

HOUSE BILL 1092

F3

0lr2852

By: **Delegate Grammer**

Introduced and read first time: February 6, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **County Boards of Education – Payment Data – Disclosures**

3 FOR the purpose of requiring certain county boards of education to develop and operate
4 certain websites that include certain information about certain payments; specifying
5 certain parameters of the websites; defining certain terms; and generally relating to
6 the development and operation of searchable payment data websites by county
7 boards of education.

8 BY adding to

9 Article – Education

10 Section 5–116 through 5–120

11 Annotated Code of Maryland

12 (2018 Replacement Volume and 2019 Supplement)

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

15 **Article – Education**

16 **5–116.**

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

19 **(2) (I) “PAYEE” MEANS ANY PARTY WHO RECEIVES FROM THE**
20 **MONTGOMERY COUNTY BOARD OF EDUCATION AN AGGREGATE PAYMENT OF**
21 **\$25,000 IN A FISCAL YEAR.**

22 **(II) “PAYEE” DOES NOT INCLUDE:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **1. A MONTGOMERY COUNTY PUBLIC SCHOOL**
2 **EMPLOYEE WITH RESPECT TO THE EMPLOYEE'S COMPENSATION; OR**

3 **2. A MONTGOMERY COUNTY PUBLIC SCHOOL RETIREE**
4 **WITH RESPECT TO THE RETIREE'S RETIREMENT ALLOWANCE.**

5 **(3) "SEARCHABLE WEBSITE" MEANS A WEBSITE CREATED IN**
6 **ACCORDANCE WITH THIS SECTION THAT DISPLAYS AND SEARCHES PAYMENT DATA**
7 **OF THE MONTGOMERY COUNTY BOARD OF EDUCATION.**

8 **(B) ON OR BEFORE JANUARY 1, 2022, THE MONTGOMERY COUNTY BOARD**
9 **OF EDUCATION SHALL DEVELOP AND OPERATE A SINGLE SEARCHABLE WEBSITE**
10 **ACCESSIBLE TO THE PUBLIC AT NO COST THROUGH THE INTERNET.**

11 **(C) THE SEARCHABLE WEBSITE SHALL CONTAIN MONTGOMERY COUNTY**
12 **BOARD OF EDUCATION PAYMENT DATA, INCLUDING:**

13 **(1) THE NAME OF A PAYEE RECEIVING A PAYMENT;**

14 **(2) THE LOCATION OF A PAYEE BY POSTAL ZIP CODE; AND**

15 **(3) THE AMOUNT OF A PAYMENT.**

16 **(D) THE SEARCHABLE WEBSITE SHALL ALLOW THE USER TO:**

17 **(1) SEARCH THE DATA FOR FISCAL YEAR 2021 AND EACH YEAR**
18 **THEREAFTER; AND**

19 **(2) SEARCH BY THE FOLLOWING DATA FIELDS:**

20 **(i) A PAYEE RECEIVING A PAYMENT; AND**

21 **(ii) THE ZIP CODE OF A PAYEE RECEIVING A PAYMENT.**

22 **(E) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE DISCLOSURE**
23 **OF INFORMATION THAT IS CONFIDENTIAL UNDER FEDERAL, STATE, OR LOCAL LAW.**

24 **(F) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE**
25 **MONTGOMERY COUNTY PUBLIC SCHOOLS FUNDING ACCOUNTABILITY AND**
26 **TRANSPARENCY ACT.**

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

3 **(2) (I) "PAYEE" MEANS ANY PARTY WHO RECEIVES FROM THE**
4 **HOWARD COUNTY BOARD OF EDUCATION AN AGGREGATE PAYMENT OF \$25,000 IN**
5 **A FISCAL YEAR.**

