

**Department of Legislative Services**  
Maryland General Assembly  
2024 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 1440  
Appropriations

(Howard County Delegation)

Budget and Taxation

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**Howard County Public Schools - Differences in Capital Budget Proposals -  
Report  
Ho. Co. 16-24**

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This bill requires the Howard County Board of Education, if it approves a capital budget that is different from the proposed capital budget submitted by the Howard County Superintendent of Schools, to publish a report on the Howard County Public Schools' (HCPS) website within 30 days that includes (1) the differences between the approved and proposed capital budgets and (2) the detailed rationale for each difference. Similarly, if the superintendent of HCPS proposes a capital improvement plan (CIP) that differs from the CIP approved by the board in the immediately preceding year, the superintendent must publish a report on the HCPS website within 30 days that includes (1) the differences between the CIP approved in the prior year and the proposed CIP and (2) the detailed rationale for each difference. Any report made by the board or superintendent under the bill must also be submitted to the General Assembly. **The bill takes effect July 1, 2024.**

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** The Howard County Board of Education and Superintendent of Schools can publish the required reports using existing resources. Local revenues are not affected.

**Small Business Effect:** None.

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## Analysis

**Current Law:** The Interagency Commission on School Construction (IAC) manages State review and approval of local school construction projects. Each year, local school systems develop and submit to IAC a facilities master plan that includes an analysis of future school facility needs based on the current condition of school buildings and projected enrollment. The master plan must be approved by the local school board. Subsequently, each local school system submits a CIP to IAC that includes projects for which it seeks planning and/or funding approval for the upcoming fiscal year, which may include projects that the local school system has forward funded. In addition to approval from the local school board, the request for the upcoming fiscal year must be approved by the county's governing body. Typically, the submission letter to IAC contains signatures of both the school board president and either the county executive and county council president or chair of the board of county commissioners.

Based on its assessment of the relative merit of all the project proposals it receives, and subject to the projected level of school construction funds available, IAC determines which projects to fund through the Public School Construction Program. By December 31 of each year, IAC must approve projects comprising 75% of the preliminary school construction allocation projected to be available by the Governor for the upcoming fiscal year. Local school systems may appeal these preliminary decisions by IAC. By March 1 of each year, IAC must recommend to the General Assembly projects comprising 90% of the allocation for school construction submitted in the Governor's capital budget. Following the legislative session, IAC approves projects comprising the remaining school construction funds included in the enacted capital budget, no earlier than May 1. The final allocations are not subject to appeal.

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## Additional Information

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** SB 1132 (Howard County Senators) - Rules.

**Information Source(s):** Howard County; Interagency Commission on School Construction; Department of Legislative Services

**Fiscal Note History:** First Reader - March 8, 2024  
rh/mcr Third Reader - March 18, 2024

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