



## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

**APPROVED**

Tuesday, February 15, 2022

The County Council for Montgomery County, Maryland convened via video conference at 9:01 A.M. on Tuesday, February 15, 2022.

### PRESENT

Councilmember Gabe Alborno, President	Councilmember Evan Glass, Vice President
Councilmember Andrew Friedson	Councilmember Tom Hucker
Councilmember Will Jawando	Councilmember Sidney Katz
Councilmember Nancy Navarro	Councilmember Craig Rice
Councilmember Hans Riemer	

The President in the Chair.

### PRESENTATIONS

- A. Council Commemoration Black History Month presented by County Council. Proclamation presentation and video Celebrating Black History Month.
- B. Proclamation presented by Mr. Alborno and the full Council recognizing Linda Herman for her Years of Service as Executive Director of the Montgomery County Employee Retirement Plan.
- C. Proclamation presented by Mr. Jawando recognizing Library Lovers Month.

### GENERAL BUSINESS

- A. **Announcements** – There were no agenda or calendar changes.
- (1) B. **Acknowledgement** – [Receipt of Petitions](#)

Acknowledged receipt of a petition from residents of Montgomery County opposing **Bill 49-21**, Police - Police Accountability Board - Administrative Charging Committee - Established.

C. **Action** – Approval of Minutes

Approved the minutes of January 18, 2022, and the closed session minutes of December 7, 2021, and January 25, 2022, without objection.

(2) **COUNCIL SITTING AS BOARD OF HEALTH**

A. [Updates from County Government and Montgomery County Public Schools - Novel Coronavirus \(COVID-19\) and Health Planning](#)

Participating in the discussion were Dr. Bridgers, Acting Chief Health Officer, and Mr. O'Donnell, Program Administrator, Public Health Emergency Preparedness and Response, Department of Health and Human Services (DHHS); Dr. Stoddard, Assistant Chief Administrative Officer; and Mr. D'Andrea, Chief of Staff, Office of the Superintendent, Montgomery County Public Schools (MCPS).

Received an update from DHHS on COVID-related statistics, noting that case rates, hospitalizations, and the positivity rate are all trending downward; 85% of the eligible population has received two vaccine doses and of those, 52% have received the booster. Outreach is continuing to encourage residents to get vaccinated, and they are working with MCPS to determine locations for distribution of the pediatric vaccine. To date, over 1.2 million rapid test kits have been distributed with 2.1 million kits ordered; the test kits and masks have been successfully distributed at County libraries. Noted that the County's quarantine/isolation protocol now mirrors State and Federal guidance, and that people who were exposed to the virus but are fully vaccinated and boosted are not required to quarantine. Dr. Bridgers noted that when the current indoor mask mandate expires on February 21, masks would still be required in childcare facilities. Dr. Stoddard indicated an announcement would be forthcoming regarding rules for attendance at indoor sports venues, and for Sunday operating hours at public libraries.

Received information from Mr. D'Andrea that student case rates have declined significantly, 50,000 rapid test kits are provided weekly to MCPS from DHHS and distributed to students and staff every three weeks and will continue through March, and test kits will be distributed to students prior to spring break. All school bus routes continue to be served. He indicated no decisions have been made regarding possible changes to the mask mandate at MCPS facilities and it will be discussed at the next Board of Education meeting.

Councilmembers urged that changes to quarantine, isolation, and mask guidance for public and childcare facilities be made very clear on the County's website.

(3) **DISTRICT COUNCIL SESSION**

A. **Worksession/Action - [Zoning Text Amendment \(ZTA\) 21-09, Office and Professional - Biohealth Priority Campus](#)**

Participating in the discussion were Mr. Anderson, Chair, Montgomery County Planning Board; Ms. Wright, Director, Planning Department; and Mr. Salazar, Division Chief, Zoning, Well and Septic and Code Compliance, Department of Permitting Services (DPS).

Mr. Riemer, Chair of the Planning, Housing, and Economic Development (PHED) Committee, reviewed the purpose of the ZTA, which is to create an accelerated approval process, and the Committee's recommendations, as contained in the staff report. Mr. Friedson, Lead Sponsor of the ZTA, stated that it would reduce the regulatory process time by 75%, noting that the biohealth industry is a focus for new economic development in the County.

Mr. Jawando, noting concerns raised in the Racial Equity Statement on the ZTA, suggested further incentivizing projects to locate in Opportunity Zones by reducing the approval time to 45 days. Ms. Wright commented that 60 days, as currently proposed in the ZTA, is an aggressive timeline as 10 days public notice is needed as well as time for staff analysis of a project's technical reports. Mr. Anderson suggested reduced or eliminated fees for projects in Opportunity Zones could be an appropriate incentive, which would require additional legislation.

Defeated Mr. Jawando's motion to allow applicants to "opt-in" to request a public hearing be scheduled within 45 days for a project located in an Opportunity Zone:

YEAS: Huckler, Jawando, Riemer, Glass

NAYS: Friedson, Katz, Navarro, Rice, Albornoz.

