

FILED

Bill Number: 2008-8

08 MAY -8 PM 12: 31

COUNTY COUNCIL OF
DORCHESTER COUNTY, MARYLAND

Legislative Session 2008 , Legislative Day No. 6

Bill No. 2008-8

Introduced By: Council President William V. Nichols

By the County Council, ~~January~~ ^{April} 15, 2008

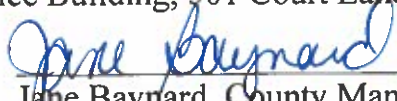
AN ACT to prohibit the making or authorizing of an expenditure from, or creating or authorizing an obligation under, any appropriation or fund in excess of the amount available in the appropriation or fund unless authorized by law.

By adding

Dorchester County Code
Chapter 147, Violation of Ordinances
§ 147-7, Budgetary Control

Introduced, read first time, ordered posted on official bulletin board of County, County Office Building, 501 Court Lane, Cambridge, Maryland 21613.

Ordered publication for once a week for two successive weeks, and public hearing scheduled on Tuesday, May 6, 2008, Room 110, County Office Building, 501 Court Lane, Cambridge, Maryland at 6:35p.m.

By order: 
Jane Baynard, County Manager

Boldface	Heading or defined term
<u>Underlining</u>	Added to existing law(s) by original bill
[Single boldface brackets]	Deleted from existing law(s) by original bill
<u>Double underlining</u>	Added by amendment
[[Double boldface brackets]]	Deleted from existing law or the bill by amendment
***	Existing law(s) unaffected by bill

1 NOW THEREFORE, IN ACCORDANCE WITH THE PROVISIONS
2 OF ARTICLE 5 OF THE CHARTER OF DORCHESTER
3 COUNTY:

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5 SECTION ONE: BE IT ENACTED AND ORDAINED BY THE
6 COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND
7 that the Dorchester County Code be amended by adding § 147-7 to
8 Chapter 147, to be entitled “Budgetary Control”

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10 Chapter 147, *Violation of Ordinances*, is amended by adding § 147-7:

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12 § 147-7: Budgetary control

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14 This section shall be known as the Anti-Deficiency Act.

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16 A. Authorization

- 17 (1) Article 25A, § 5(A)(2) of the Annotated Code of
18 Maryland; and
19 (2) Article 25A, § 5(Q)(1) of the Annotated Code of
20 Maryland; and

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22 B. Definitions

- 23 (1) For the purposes of this section, the following words are
24 defined:
25 (a) Appropriation: A designated amount of public
26 funds approved for a specific purpose during a
27 fiscal year within the annual budget ordinance by
28 the County Council of Dorchester County,
29 Maryland
30 (b) Responsible official: An appointed official,
31 department head or division manager.

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33 C. Prohibited acts

- 34 (1) A responsible official Dorchester County, Maryland may
35 not:
36 (a) make or authorize an expenditure or obligation
37 exceeding an amount available in an
38 appropriation for the expenditure or obligation,
39 unless authorized by Council; or

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(b) involve Dorchester County, Maryland in a contract or obligation for the payment of money before an appropriation is made, unless authorized by Council.

D. County not liable

- (1) The County may not reimburse any expenditure to the extent that the expenditure violates subsection C.
- (2) The County is not obligated to appropriate money to pay an expenditure that violates subsection C.

E. Penalties and reporting requirements

- (1) Administrative and penal sanctions
 - (a) A responsible official who violates subsection C. is guilty of neglect of official duty and is subject to appropriate administrative discipline including, when circumstances warrant, suspension from duty without pay or removal from office.
- (2) Reporting requirements
 - (a) Responsible officials who have violated section C. shall immediately report all relevant facts and a statement of actions taken to the County Council.

SECTION TWO: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND that General Code Publishers is directed to codify new § 147-7 of Chapter 147 in the Dorchester County Code accordingly.

SECTION THREE: BE IT FURTHER ENACTED AND ORDAINED BY THE COUNTY COUNCIL OF DORCHESTER COUNTY, MARYLAND that this legislation shall take effect 60 days from its approval.

80 APPROVED this 6th day of May, 2008

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83 ATTEST:

COUNTY COUNCIL OF
DORCHESTER COUNTY:

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85 BY: Jane Baynard
86 Jane Baynard, County Manager

William V. Nichols
William V. Nichols, President

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Nichols- ay
Newcomb- ay
Elzey- ay
Price- ay
Travers- ay