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Title: AN ORDINANCE relating to fiscal note procedure; and amending Ordinance 12076, Section 4, as amended, and K.C.C. 4.04.075.

Sponsors: Larry Phillips, Rob McKenna

Indexes: Budget, Procedure

Code sections: 4.04.075 -

Attachments: 1. Ordinance 14835.pdf, 2. 2003-0414 Attachment 3 to 9-10-03 staff report.pdf, 3. 2003-0414 Attachment 4 to 9-10-03 staff report.doc, 4. 2003-0414 Attachment 5 to 9-10-03 staff report .doc, 5. 2003-0414 Attachment 6 to 9-10-03 staff report.doc, 6. 2003-0414 Attachment 7 to 9-10-03 staff report.doc, 7. 2003-0414 Attachment 7a to 9-10-03 staff report.doc, 8. 2003-0414 Attachment 8 to 9-10-03 staff report.doc, 9. 2003-0414 Revised Staff Report.doc, 10. 2003-0414 Staff Report 1-28-04.doc, 11. 2003-0414 Staff Report 9-10-03.doc

Date	Ver.	Action By	Action	Result
2/2/2004	2	Metropolitan King County Council	Passed	Pass
2/2/2004	2	Metropolitan King County Council	Hearing Held	
2/2/2004	2	Metropolitan King County Council	Reintroduced	
1/28/2004	2	Budget and Fiscal Management Committee		
1/28/2004	1	Budget and Fiscal Management Committee		
9/10/2003	1	Budget and Fiscal Management Committee	Deferred	
9/8/2003	1	Metropolitan King County Council	Introduced and Referred	

Clerk 01/29/2004

AN ORDINANCE relating to fiscal note procedure; and amending Ordinance 12076, Section 4, as amended, and K.C.C. 4.04.075.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 12076, Section 4, as amended, and K.C.C. 4.04.075 are each hereby amended to read as follows:

Fiscal note procedure.

A. The director shall establish, and submit to the council for approval by motion, a ~~((procedure))~~ process, including form, content and timing, for the preparation of fiscal notes on the expected impact of ~~((motions or ordinances which))~~ proposed legislation that will increase or decrease county revenues or expenditures. ~~((Such))~~ The fiscal notes shall document the impact of proposed legislation for the current fiscal year and ~~((a cumulative forecast))~~ for each of the succeeding three fiscal years. If proposed legislation authorizes the execution of a contract or interlocal agreement that extends beyond three years, the fiscal note shall document the impact through the end of the term of the proposed contract or interlocal agreement. The director shall coordinate the development of fiscal notes with all affected agencies. Fiscal notes shall ~~((be attached to))~~ accompany all legislation transmitted by the executive, ~~((provided, that))~~ but a fiscal note may ~~((not))~~ be ~~((required))~~ omitted when the executive certifies in writing that the subject legislation has no significant fiscal impact on either the operating budget ~~((and/))~~ or the capital budget, or both.

B. ~~((The fiscal note form used by the director shall be the form approved by the council.~~

~~C.))~~ All fiscal notes at a minimum shall contain:

1. A brief descriptive title of the ~~((motion or ordinance.))~~ proposed legislation;
2. An estimate of revenue impact of the ~~((subject motion or ordinance))~~ proposed legislation.

Revenue impact shall be displayed for: the current fiscal year and the three subsequent fiscal years; the current fiscal year and all subsequent years covered by a proposed contract or interlocal agreement; or the current fiscal year and all subsequent years for capital projects, in accordance with the applicable capital plan((-));

3. An estimate of the expenditure impact of the ~~((subject motion or ordinance))~~ proposed legislation on either the operating budget ~~((and/))~~ or the capital budget, or both. Expenditure impact shall be displayed for: the current fiscal year and the three subsequent fiscal years; the current fiscal year and all subsequent years covered by a proposed contract or interlocal agreement; or the current fiscal year and all subsequent years for capital projects, in accordance with the applicable capital plan. This section of the fiscal note shall present a detailed breakdown of the anticipated expenditure by fiscal year~~((:))~~;

4. An explanation of how the revenue or expenditure impacts were developed. This section of the fiscal note shall include, but not be limited to~~((;))~~: quantifiable data ~~((which))~~ that illustrates a significant workload increase or decrease caused by adoption of the ~~((subject motion or ordinance))~~ proposed legislation; major assumptions made in preparing the fiscal note; and ~~((indicate))~~ an indication of whether or not passage of the ~~((subject motion or ordinance))~~ proposed legislation was anticipated in the current fiscal year's ~~((annual))~~budget;

5. For revenue-backed programs, whether revenues have actually been received. If revenues have not been received, the fiscal note shall indicate how they will be recovered. For grants, the fiscal note shall state whether or not the grant has been approved. For new fees or fee changes, in addition to the requirements of K.C.C. 2.99.030, the fiscal note shall identify the fee and include the rates proposed;

6. For capital projects, explanation of how the proposed legislation impacts the entire project; and

7. A copy of the most recent applicable financial plan or plans.

C. If the recommended course of action represents a change in policy, the fiscal note shall compare the cost and benefits of the recommended course of action to the cost and benefits of continuing with the current policy direction.

D. The director shall also provide a fiscal note on any ~~((legislative proposal))~~ proposed legislation whenever a fiscal note is requested by a councilmember. In addition, the director shall provide additional fiscal impact information regarding the proposed legislation upon request by a councilmember. ((Such)) The requested fiscal note or information shall be returned within ten days of the request to the requesting councilmember and ((council clerk's)) filed with the clerk of the council's office for distribution to all councilmembers, for distribution to lead staff of the budget and fiscal management committee, or its successor committee, and ((attachment to)) for inclusion with the proposed ((motion or ordinance within five working days)) legislation. The lack of ((any)) a fiscal note or failure of a fiscal note to meet the requirements of this chapter shall not affect the validity of ((any motion or ordinance)) legislation adopted by the council.