Mr. Albornoz, acknowledging the importance of addressing racial inequities, suggested a follow-up conversation with Planning staff be scheduled to discuss possible incentives for projects to locate in certain areas of the County.

Enacted **Ordinance 19-27**, approving draft #4 of ZTA 21-09.

The PHED Committee made the motion and the Ordinance was enacted by a roll call vote:

YEAS: Friedson, Jawando, Riemer, Navarro, Rice, Katz, Huckler, Glass, Albornoz.

B. **Worksession/Action - [Subdivision Regulation Amendment \(SRA\) 21-02, Administrative Subdivision - Biohealth Priority Campus](#)**

Mr. Riemer said the SRA implements the intent of ZTA 21-09 so that an applicant can file an administrative subdivision plan in place of a preliminary plan for a Biohealth Priority Campus.

Enacted **Ordinance 19-28**, approving draft #3 of SRA 21-02.

The PHED Committee made the motion and the Ordinance was enacted by a roll call vote:

YEAS: Friedson, Jawando, Riemer, Navarro, Rice, Katz, Huckler, Glass, Albornoz.

(4) **ACTION - [Appointment to the Board of Appeals](#)**

Adopted **Resolution 19-1164**, appointing Robert Pinero to the Board of Appeals.

Ms. Navarro made the motion, which carried unanimously.

(5) **CONSENT CALENDAR**

Approved the following consent calendar items listed below.

Mr. Riemer made the motion, which carried without objection.

- A. **Introduced** a special appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services (DHHS)- \$5,403,397 for Immunization and Vaccines for Children Grant (Source of Funds: State Funds).
- B. **Introduced** Declaration of No Further Need – Disposition of Hollywood Branch Parcel.
- C. **Introduced/Adopted Resolution 19-1165**, amendment to FY22 Operating Budget Resolution 19-872, Section G, FY22 Designation of Entities for Non-Competitive Contract Award Status: Montgomery County Collaboration Council for Children, Youth, and Families, Inc.
- D. Adopted **Resolution 19-1166**, Declaration of No Further Need - Disposition of a portion of Warner Circle Special Park.

- E. Adopted **Resolution 19-1167**, Resolution to extend time until December 31, 2022, for Council action on Bill 7-21, Police School Resource Officer Building Positive Law Enforcement Relationships Within Schools (BPLERS).
- F. Adopted **Resolution 19-1168**, confirming the County Executive's appointment to the Victim Services Advisory Board: Martha O'Liddy.
- G. **Introduction** - Resolution to create the Biohealth Opportunity Zone Incentive Program grants to attract Biohealth Priority Campuses in County Opportunity Zones.

This item was postponed.

The Council recessed at 12:29 P.M. and reconvened at 1:47 P.M.

- (5.5) **PUBLIC HEARING/ACTION** - [Supplemental Appropriation to the County Government's FY22 Operating Budget, Department of Health and Human Services \(DHHS\) - Supplemental Nutrition Grant Funding \(HDC5\), \\$432,014](#)

The public hearing was conducted and the record closed.

Mr. Glass made the motion, and the resolution passed unanimously among those present. Mr. Riemer was temporarily absent.

Adopted **Resolution 19-1169**, approving the subject supplemental appropriation.

- (3) **DISTRICT COUNCIL SESSION** (*continued*)

- C. **Introduction** - [Zoning Text Amendment \(ZTA\) 22-01, Antenna on Existing Structure - Use Standards](#)

Mr. Riemer, Chair of the PHED Committee, reviewed the ZTA and noted that this ZTA is needed to correct the Council's intention to allow existing poles to erect antennas at 30 feet, rather than incentivizing use of new poles.

Introduced draft #1 of Zoning Text Amendment (ZTA) 22-01, Antenna on Existing Structure - Use Standards. A public hearing will be held on March 22, 2022, at 1:30 P.M.

*Clerk's note: the public hearing was later rescheduled to July 12, 2022, at 1:30 P.M.*

(6) **BRIEFING - [Planning Board Draft of Corridor Forward: The I-270 Transit Plan](#)**

Participating in the discussion were Mr. Anderson, Chair, Montgomery County Planning Board; Ms. Wright, Director, Ms. Stern, Deputy Planning Director, Ms. Sanders, Chief, Mid-County Planning, and Ms. Cohn McGowan, Transportation Planner, Montgomery County Planning Department.

Received a briefing on the I-270 Transit Plan from Planning staff. Mr. Anderson noted that the Corridor Forward I-270 Corridor Plan was created to reimagine the Corridor Cities Transitway and realign it with the plans for development of land use and opportunities to provide Bus Rapid Transit line to the Greater Seneca Life Sciences corridor, supporting equity, economic and transportation goals. It also proposes an extension of the Metro Red Line to serve more of the County's residents. Ms. Sanders shared that this plan attempts to address the greatest concern raised by residents which is the lack of transportation choices and address concerns that promises for additional transportation options in the mid-County and upper-County sectors. Ms. Cohn McGowan provided an overview of the plan's purpose and focus, relationship to the Managed Lanes Project, the plan's process, and outreach and feedback. She also shared the Planning Department's priorities and recommendations.