6 **(II) "PAYEE" DOES NOT INCLUDE:**

7 **1. A HOWARD COUNTY PUBLIC SCHOOL EMPLOYEE**
8 **WITH RESPECT TO THE EMPLOYEE'S COMPENSATION; OR**

9 **2. A HOWARD COUNTY PUBLIC SCHOOL RETIREE WITH**
10 **RESPECT TO THE RETIREE'S RETIREMENT ALLOWANCE.**

11 **(3) "SEARCHABLE WEBSITE" MEANS A WEBSITE CREATED IN**
12 **ACCORDANCE WITH THIS SECTION THAT DISPLAYS AND SEARCHES PAYMENT DATA**
13 **OF THE HOWARD COUNTY BOARD OF EDUCATION.**

14 **(B) ON OR BEFORE JANUARY 1, 2022, THE HOWARD COUNTY BOARD OF**
15 **EDUCATION SHALL DEVELOP AND OPERATE A SINGLE SEARCHABLE WEBSITE**
16 **ACCESSIBLE TO THE PUBLIC AT NO COST THROUGH THE INTERNET.**

17 **(C) THE SEARCHABLE WEBSITE SHALL CONTAIN HOWARD COUNTY BOARD**
18 **OF EDUCATION PAYMENT DATA, INCLUDING:**

19 **(1) THE NAME OF A PAYEE RECEIVING A PAYMENT;**

20 **(2) THE LOCATION OF A PAYEE BY POSTAL ZIP CODE; AND**

21 **(3) THE AMOUNT OF A PAYMENT.**

22 **(D) THE SEARCHABLE WEBSITE SHALL ALLOW THE USER TO:**

23 **(1) SEARCH THE DATA FOR FISCAL YEAR 2021 AND EACH YEAR**
24 **THEREAFTER; AND**

25 **(2) SEARCH BY THE FOLLOWING DATA FIELDS:**

26 **(I) A PAYEE RECEIVING A PAYMENT; AND**

27 **(II) THE ZIP CODE OF A PAYEE RECEIVING A PAYMENT.**

1 **(E) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE DISCLOSURE**
2 **OF INFORMATION THAT IS CONFIDENTIAL UNDER FEDERAL, STATE, OR LOCAL LAW.**

3 **(F) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE HOWARD**
4 **COUNTY PUBLIC SCHOOLS FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT.**

5 **5-118.**

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

8 **(2) (I) "PAYEE" MEANS ANY PARTY WHO RECEIVES FROM THE**
9 **BALTIMORE COUNTY BOARD OF EDUCATION AN AGGREGATE PAYMENT OF \$25,000**
10 **IN A FISCAL YEAR.**

11 **(II) "PAYEE" DOES NOT INCLUDE:**

12 1. **A BALTIMORE COUNTY PUBLIC SCHOOL EMPLOYEE**
13 **WITH RESPECT TO THE EMPLOYEE'S COMPENSATION;**

14 2. **A BALTIMORE COUNTY PUBLIC SCHOOL RETIREE**
15 **WITH RESPECT TO THE RETIREE'S RETIREMENT ALLOWANCE; OR**

16 3. **A THIRD-PARTY PAYEE THAT ACCEPTS EMPLOYEE**
17 **PAYROLL-RELATED PAYMENTS, INCLUDING:**

18 A. **RECURRING PAYMENTS FOR PAYROLL TAXES;**

19 B. **EMPLOYEE PAYROLL DEDUCTIONS; AND**

20 C. **INVESTMENT-RELATED ACTIVITIES RELATING TO**
21 **FUND BALANCES.**

22 **(3) "SEARCHABLE WEBSITE" MEANS A WEBSITE CREATED IN**
23 **ACCORDANCE WITH THIS SECTION THAT DISPLAYS AND SEARCHES PAYMENT DATA**
24 **OF THE BALTIMORE COUNTY BOARD OF EDUCATION.**

25 **(B) ON OR BEFORE JANUARY 1, 2022, THE BALTIMORE COUNTY BOARD OF**
26 **EDUCATION SHALL DEVELOP AND OPERATE A SINGLE SEARCHABLE WEBSITE**
27 **ACCESSIBLE TO THE PUBLIC AT NO COST THROUGH THE INTERNET.**

