



House Bill 353

State Government – Automated Mapping Geographic Systems – System Services Costs

MACo Position: **OPPOSE**

To: Health and Government Operations Committee

Date: February 25, 2015

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **OPPOSES** HB 353. The bill would remove the ability of county governments to include a reasonable share of “overhead costs” when charging for certain geographic information systems (GIS) products.

The bill makes several changes to the existing law regarding the provision of GIS data and services to the public, including that a State or local governmental unit may only set a fee for GIS data products that reasonably reflects the cost of providing a “system product.” HB 353 defines the “cost of providing the system product” to mean the cost to: (1) create, develop, and produce a new system product in printed, hard copy, digital, or other format; or (2) reproduce an existing system product in printed, hard copy, digital, or other format.

The bill also removes the ability for governmental units to charge a reasonable share of “overhead costs” of the system when the system is used to create a new system product. Overhead costs include items such as database maintenance and update, hardware, quality control, and software.

MACo has no issue with most of the bill’s proposed changes, which are based on the work of the Council for Open Data and remove restrictive or outmoded laws related to the provision of GIS information to the public. However, MACo is opposed to the removal of the ability to charge for the reasonable share of overhead costs. As the bill’s fiscal note indicates, the costs to counties that are able to currently budget and provide GIS services per the bill’s provisions would be minimal. Conversely, though, there could be a fiscal effect on counties that rely on the existing law to collect overhead costs.

HB 353 makes several sensible changes to Maryland’s GIS law but also removes the ability of a county government to recoup a reasonable share of its overhead costs. MACo is willing to work with both the bill’s sponsor and the Committee to have its concern regarding overhead costs addressed. Otherwise, MACo recommends the Committee issue an **UNFAVORABLE** report for HB 353.