Mr. Hucker expressed concern with the assumption that \$60 million will be provided by the State, as was promised by the former State Secretary of Transportation. Additionally, he expressed concern that the Washington Metro Area Transit Authority Board will not approve the Metro extension and suggested that the County invest in the MARC system that is a Maryland entity.

Mr. Riemer noted that the County's Maryland Area Commuter Train (MARC) service may not be the primary focus, but he supports MARC and Red Line expansion. He also stated his support for tolling to fund transportation projects and develop a stable revenue source using the State's Transportation Trust Fund.

Mr. Glass indicated his support for the extension of the Red Line and hopes that it can be negotiated similarly to the Silver Line expansion project. He also noted that the County's Department of Transportation (MCDOT) is currently evaluating bus route ridership and the largest route is in the up-County. In response to Mr. Glass's question about a potential change to bus routes, Ms. Cohn McGowan shared that she expects MCDOT to use recommendations in the plan to align their plans with the Corridor Forward Plan. Mr. Glass requested that these plans are managed in parallel so that plans can be coordinated.

Mr. Katz suggested that the Council and the Planning Department should wait to hear from the public before making any decisions. Mr. Katz expressed his support for the Red Line and MARC extensions but questioned what would need to be torn down or constructed to make the extensions possible, noting that this may take 10 years or more to complete. Similarly, Mr. Katz shared concern with

the expected \$60 million funds being sufficient to complete these projects and the extended timeline's impact on residents. He suggested that the County implement the fastest and most cost-effective projects to make an immediate impact.

(7) **BRIEFING - [Planning Board Draft of the Silver Spring and Adjacent Communities Plan](#)**

This item was postponed to March 1, 2022.

(8) **WORKSESSION - [Thrive 2050](#)**

Participating in the discussion were Mr. Anderson, Ms. Wright, Ms. Stern, Ms. Sanders, Chief, Mid-County Planning, Ms. Cohn McGowan, Mr. Afzal, Acting Area 2 Division Chief, Planning Department; and Ms. Dunn, Senior Legislative Analyst.

Mr. Alborno stated that this worksession is to review each of the individual plans and how they fit into the overall master plan for the County. He shared his appreciation for the input from hundreds of residents, advisory boards and other stakeholders.

Mr. Riemer shared that the purpose of the plan is to provide a vision for the future growth plan for the entire County.

Ms. Dunn provided a summary of actions taken to develop the plan to this point, including committee worksessions, public hearings, town halls and listening sessions, and review of legal requirements; and noted that the deadline to submit the Master Plan is March 20 and staff have already drafted an extension for 60 days to be brought before the Council at a later date.

Dr. Bonner-Tompkins shared a summary of her Racial Equity and Social Justice (RESJ) report on the Thrive 2050 Plan. She recommended that Council assemble a group of diverse residents, specifically people of color from communities of color to share their priorities and desires for the plan; review the plan to create a readable structure for laypeople to make it more accessible; a dedicated section in the plan on the current and historical drivers of racial and social inequity in land use, housing, and transportation; add data and metrics to the social and racial inequities that Thrive 2050 is trying to address; ensure that there is a prioritization around equitable economic development; and make use of the racial equity and social justice tool available from the Office of Legislative Oversight (OLO). Ms. Wright noted that general plans such as Thrive 250 are broad ideas and will be implemented in legislation, sometimes decades later. Additionally, Mr. Anderson reviewed highlights of the plan that focus on racial equity and social justice, including recommendations and metrics to evaluate progress toward

equity goals, noting that racial equity is focused on in the housing, schools, transportation, communities, and parks and recreation topics.

Ms. Stern discussed the recommendations within the plan to address environmental stability and resilience, Ms. Cohn McCarthy provided an overview of the economic development priorities included in the plan, and Mr. Afzal shared a summary of the outreach efforts undertaken by the Planning Department, including 36 Thrive presentations by Planning staff at various civic associations and other organizations.

Citing the 2020 census data illustrating that Montgomery County is one of the most diverse communities in the County, Ms. Navarro shared her expectation that residents need to be able to provide input to this significant plan that will impact their community for future generations and ensure that communities of Color truly understand what this plan's vision is for the future of Montgomery County. And while acknowledging the outreach efforts thus far, she stated that a general plan is so significant and should allow for community input so that residents can be engaged in its development.

Mr. Jawando stated his support to institutionalize and structure community engagement around land-use, but also in other broad-reaching plans. He also expressed frustration that the National Association for the Advancement of Colored People (NAACP) and other organizations have not been engaged to discuss the plan and receive input from them. In response to his question, Dr. Bonner Tompkins suggested that a smaller, well-represented group focus on the plan to provide input.

Mr. Jawando requested confirmation from legal staff that approval of the general plan is not subject to an election year's October 31 deadline.

Ms. Navarro suggested that the Planning Department use the tool kit developed by the Racial Equity and Social Justice Act with the groups that will be engaged.

Mr. Hucker noted that the negative perception of the plan does not align with the majority of the plan's concepts, such as smart growth, economic development, and local parks. He shared his support to move forward with the aspirational plan but acknowledged that the NAACP or other organizations should have been engaged. He emphasized the need to approve this plan soon to ensure that residents in underserved communities begin to see progress.

