

Bill No. 33-09
Concerning: Inspector General - Attorney
Revised: 8-10-09 Draft No. 1
Introduced: September 15, 2009
Expires: March 15, 2011
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: None
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Ervin, Council President Andrews and Councilmembers Navarro, Floreen and Knapp

AN ACT to:

- (1) authorize the Inspector General to employ or retain an independent attorney; and
- (2) generally amend the County law regarding the Inspector General.

By amending

Montgomery County Code
Chapter 2, Administration
Section 2-151, Inspector General

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 2-151 is amended as follows:**

2 **2-151. Inspector General.**

3 * * *

4 (g) *Staff; Legal Counsel.*

5 (1) The Inspector General may, subject to appropriation and all
6 applicable merit system laws and regulations, appoint as term
7 employees the staff of the Office of the Inspector General. The
8 term of each employee should end when the next Inspector
9 General takes office unless the Inspector General specifies a
10 shorter term when appointing the employee. The Inspector
11 General may also, subject to appropriation, retain project staff or
12 other consultants by contract. The Inspector General may, with
13 the agreement of the head of any other government department or
14 agency, temporarily detail an employee of that department or
15 agency to the Office of the Inspector General.

16 (2) The County Attorney must provide legal services to the Inspector
17 General, and may employ special legal counsel for the Inspector
18 General under Section 213 of the Charter. [If the Inspector
19 General asks the County Attorney in writing to employ a special
20 legal counsel and the County Attorney does not do so within 30
21 days after receiving the Inspector General's request, the County
22 Attorney must inform the County Council why a special counsel
23 was not employed.]

24 (3) The Inspector General may employ and be represented by a
25 special legal counsel who is not subject to the authority of the
26 County Attorney, or may obtain legal services from persons

outside the Office of the County Attorney, without the approval of the County Attorney if:

(A) the Inspector General finds that obtaining independent legal services is necessary to effectively perform his or her duties; and

(B) the County Council approves the Inspector General's decision to obtain independent legal services and appropriates sufficient funds to cover the cost of the legal services.

* * *

Approved:

Philip M. Andrews, President, County Council

Date

Approved:

Isiah Leggett, County Executive

Date

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council

Date