



Senate Bill 94

State Government – Automated Mapping Geographic Systems – System Services Costs

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Health and Government Operations Committee

Date: March 25, 2015

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **SUPPORTS SB 94 WITH AMENDMENTS**. As introduced, 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.” SB 94 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 recover a 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.

This Committee recognized the issue and adopted amendments acceptable to MACo on HB 353, the cross-file of SB 94. MACo requests that the Committee add identical amendments to SB 94. Accordingly, MACo recommends the Committee issue a report of **FAVORABLE WITH AMENDMENTS** for SB 94.

MACo Proposed Amendments to SB 94

Note: These amendments are identical to amendments already adopted by this Committee on HB 353.

On page 1, in line 7, after “products;” insert “authorizing certain governmental units to adopt a fee structure for system products that includes an additional charge of no more than a certain amount;”.

On page 4, in line 6, after “PRODUCT” insert “AND AN ADDITIONAL CHARGE OF NO MORE THAN \$50”.