Mr. Rice stated his support for engaging individuals and groups, as well as the RESJ lens of the plan.

Mr. Katz stated that it would be ideal to include the need for zoning changes as part of the discussion and stated his preference to have an outside consultant help manage community input.



Mr. Glass shared his desire to thoroughly examine the plan, with racial equity and social justice prioritized.

Mr. Albornoz summarized the Council's desire to move forward with the plan and his expectation that in the next discussion staff would provide details on a plan to engage another entity to assist with community engagement.

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND  
IN LEGISLATIVE SESSION - Day #5**

**(9) Introduction of Bills:**

A. [Bill 4-22, Human Rights and Civil Liberties - Public Accommodations - Gender Inclusive Restrooms](#)

Introduced draft #3 of **Bill 4-22**. Mr. Albornoz, Ms. Navarro, Mr. Hucker, Mr. Riemer, and Mr. Rice requested to be added as co-sponsors. A public hearing is scheduled for March 8, 2022, at 1:30 P.M.

**(10) Call of Bills for Final Reading:**

A. [Bill 9-21, Streets and Roads - Sidewalk Snow Removal - Amendments](#)

Mr. Hucker, Chair of the Transportation and Environment (T&E) Committee, reviewed the Committee's recommendation as contained in the staff report, noting the need to support areas of equity emphasis.

Mr. Glass, lead sponsor of the Bill, noted that since this Bill was introduced, approximately 480 people have been struck by vehicles and ten people have been killed. This Bill will help ensure safer pedestrian access to equity emphasis areas.

Enacted draft #6 of **Bill 9-21**, as shown at the end of these minutes.

The T&E Committee made the motion and the Bill was enacted by a roll call vote:

YEAS: Friedson, Jawando, Riemer, Navarro, Rice, Katz, Hucker, Glass, Albornoz.

B. [Bill 35-21, Prevailing Wage Requirements - Construction Contracts - Amendments](#)

Participating in the discussion was Mr. Madaleno, Chief Administrative Officer, and Mr. Nigam, Director of the Department of Housing and Community Affairs (DHCA).

Ms. Navarro, Chair of the Government Operations and Fiscal Policy (GO) Committee reviewed the Committee's recommendations for possible amendments as contained in the packet.

Approved the amendment proposed by Mr. Jawando to require the prevailing wage be applied to PILOTs. Mr. Riemer, Mr. Friedson, Mr. Rice and Ms. Navarro were opposed.

Mr. Madaleno clarified that PILOTs are each negotiated individually. As such, there would be an opportunity to increase the PILOTs to balance the project costs to maintain affordable housing. In contrast, the WMATA Bill projects are subject to a different agreement. He shared the County Executive's support of this amendment and Bill.

Mr. Riemer noted that the Financial Impact Statement indicated that while the PILOTs program would not fiscally impact the County, it could impact workers and Housing Opportunities Commission (HOC) that is currently in negotiations with WMATA for affordable housing projects.

Mr. Hucker, co-lead sponsor of the Bill, noted that this Bill will create more middle-class jobs, reduces demand on social services, and builds the workforce of the future by incentivizing apprenticeship training and creates pathways to the workforce.

Mr. Jawando, co-lead sponsor of the Bill, shared that wages have remained stagnant even though inflation and the cost of living has increased significantly, and this Bill will help to address this gap. He also noted data from the Center for American Progress and other research papers that paying the prevailing wage does not significantly increase project costs, so Council does not have to choose between one or the other.

Mr. Nigam stated that DHCA does not have sufficient information to determine the fiscal impact of the wage requirement, but expressed the view that wage increases may increase projects costs by two to five percent.

Mr. Friedson shared his concern on the lack of information provided, including the impact to housing from key stakeholders. He requested information on the impact to current public/private housing partnerships such as the White Oak project and others that are in progress.

Mr. Rice, Mr. Albornoz, and Ms. Navarro shared concerns with moving forward without sufficient information to determine the cost increase to affordable housing projects and without discussing the issues with stakeholders.

Approved Mr. Riemer's motion to table the vote for this Bill to allow time to obtain additional data and resolve many of the issues discussed today. Mr. Glass, Mr. Jawando, Mr. Hucker, and Mr. Katz were opposed.

C. [Bill 37-21, Animal Control - Services Advisory Committee - Established](#)

Mr. Katz, Chair of the Public Safety (PS) Committee summarized the recommendations of the Committee, as contained in the staff report.

Enacted draft #5 of **Bill 37-21**, as shown at the end of these minutes.

The PS Committee made the motion and the Bill was enacted by a roll call vote:

YEAS: Friedson, Jawando, Riemer, Navarro, Rice, Katz, Hucker, Glass, Albornoz.

D. [Bill 42-21, Child Care - Early Care and Education Coordinating Entity Established](#)

Mr. Rice, Chair of the Education and Culture (E&C) Committee, reviewed the recommendations of the joint E&C /HHS Committee, as contained in the staff report.

