

(B) RESTRICTED.

A UNIT MAY NOT ADOPT A RULE OR REGULATION OR TAKE ANY OTHER ADMINISTRATIVE ACTION THAT WOULD RESULT IN EXPENDITURES IN EXCESS OF THE LIMITATIONS IN THE STATE BUDGET UNLESS:

(1) THE GENERAL ASSEMBLY EXPRESSLY APPROVES THE ADMINISTRATIVE ACTION;

(2) IF THE GENERAL ASSEMBLY IS NOT IN SESSION, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF DELEGATES:

(I) CONSULT WITH THE JOINT BUDGET AND AUDIT COMMITTEE; AND

(II) AFTER RECEIVING THE WRITTEN ADVICE OF THE JOINT BUDGET AND AUDIT COMMITTEE, JOINTLY GIVE WRITTEN APPROVAL FOR THE ADMINISTRATIVE ACTION; OR

(3) THE GOVERNOR DECLARES, BY PROCLAMATION, THAT THE ADMINISTRATIVE ACTION IS NECESSARY AND A MATTER OF EMERGENCY.

REVISOR'S NOTE: Ch. ____, Acts of 1984, which enacted the State Government Article, also enacted this section, which is derived without substantive change from former Art. 41, § 245(c).

Subsection (a)(1) of this section is new language added to incorporate the definition of "agency" in former Art. 41, § 244, since former Art. 41, § 245(c) previously appeared as a provision of the Maryland Administrative Procedure Act and, thus, the definition of "agency" for purposes of that Act applied. This revision reflects that, because of the recodification of former Art. 41, § 245(c) in this section, the definition of "agency" no longer applies. In any event, the former reference to "every agency in the executive, judicial, and legislative branches of government ... notwithstanding any exemptions ... in § 244(a)" limited the applicability of the definition of "agency". In light of the revision, those former references are deleted.

In subsection (a)(1) of this section, the defined term "count[ies]" is used instead of the former phrase "political subdivisions", since the former phrase could encompass a unit operating within 1 county if the unit operated in more than 1 subdivision in the county. This reading seemed unintended.

In subsection (b) of this section, the word "regulation" is added for clarity. See revisor's note to SG § 10-101(e).