28 **(C) THE SEARCHABLE WEBSITE SHALL CONTAIN BALTIMORE COUNTY**
29 **BOARD OF EDUCATION PAYMENT DATA, INCLUDING:**

- 1 **(1) THE NAME OF A PAYEE RECEIVING A PAYMENT;**
- 2 **(2) THE LOCATION OF A PAYEE BY POSTAL ZIP CODE;**
- 3 **(3) THE AMOUNT OF A PAYMENT MADE TO THE PAYEE DURING THE**
4 **APPLICABLE FISCAL YEAR;**
- 5 **(4) THE PURPOSE FOR THE PAYMENT; AND**
- 6 **(5) WHETHER THE PAYEE IS A MINORITY BUSINESS ENTERPRISE.**

7 **(D) THE SEARCHABLE WEBSITE SHALL ALLOW THE USER TO:**

8 **(1) SEARCH THE DATA FOR FISCAL YEAR 2021 AND EACH YEAR**
9 **THEREAFTER; AND**

10 **(2) SEARCH BY THE FOLLOWING DATA FIELDS:**

11 **(I) A PAYEE RECEIVING A PAYMENT; AND**

12 **(II) THE ZIP CODE OF A PAYEE RECEIVING A PAYMENT.**

13 **(E) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE DISCLOSURE**
14 **OF INFORMATION THAT IS CONFIDENTIAL UNDER FEDERAL, STATE, OR LOCAL LAW.**

15 **(F) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE BALTIMORE**
16 **COUNTY PUBLIC SCHOOLS FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT.**

17 **5-119.**

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

20 **(2) (I) “PAYEE” MEANS ANY PARTY WHO RECEIVES FROM THE**
21 **PRINCE GEORGE’S COUNTY BOARD OF EDUCATION AN AGGREGATE PAYMENT OF**
22 **\$25,000 IN A FISCAL YEAR.**

23 **(II) “PAYEE” DOES NOT INCLUDE:**

24 **1. A PRINCE GEORGE’S COUNTY PUBLIC SCHOOL**
25 **EMPLOYEE WITH RESPECT TO THE EMPLOYEE’S COMPENSATION; OR**

1 **2. A PRINCE GEORGE’S COUNTY PUBLIC SCHOOL**
2 **RETIREE WITH RESPECT TO THE RETIREE’S RETIREMENT ALLOWANCE.**

3 **(3) “SEARCHABLE WEBSITE” MEANS A WEBSITE CREATED IN**
4 **ACCORDANCE WITH THIS SECTION THAT DISPLAYS AND SEARCHES PAYMENT AND**
5 **BUDGET DATA OF THE PRINCE GEORGE’S COUNTY BOARD OF EDUCATION.**

6 **(B) ON OR BEFORE JANUARY 1, 2022, THE PRINCE GEORGE’S COUNTY**
7 **BOARD OF EDUCATION SHALL DEVELOP AND OPERATE A SINGLE SEARCHABLE**
8 **WEBSITE ACCESSIBLE TO THE PUBLIC AT NO COST THROUGH THE INTERNET.**