Ms. Navarro shared her support for this Bill and her hope for Montgomery County to have a dedicated funding source to scale up the availability of accessible and affordable childcare.

Enacted draft #9 of **Bill 42-21**, as shown at the end of these minutes.

The joint E&C/HHS Committee made the motion and the Bill was enacted by a roll call vote:

YEAS: Friedson, Jawando, Riemer, Navarro, Rice, Katz, Hucker, Glass, Albornoz.

E. [Expedited Bill 45-21, Elections - Public Campaign Financing - Restrictions](#)

Ms. Navarro, Chair of the GO Committee, summarized the Bill and the Committee's recommendations.

Mr. Glass expressed his support for the Bill as it allows the central party for a candidate to publicize that the candidate is participating in public financing.

Mr. Riemer noted his hope that the County Executive will enact regulations regarding permissible expenditures by traditionally financed candidates who transition to the public campaign finance system.

Enacted draft #3 of **Bill 45-21**, as shown at the end of these minutes.

The GO Committee made the motion and the Bill was enacted by a roll call vote:

YEAS: Friedson, Jawando, Riemer, Navarro, Rice, Hucker, Glass,  
Albornoz.

ABSENT: Katz (temporarily)

The Council recessed at 6:05 P.M. and reconvened at 7:32 P.M.

- (11) **PUBLIC HEARING** - [Corridor Forward: The I-270 Transit Plan and choice of the priority transit project to be funded with ongoing toll revenue from Phase 1 South and Phase 1 North of the Maryland Department of Transportation's I-270 & I-495 Managed Lanes Study](#)

The public hearing was conducted. Mr. Rice was temporarily absent.

The meeting adjourned at 8:15 P.M.

This is a correct copy of Council action.

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Selena Mendy Singleton, Esq.  
Clerk of the Council

Bill No. 9-21  
 Concerning: Streets and Roads – Sidewalk Snow Removal- Amendments  
 Revised: 2/15/2022 Draft  
 No. 7  
 Introduced: February 23, 2021  
 Enacted: February 15, 2022  
 Executive: \_\_\_\_\_  
 Effective: \_\_\_\_\_  
 Sunset Date: None  
 Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

**COUNTY COUNCIL  
 FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: Council Vice President Glass  
 Co-Sponsors: Councilmembers Riemer, Katz, Hucker and Navarro

**AN ACT to:**

- (1) define terms relating to sidewalks;
- (2) establish an exception to the requirements for removal of snow and ice on certain private property;
- (3) require removal of snow and ice by the County from certain sidewalks and paths; and
- (4) generally amend the law concerning the removal of snow and ice from sidewalks and paths in the County.

By amending

Montgomery County Code  
 Chapter 49, Streets and Roads  
 Section 49-17

<b>Boldface</b>	<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:*

**Sec. 1. Section 49-17 is amended as follows:**

**49-17. Accumulation of snow and ice on property prohibited.**

(a) Legislative Findings.

- (1) During significant winter storm events, Montgomery County’s sidewalks often become impassable and covered in piles of snow that are pushed aside from the road as a result of County and State snowplows. The scope of the problem is prevalent on Montgomery County’s busiest roads, where sidewalks are often within an arm’s reach of traffic.
- (2) These blocked sidewalks often persist for days following the end of a snowstorm, creating a significant pedestrian safety hazard that often forces pedestrians to walk in a lane with oncoming traffic.
- (3) County law allocates the responsibility of property owners to clear snow on a public sidewalk fronting their property within 24 hours of the end of snowfall. However, such clearing rarely occurs due to a variety of reasons, including the difficulty of removing the large piles of compacted snow and ice created by plow trucks.
- (4) The County, in its current operation, clears sidewalks in urban districts and approximately sixty (60) miles of sidewalks with no adjacent residential or commercial property owner outside of such areas.
- (5) Snow-covered and icy sidewalks adversely affect essential workers and commuters, who often travel by foot or public transportation, and must walk along high-traffic roads to get to bus stops and retail stores.
- (6) It is in the best interest of the County to adopt fair, reasonable and equitable legislation to address safety hazards and increase walkability access on sidewalks for pedestrians during winter storms.

[(a)] (b)(1) Definitions. In this Section:

- (A) Commercial property means real property that either:
    - (i) is not designed for or intended for human habitation; or
    - (ii) contains a multi-family dwelling of four or more units.
  - (B) Residential property means real property containing either:
    - (i) a single family dwelling; or
    - (ii) a multifamily dwelling of three or fewer units.
  - (C) Department means the Department of Transportation.
  - (D) Non-Buffered Sidewalk means a sidewalk along a roadway that does not contain a grass strip or other physical separation between the sidewalk and the adjacent curb or road edge.
  - (E) Orphan Sidewalk means a sidewalk either abutting a State or County road [[that may include any of the following areas]] and be located:
    - (i) adjacent to a vacant lot;
    - (ii) an overpass with no adjacent commercial or residential property adjoined; or
    - (iii) behind a residential or commercial property that is not directly accessible from the owner’s property and is separated from the sidewalk by a fence, guardrail, or change in elevation grade.
- (2) A person is responsible for removing snow and ice on any sidewalk, other walkway, shared use path, or parking area on or adjacent to property that the person owns, leases, or manages, including any walkway in the public right-of-way, to provide a pathway wide enough for safe pedestrian and wheelchair use. For purposes of this Section, commonly owned property between a single-family residential lot and a common walkway is considered part of the lot if the intervening common property includes a walkway or driveway that serves only that lot.

