

Climate Assessment

Office of Legislative Oversight

BILL 17-25: CONTRACTS AND PROCUREMENT – GENERAL PROVISIONS – EXEMPTIONS – INTERNET ACCESS SERVICE

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 17-25 will likely have no impact on the County's contribution to addressing climate change and climate community resilience as the Bill proposes changes to the procurement rules to simplify the acquisition of internet access services for the County Government.

BACKGROUND AND PURPOSE OF BILL 17-25

Every County expenditure for goods, services, or construction must comply with Chapter 11B of the Montgomery County Code and Code of Montgomery County Regulations.¹ According to the County Executive, the County has been unsuccessful in procuring internet service through the standard competitive solicitation process. Providers are unwilling to engage in the process because their business models are based on customers agreeing to their standard service agreements, which conflict with County requirements.²

The County currently uses a temporary procurement exemption to purchase internet service. Bill 17-25 would bypass standard procurement rules by excluding the acquisition of internet access service from County procurement law, effectively making the current exemption permanent. In particular, it would allow purchases to be made using "procedures approved by the Chief Administrative Officer."³

According to the Fiscal Impact Statement for the Bill, making the exemption permanent is expected to "reduce expenditures significantly due to the reduced costs of procuring internet service at wholesale prices."⁴

The Council introduced Bill 17-25 on behalf of the County Executive on June 17, 2025.

ANTICIPATED IMPACTS

Strong internet access is important to building community resilience. The internet can disseminate information and help residents stay informed and connected during emergencies.⁵ Broadband networks require redundancy, such as backup power supplies, additional network capacities, and overlapping delivery systems, to be resilient so that internet access can withstand and recovery quickly from disasters.⁶ If the proposed changes improve the procurement process and potentially result in cost-savings as cited in the memo from the County Executive included in the introduction packet of Bill 17-25, these savings could potentially be used for improving resiliency for County broadband networks.⁷ However, the cost-savings would have an indirect impact on the proposed changes, rather than a direct impact.

Since the Bill proposes changes to improve the procurement of internet access, it will likely not significantly impact the quality or strength of internet access services. Therefore, OLO anticipates Bill 17-25 will have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.⁸ OLO does not offer recommendations or amendments as Bill 17-25 is likely to have no impact on the County's contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptive capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ See memo from Jim Ogorzalek, Legislative Attorney, in [Introduction Staff Report for Bill 17-25, Contracts and Procurement – General Provisions – Exemptions – Internet Access Service](#), Montgomery County Council, June 17, 2025.

² See memo from Marc Elrich, County Executive, in *Introduction Staff Report for Bill 17-25*.

³ Montgomery County Council, *Bill 17-25, Contracts and Procurement – General Provisions – Exemptions – Internet Access Service*, in *Introduction Staff Report for Bill 17-25*, June 17, 2025.

⁴ *Fiscal Impact Statement for Bill 17-25*, in *Introduction Staff Report for Bill 17-25*, Montgomery County Council, June 17, 2025.

⁵ Global Resilience Institute at Northeastern University, ["US "digital divide": how internet access disparities affect resilience"](#), Accessed 6/25/2025.

⁶ The Pew Charitable Trusts, ["Climate Resilience Memo to State Broadband Offices from Pew Charitable Trusts"](#) July 21, 2023.

⁷ See memo from Marc Elrich, County Executive, in *Introduction Staff Report for Bill 17-25*.

⁸ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022