

Bill No.: _____

Requested: _____

Committee: _____

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By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Housing Opportunities Commission – Alterations**3 **MC 02–20**

4 FOR the purpose of requiring the Housing Opportunities Commission of Montgomery
5 County to prepare written minutes of each meeting as soon as practicable after the
6 meeting and stream live video of the open meetings of the Montgomery Commission;
7 requiring the Montgomery Commission to submit its proposed budget to the
8 members of the Montgomery County Delegation to the General Assembly by a
9 certain date each year; requiring the Montgomery Commission to publish on its
10 website on or before a certain date each year a certain financial report and a certain
11 copy of a certain audit report; requiring that, in performing certain duties, the
12 Montgomery Commission publish certain information of which the Montgomery
13 Commission is not specifically required to deny inspection under a certain act;
14 requiring the Montgomery Commission to report certain payment data in a certain
15 manner on or before a certain date; authorizing the Montgomery Commission to
16 enter into an agreement with the county government to include payment data on a
17 certain website; requiring the Montgomery Commission to develop and operate a
18 certain searchable website if the Montgomery Commission does not enter into a
19 certain agreement with the county government; establishing requirements for the
20 searchable website; providing for the construction of certain provisions of this Act;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



defining certain terms; and generally relating to the Housing Opportunities Commission of Montgomery County.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 16–105
Annotated Code of Maryland
(2019 Replacement Volume and 2019 Supplement)

BY adding to
Article – Housing and Community Development
Section 16–107.1 and 16–114
Annotated Code of Maryland
(2019 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 16–111 and 16–112
Annotated Code of Maryland
(2019 Replacement Volume and 2019 Supplement)

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

Article – Housing and Community Development

16–105.

The Housing Opportunities Commission of Montgomery County, formerly the Housing Authority of Montgomery County, is a public body corporate and politic that:

(1) exercises public and essential governmental functions; and

(2) has all the powers necessary or convenient to carry out the purposes of this Division II.

16–107.1.

THE MONTGOMERY COMMISSION SHALL:

(1) PREPARE WRITTEN MINUTES OF EACH MEETING AS SOON AS PRACTICABLE AFTER THE MEETING; AND

(2) STREAM LIVE VIDEO OF THE OPEN MEETINGS OF THE MONTGOMERY COMMISSION.

16–111.

(a) By May 1 of each year, the Montgomery Commission shall submit its proposed budget to the County Council **AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, TO THE MEMBERS OF THE MONTGOMERY COUNTY DELEGATION TO THE GENERAL ASSEMBLY.**

(b) The public shall have an appropriate opportunity to comment on the proposed budget.

16–112.

(a) On or before November 30 of each year, the Montgomery Commission shall issue a financial report for the previous fiscal year based on a certified audit.

(b) The Montgomery Commission shall publish a summary of the financial report in at least two newspapers of general circulation in the county.

(C) (1) ON OR BEFORE NOVEMBER 30 EACH YEAR, THE MONTGOMERY COMMISSION SHALL PUBLISH ON ITS WEBSITE:

(I) THE FINANCIAL REPORT ISSUED UNDER SUBSECTION (A) OF THIS SECTION; AND

(II) A FULL AND COMPLETE COPY OF THE CERTIFIED AUDIT REPORT FOR THE PREVIOUS FISCAL YEAR.

(2) IN PERFORMING THE DUTIES REQUIRED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE MONTGOMERY COMMISSION SHALL PUBLISH ALL INFORMATION IN A PUBLIC RECORD THAT RELATES TO A FINANCIAL REPORT OR A

1 CERTIFIED AUDIT REPORT OF WHICH THE MONTGOMERY COMMISSION IS NOT
2 SPECIFICALLY REQUIRED TO DENY AN INSPECTION UNDER THE PUBLIC
3 INFORMATION ACT.

4 16-114.

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

7 (2) (I) "PAYEE" MEANS A PERSON THAT RECEIVES FROM THE
8 MONTGOMERY COMMISSION AN AGGREGATE PAYMENT OF \$25,000 IN A SINGLE
9 FISCAL YEAR.

10 (II) "PAYEE" DOES NOT INCLUDE:

11 1. AN EMPLOYEE OF THE MONTGOMERY COMMISSION
12 WITH RESPECT TO THE EMPLOYEE'S COMPENSATION; OR

13 2. A RETIREE OF THE MONTGOMERY COMMISSION WITH
14 RESPECT TO THE RETIREE'S RETIREMENT ALLOWANCE.

15 (3) "PAYMENT DATA" MEANS, AT A MINIMUM, THE FOLLOWING
16 INFORMATION FOR A PARTICULAR FISCAL YEAR:

17 (I) THE NAME OF EACH PAYEE THAT RECEIVED A PAYMENT
18 FROM THE MONTGOMERY COMMISSION;

19 (II) THE LOCATION OF THE PAYEE BY POSTAL ZIP CODE;

20 (III) THE AMOUNT OF THE PAYMENT; AND

21 (IV) THE PURPOSE OF THE PAYMENT.

22 (4) "SEARCHABLE WEBSITE" MEANS A WEBSITE CREATED IN
23 ACCORDANCE WITH THIS SECTION THAT ALLOWS A USER TO SEARCH AND DISPLAY
24 PAYMENT DATA OF THE MONTGOMERY COMMISSION.

25 (B) ON OR BEFORE JULY 1, 2021, THE MONTGOMERY COMMISSION SHALL

1 REPORT PAYMENT DATA IN ACCORDANCE WITH SUBSECTION (C) OR (D) OF THIS
2 SECTION.

3 (C) THE MONTGOMERY COMMISSION MAY ENTER INTO AN AGREEMENT
4 WITH THE COUNTY GOVERNMENT TO INCLUDE THE MONTGOMERY COMMISSION'S
5 PAYMENT DATA ON THE SPENDINGMONTGOMERY WEBSITE.

6 (D) (1) IF THE MONTGOMERY COMMISSION DOES NOT ENTER INTO AN
7 AGREEMENT WITH THE COUNTY GOVERNMENT UNDER SUBSECTION (C) OF THIS
8 SECTION, THE MONTGOMERY COMMISSION SHALL DEVELOP AND OPERATE A
9 SINGLE SEARCHABLE WEBSITE ACCESSIBLE TO THE PUBLIC AT NO COST.

10 (2) THE SEARCHABLE WEBSITE SHALL ALLOW A USER TO:

11 (I) SEARCH PAYMENT DATA FOR FISCAL YEAR 2020 AND EACH
12 FISCAL YEAR THEREAFTER; AND

13 (II) SEARCH BY THE FOLLOWING DATA FIELDS:

14 1. PAYEE NAME; AND

15 2. PAYEE ZIP CODE.

16 (E) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE DISCLOSURE
17 OF INFORMATION THAT IS REQUIRED TO BE KEPT CONFIDENTIAL UNDER FEDERAL,
18 STATE, OR LOCAL LAW.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2020.