- (3) Except as provided in paragraph (5), each owner, tenant, or manager is jointly and severally responsible for clearing snow and ice from the property and complying with Section 31-26A(d).
- (4) The requirements of this Section do not apply to:
  - (A) an unpaved walkway;
  - (B) a private walkway or parking area on the property of a single-family residence;
  - (C) a public walkway behind a single-family residence that is not directly accessible from the owner’s property; [or]
  - (D) a walkway that:
    - (i) is at least 25 feet from vehicular traffic;
    - (ii) serves only pedestrian destinations that are also accessible by another walkway that this Section requires to be cleared;
    - (iii) was not routinely cleared of snow and ice after August 1999; and
    - (iv) is not the primary route for pedestrian access to a winter recreational facility open to the public; or
  - (E) any non-buffered sidewalk or path as specified under Section 49-17(j), regardless if the private property is fronting or abutting the sidewalk.
- (5) (A) An individual who lives in a multi-family residential property is not responsible for removing snow and ice from a common walkway or parking area.
- (B) A homeowners’ association, as that term is used in State law, is not responsible for removing snow and ice from a walkway adjacent to a single-family residential lot, if the lot owner is responsible under paragraph (1) for removing snow and ice from that walkway.

[(b)] (c)	*	*	*
[(c)] (d)	*	*	*
[(d)] (e)	*	*	*
[(e)] (f)	*	*	*
[(f)] (g)	*	*	*
[(g)] (h)	*	*	*

- [(h)] (i) *Sidewalk Snow Removal Plan.* The Executive must develop, update, and publish on the County internet site a sidewalk snow removal plan allocating available resources in a fair and equitable manner throughout the County that includes a:
  - (1) digital map of the County that shows who is responsible for clearing snow and ice on each sidewalk in the County;
  - (2) “major storm event” communications plan that addresses notice to County residents of a major storm event and the sidewalk snow and ice removal requirements in this Section;
  - (3) targeted public education campaign about sidewalk snow and ice removal for owners of property in the County;
  - (4) designation of pedestrian priority routes for targeted education and increased snow and ice removal enforcement;
  - (5) public education campaign about how to request enforcement of this Section;
  - (6) plan to provide extended hours for County personnel who receive snow and ice removal complaints during a major storm event;
  - (7) plan for removal of snow and ice on publicly owned property:
    - (A) at bus-stops and Metro stations;
    - (B) near schools;
    - (C) along State highways;
    - (D) along the highest priority pedestrian routes;

- (E) in urban districts; and
- (F) used for hiker-biker trails; and
- (8) plan for trash removal during a major storm event.
- (j) Sidewalk Snow Removal - Required. The Executive must implement a plan and require the Department to remove or cause to be removed snow and ice accumulation [that exceeds three (3) inches]] from the last day of precipitation within the following designated areas:
  - (1) orphan sidewalks; and
  - (2) non-buffered sidewalks or paths within the nineteen (19) arterial roads prescribed below:
    - (A) MD-187 Old Georgetown Road between Arlington Road and Democracy Boulevard;
    - (B) MD-355 Wisconsin Avenue between Chestnut Street and Jones Bridge Road;
    - (C) Jones Bridge Road from MD-355 to Jones Mill Road[.];
    - (D) Middlebrook Road between Waring Station Road and MD-118;
    - (E) MD-97 Georgia Avenue between Blueridge Avenue and Glenallen Avenue;
    - (F) MD-97 Georgia Avenue between Hewitt Avenue and Bel Pre-Road;
    - (G) MD-185 Connecticut Avenue between the Matthew Henson Trail and MD-97;
    - (H) Randolph Road between Middlevale Lane and Rock Creek;
    - (I) MD-586 Veirs Mill Road between Galt Avenue and the Matthew Henson Trail;
    - (J) MD-320 Piney Branch Road between Sligo Creek and the Prince George's County line;
    - (K) MD-193 University Boulevard between Carroll Ave (MD-195) and the Capital Beltway (I-495);
    - (L) MD-193 University Boulevard between Arcola Avenue and Amherst Avenue;
    - (M) Flower Avenue between MD-320 and East Wayne Avenue;
    - (N) Carroll Avenue between MD-193 and MD-320;
    - (O) MD-650 New Hampshire Avenue between the Prince George's County line and Lockwood Drive;
    - (P) Lockwood Drive between MD-650 and 11431 Lockwood Drive;
    - (Q) Tech Road between Old Columbia Pike and Broadbirch Drive;
    - (R) Old Columbia Pike between Tech Road and Briggs Chaney Road; and
    - (S) Briggs Chaney Road between Robey Road and U.S. 29.



