

(2) Pay interest as part of any installment or rental payments in accordance with the terms of the contract; and

(3) Pledge and assign the personal property purchased or leased pursuant to any contract to secure the purchasing or leasing county's obligations.

(c) The action specified in subsection (b) of this section may be taken if the following conditions are met:

(1) Funds sufficient to pay all amounts due under the contract during the first fiscal year in which the contract is effective are or will be available and have been appropriated and can be used for this purpose;

(2) The contract includes a termination provision which permits the purchasing or leasing county to terminate the contract if funds sufficient to pay all amounts due under the contract for any fiscal year are not appropriated for this purpose for the fiscal year. However, the contract may provide that termination of the contract shall be ineffective if the county purchases or leases personal property similar or functionally related to that purchased or leased under the contract within a period of time after termination, as specified in the contract;

(3) The contract provides that, absent a default in payment by the purchasing or leasing county under the contract, any obligation to pay amounts due under the contract shall be limited to funds appropriated for this purpose for that fiscal year; and

(4) The contract provides that, in the event of default in payment by the county under the contract, any obligation to pay amounts due under the contract shall be limited to funds appropriated for this purpose for that fiscal year, amounts realized from the personal property purchased or leased under the contract, and any other funds legally available for this purpose.

SECTION 2. AND BE IT FURTHER ENACTED, That, subject to Section 3 of this Act, and notwithstanding any other provision of law, any contract entered into by the Board of County Commissioners of Garrett County prior to the effective date of this Act shall be deemed authorized as if this Act had been in effect ~~if consistent with the provisions of Section 1 of this Act.~~

SECTION 3. AND BE IT FURTHER ENACTED, That this Act does not apply to, or affect, any transaction to the extent the transaction is the subject of litigation pending as of March 6, 1995.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health and safety, has been passed by a ye and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.

Approved April 11, 1995.