Local Government
15 Section 16–306
16 Annotated Code of Maryland
17 (2013 Volume and 2017 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Local Government**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 16-304.

2 (a) (1) Except as provided in paragraph (2) of this subsection, on or before
3 October 31 after the close of its fiscal year, each county, municipality, and special taxing
4 district shall file with the Department of Legislative Services a financial report for that
5 fiscal year.

6 (2) (i) A county, municipality, or special taxing district with a
7 population of over 400,000 may file its financial report on or before December 31 after the
8 close of its fiscal year.

9 (ii) Unless subparagraph (i) of this paragraph applies, Howard
10 County may file its financial report on or before November 30 after the close of its fiscal
11 year.

12 (iii) Allegany County, Calvert County, Caroline County, Charles
13 County, Frederick County, Garrett County, Queen Anne's County, St. Mary's County,
14 **SOMERSET COUNTY**, Talbot County, and Wicomico County may file the county's financial
15 report on or before December 31 after the close of the county's fiscal year.

16 (b) The financial report required under subsection (a) of this section shall be:

17 (1) prepared on the form established by the Department of Legislative
18 Services; and

19 (2) verified by the chief executive officer of the county, municipality, or
20 special taxing district.

21 (c) If a county, municipality, or special taxing district does not comply with
22 subsection (a) of this section, the Comptroller, on notice from the Executive Director of the
23 Department of Legislative Services, may order the discontinuance of all money, grants, or
24 State aid that the county, municipality, or special taxing district is entitled to receive under
25 State law, including money from:

26 (1) the income tax;

27 (2) the tax on racing;

28 (3) the recordation tax;

29 (4) the admissions and amusement tax; and

30 (5) the license tax.

31 16-306.

32 (a) The county, municipality, or special taxing district shall report the results of

1 the audit required under § 16–305 of this subtitle to the Legislative Auditor:

2 (1) on the form and in the manner that the Legislative Auditor requires;
3 and

4 (2) on or before the date the financial report of the county, municipality, or
5 special taxing district must be filed under § 16–304(a) of this subtitle.

6 (b) An audit report filed by a county, municipality, or special taxing district with
7 the Legislative Auditor shall include financial statements of the county, municipality, or
8 special taxing district that are:

9 (1) prepared in accordance with generally accepted accounting principles;
10 and

11 (2) audited in accordance with generally accepted auditing standards.

12 (c) An audit report filed with the Legislative Auditor is a public record.

13 (d) If a county, municipality, or special taxing district does not comply with
14 subsection (a) or (b) of this section, the Comptroller, on notice from the Executive Director
15 of the Department of Legislative Services, may order the discontinuance of all money,
16 grants, or State aid that the county, municipality, or special taxing district is entitled to
17 receive under State law that are distributed by the Comptroller, the clerks of the court, or
18 any other unit of State government.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.