Bill No. 37-21  
 Concerning: Animal Control – Animal Services Advisory Committee - Established  
 Revised: 2-7-22 Draft No. 5  
 Introduced: October 19, 2021  
 Enacted: February 15, 2022  
 Executive: \_\_\_\_\_  
 Effective: \_\_\_\_\_  
 Sunset Date: \_\_\_\_\_  
 Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Council Vice President Alborno  
 Co-Sponsors: Councilmember Navarro, Council President Hucker, Councilmembers Katz, Jawando, Rice, Riemer, and Glass

**AN ACT** to:

- (1) establish an Animal Services Advisory Committee;
- (2) establish guidelines for the appointment of members by the Executive;
- (3) assign duties for the Committee; and
- (4) generally amend the law governing animal services in the County.

By adding

Montgomery County Code  
 Chapter 5, Animal Control  
 Section 5-105

<b>Boldface</b>	<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:*

**Sec. 1. Section 5-105 is added as follows:**

**5-105. Animal Services Advisory Committee.**

(a) *Definitions.* In this Section the follow words have the meanings indicated:

Animal means as defined in Section 5-101.

Committee means the Animal Services Advisory Committee.

Office means the Office of Animal Services.

(b) *Established.* There is an Animal Services Advisory Committee. The Executive must appoint the members of the Committee subject to confirmation by the Council.

(c) *Composition and terms of members.*

(1) The [[Commission]] Committee has 11 voting members and 3 ex officio non-voting members.

(2) The Executive should appoint:

(A) 1 licensed veterinarian with pet and wildlife experience;

(C) 1 person with expertise in animal or pet behavior;

(D) 1 person with experience in recruiting, training, and retaining volunteers;

(E) 1 person designated by the Montgomery County Partners for Animal Well-Being (MCPAW) or a similar organization operating in the County if MCPAW is no longer operating in the County;

(F) 1 person designated by the Second Chance Wildlife Center or a similar organization operating in the County if Second Chance Wildlife Center is no longer operating in the County;

(G) 1 person representing a non-profit organization that provides animal fostering services in the County;

- (H) 1 person representing the Montgomery County Cat Coalition or a similar [[an]] organization for feral cats if the Montgomery County Cat Coalition is no longer operating in the County;
  - (I) 1 person representing Friends of Montgomery County Animals (FMCA) or a similar organization operating in the County;
  - (J) 1 person representing an animal rescue organization operating in the County; and
  - (K) 2 public members who live or work in the County.
  - (3) Ex officio non-voting members. The Executive must appoint the following ex officio members:
    - (A) the Director of the Office or the Director's designee;
    - (B) the lead veterinarian for the Office; and
    - (C) the budget operations manager for the Office.
  - (4) The term of each member is 3 years. After an appointment to fill a vacancy before a term expires, the successor serves the rest of the unexpired term.
- (d) Voting, officers, meetings, and compensation.
- (1) Except the ex officio members, all members of the Committee are voting members.
  - (2) The Committee must elect a Chair and Vice-Chair from among its voting members.
  - (3) The Committee meets at the call of the Chair. The Committee must meet as often as necessary to perform its duties, but not less than 6 times each year.
  - (4) A member must serve without compensation. However, a member may request reimbursement for mileage and dependent care costs at rates established by the County.

- (e) Duties. The [[Commission]] Committee must work with the Office to advise the Executive and the Council on issues and recommendations for:
- (1) animal care and welfare;
  - (2) animal rescue;
  - (3) animal fostering and adoption;
  - (4) control of the animal population;
  - (5) animal bite prevention;
  - (6) zoonotic disease transmission;
  - (7) educating the public on safely coexisting with wildlife;
  - (8) best practices for animal shelters;
  - (9) recruiting volunteers for the County animal shelter; and
  - (10) the operation of the Office.
- (f) Requests for information. The Office must respond to Committee requests for information within 30 days after the Office receives the request.
- (g) Annual Report. By July 1 each year, the Committee must submit to the Executive and the Council an annual report on its functions, activities, accomplishments, plans, and objectives.
- (h) Advocacy. The Committee must not engage in any advocacy activity at the State or federal levels unless that [[activities]] activity is approved by the Office of Intergovernmental Relations.
- (i) Staff. The Director of the Office must provide appropriate staff to the Committee.

## **Sec. 2. Transition.**

Notwithstanding paragraph (d)(2), the Executive must designate the Chair and Vice-Chair until the Committee elects the Chair and Vice-Chair. The

Executive must stagger the initial terms of the voting members so that the terms of approximately one-third of the members expires each year

Bill No. 42-21  
Concerning: Child Care – Early Care  
and Education Coordinating Entity -  
Established  
Revised: 2-15-22 Draft No. 9  
Introduced: November 22, 2021  
Enacted: February 15, 2022  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: \_\_\_\_\_  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsors: Council Vice-President Alborno, Councilmember Navarro, and Councilmember Rice  
Co-Sponsors: Councilmember Riemer, Council President Hucker, and Councilmembers Katz, Glass, Jawando, and  
Friedson

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**AN ACT** to:

- (1) establish an Early Care and Education Coordinating Entity;
- (2) require the Council to designate a non-profit corporation to serve as the County’s Early Care and Education Coordinating Entity;
- (3) establish guidelines for the designation of the County’s Early Care and Education Coordinating Entity;
- (4) establish the duties of the County’s Early Care and Education Coordinating Entity; and
- (5) generally amend the laws governing early child care and education in the County.