9 **(C) THE SEARCHABLE WEBSITE SHALL CONTAIN PRINCE GEORGE’S**
10 **COUNTY BOARD OF EDUCATION ANNUAL DATA, INCLUDING:**

11 **(1) THE NAME OF A PAYEE RECEIVING A PAYMENT;**

12 **(2) THE LOCATION OF A PAYEE BY POSTAL ZIP CODE;**

13 **(3) THE AMOUNT OF A PAYMENT; AND**

14 **(4) THE BUDGET DATA PREPARED UNDER § 5–101 OF THIS SUBTITLE.**

15 **(D) THE SEARCHABLE WEBSITE SHALL ALLOW THE USER TO:**

16 **(1) SEARCH THE DATA FOR FISCAL YEAR 2021 AND EACH YEAR**
17 **THEREAFTER; AND**

18 **(2) SEARCH BY THE FOLLOWING DATA FIELDS:**

19 **(I) A PAYEE RECEIVING A PAYMENT;**

20 **(II) THE ZIP CODE OF A PAYEE RECEIVING A PAYMENT; AND**

21 **(III) INDIVIDUAL SCHOOLS.**

22 **(E) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE DISCLOSURE**
23 **OF INFORMATION THAT IS CONFIDENTIAL UNDER FEDERAL, STATE, OR LOCAL LAW.**

24 **(F) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE PRINCE**
25 **GEORGE’S COUNTY PUBLIC SCHOOLS FUNDING ACCOUNTABILITY AND**
26 **TRANSPARENCY ACT.**

27 **5–120.**

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

3 (2) (I) "PAYEE" MEANS ANY PARTY WHO RECEIVES FROM THE
4 ANNE ARUNDEL COUNTY BOARD OF EDUCATION AN AGGREGATE PAYMENT OF
5 \$25,000 IN A FISCAL YEAR.

6 (II) "PAYEE" DOES NOT INCLUDE:

7 1. AN ANNE ARUNDEL COUNTY PUBLIC SCHOOL
8 EMPLOYEE WITH RESPECT TO THE EMPLOYEE'S COMPENSATION; OR

9 2. AN ANNE ARUNDEL COUNTY PUBLIC SCHOOL
10 RETIREE WITH RESPECT TO THE RETIREE'S RETIREMENT ALLOWANCE.

11 (3) "SEARCHABLE WEBSITE" MEANS A WEBSITE CREATED IN
12 ACCORDANCE WITH THIS SECTION THAT DISPLAYS AND SEARCHES PAYMENT DATA
13 OF THE ANNE ARUNDEL COUNTY BOARD OF EDUCATION.

14 (B) ON OR BEFORE JANUARY 1, 2022, THE ANNE ARUNDEL COUNTY BOARD
15 OF EDUCATION SHALL DEVELOP AND OPERATE A SINGLE SEARCHABLE WEBSITE
16 ACCESSIBLE TO THE PUBLIC AT NO COST THROUGH THE INTERNET.

17 (C) THE SEARCHABLE WEBSITE SHALL CONTAIN ANNE ARUNDEL COUNTY
18 BOARD OF EDUCATION PAYMENT DATA, INCLUDING:

19 (1) THE NAME OF A PAYEE RECEIVING A PAYMENT;

20 (2) THE LOCATION OF A PAYEE BY POSTAL ZIP CODE; AND

21 (3) THE AMOUNT OF A PAYMENT.

22 (D) THE SEARCHABLE WEBSITE SHALL ALLOW THE USER TO:

23 (1) SEARCH THE DATA FOR FISCAL YEAR 2021 AND EACH YEAR
24 THEREAFTER; AND

25 (2) SEARCH BY THE FOLLOWING DATA FIELDS:

26 (I) A PAYEE RECEIVING A PAYMENT; AND

27 (II) THE ZIP CODE OF A PAYEE RECEIVING A PAYMENT.

1 **(E) THE BOARD SHALL POST IN A TIMELY MANNER ON THE SEARCHABLE**
2 **WEBSITE THE PAYMENT DATA REQUIRED UNDER THIS SECTION.**

3 **(F) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE DISCLOSURE**
4 **OF INFORMATION THAT IS CONFIDENTIAL UNDER FEDERAL, STATE, OR LOCAL LAW.**

5 **(G) THIS SECTION SHALL BE KNOWN AND MAY BE CITED AS THE ANNE**
6 **ARUNDEL COUNTY PUBLIC SCHOOLS FUNDING ACCOUNTABILITY AND**
7 **TRANSPARENCY ACT.**

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2020.