



## ANNE ARUNDEL COUNTY OFFICE OF LAW

### Legislative Summary

**To:** Members, Anne Arundel County Council

**From:** Lori L. Blair Klasmeier, Supervising County Attorney /s/

**Via:** Gregory J. Swain, County Attorney /s/

**Date:** June 17, 2024

**Subject:** Bill No. 59-24 – Purchasing – Contracts – Availability of Funds

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This summary was prepared by the Anne Arundel County Office of Law for use by members of the Anne Arundel County Council during consideration of Bill No. 59-24.

### Background

Charter Section 715 addresses appropriation control and certification of funds. Subsection (a) states that no expenditure may be made and no liability may be incurred in a fiscal year that exceeds the appropriation for the classification of expenditure in the budget for that fiscal year. This includes any obligation to make a payment under a contract for goods or services.

Paragraph (b)(1) provides that no payment of County funds may be made and no obligation to pay County funds may be incurred in excess of \$100 “unless the Controller certifies that the funds for the designated purpose are available”. Paragraph (b)(2) states that the County Council may increase and then decrease the amount in (b)(1), but may never be lower than \$100.

Section 905 of the Charter provides that no deliveries of or payment for supplies materials, or equipment may be made unless the Controller first certifies that the funds for the designated purpose are available. The exception to this provision is small purchases in an amount less than the amount set pursuant to Section 715 of the Charter for uncertified purchases.

Over the years, the County Council has exercised its authority under Section 715(b)(2), and increased the amount of an expenditure or obligation to pay requiring certification of availability of appropriated funds by the Controller. The current amount is \$2,500, as set forth in § 8-1-108(b) of the County Code.

**Note: This Legislative Summary provides a synopsis of the bill as introduced. It does not address subsequent amendments to the bill.**

**Purpose**

The purpose of Bill No. 59-24 is to increase the threshold amount of an expenditure or obligation to pay requiring Controller certification of appropriated fund availability to \$10,000.

**Bill No. 59-24**

**SECTION 1.**

This section modifies § 8-1-108(b) to increase the threshold amount of an expenditure or obligation to pay requiring Controller certification of appropriated fund availability from \$2,500 to \$10,000.

**SECTION 2.**

This section provides that the Ordinance shall take effect 45 days from the date that it becomes law.

The Office of Law is available to answer any additional questions. Thank you.

cc: Honorable Steuart Pittman, County Executive  
Christine Anderson, Chief Administrative Officer  
Hannah Dier, Deputy Chief Administrative Officer  
Jeff Amoros, Chief of Staff  
Ethan Hunt, Government Relations Officer  
Chris Trumbauer, Budget Officer  
Billie Penley, Controller