By adding

Montgomery County Code  
Chapter 10A, Child Care  
Article 6, Section 10A-12

<b>Boldface</b>	<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:*

Sec. 1. Article 6, Section 10A-12 is added as follows:

**ARTICLE 6. EARLY CARE AND EDUCATION COORDINATING ENTITY.**

**10A-12.**

(a) *Findings.*

- (1) Early care and education (ECE) is an essential service and economic imperative for the well-being of children, families, employers, and the greater community.
- (2) High quality ECE services prepare young children to enter school ready to learn and start on a pathway of success in life.
- (3) Accessible ECE programs are economic drivers that allow parents to participate in the workforce and support the local economy. ECE programs play a key role in workforce development by attracting and retaining a talented workforce through support to families with young children, and by addressing the opportunity gap to ensure a future skilled workforce by addressing the opportunity gap.
- (4) A strong system of high quality, accessible, sustainable ECE is needed to support the well-being of children and families in the County and eliminate systemic racism and structures that have been barriers for vulnerable, racially and ethnically diverse populations.
- (5) Designating an independent nonprofit entity with parents, employers and providers as key stakeholders will ensure community priorities are reflected in building a robust system that supports all residents having access to high quality, affordable early care and education.

(b) *Designation.*

- (1) The Council must designate, by resolution approved by the Executive, a single nonprofit corporation which complies with all requirements and criteria of this Section as the County's Early Care and Education Coordinating Entity. If the Executive disapproves the resolution within 10 days after receiving it, the Council may readopt the resolution with at least 6 affirmative votes.
  - (2) To continue to qualify as the County's Early Care and Education Coordinating Entity, the Entity's articles of incorporation and bylaws must comply with all requirements of this Section.
  - (3) Any designation under this Section expires 3 years after the resolution is adopted unless the Council extends the designation by adopting another resolution under this Section.
  - (4) The Council at any time may suspend or revoke the designation of a corporation as the County's Early Care and Education Coordinating Entity by resolution, adopted after at least 15 days public notice that is approved by the Executive, or, if the Executive disapproves the resolution within 10 days after receiving it, readopted by a vote of at least 6 Councilmembers.
- (c) Board of Directors. To qualify as the County's Early Care and Education Coordinating Entity, the Corporation's Board of Directors must have no more than ~~[[13]]~~ 9 ex-officio voting members and 12 other voting members appointed by the County Executive and confirmed by the County Council. Each member must reside or work in the County. Each member appointed from the public sector as an ex officio member represents the public interest and is not precluded from participating in a matter as a board member if that member's government employer is



a party to the matter. The Executive should appoint the following ex officio voting members:

- (1) [[the Executive's early Childhood Education Officer or the Officer's designee;
- (2)]] a Council staff member with expertise in early childhood education;
- [[3)]] (2) [[a representative]] two representatives jointly designated by the County Board of Education and the Superintendent of Montgomery County Public Schools;
- [[4) 2]] [[3) a]] [[representatives]] [[representative designated by the Superintendent of Montgomery Public Schools;]]
- [[5)]] (4)] (3) [[4]] 3 representatives of the County Department of Health and Human Services;
- [[6)]] [[5)]] (4) a representative of the Office of Management and Budget;
- [[7)]] [[6)]] (5) a representative of Montgomery College; and
- [[8)]] [[7)]] (6) a representative of the Universities at Shady Grove]]; and
- (9) the Montgomery County Kirwan Coordinator or the Coordinator's designee]].

The Executive should appoint the following voting members:

- (1) 3 parents or guardians with children in childcare and/or pre-kindergarten programs, including 2 low income parents or guardians;
- (2) 2 center based early care and education providers;
- (3) 2 family child care providers;

- (4) 2 representatives of an employer who is not an early childhood education provider;
- (5) a representative of a philanthropic foundation; and
- (6) 2 representatives of a nonprofit corporation focused on equity and inclusion, youth development, economic development, or workforce development.

The Board must permit the County Executive, the County Council's Lead for Early Care and Education, and the President of the Montgomery County Board of Education, or a designee of each public official, to attend and participate at each Board meeting without voting.

[[The Executive must not appoint a member of a governing board or employee of an organization that receives County or State funds directed through the Early Care and Education Coordinating Entity.]]

The Executive must strive to achieve Board representation from diverse geographic areas, socio-economic groups, and ethnic groups.

(d) Leadership. The Board must elect a chair and vice-chair from its members [[3 co-chairs from the following members of the Board:

- (1) a public sector member;
- (2) a private sector member; and
- (3) a parent or guardian]].

(e) Term; Removal.

- (1) Board members serve for three years. The individual terms of the voting members must be staggered. Of the voting members first appointed, approximately one-third must be appointed for a 1-year term, approximately one-third must be appointed for a 2-year term, and approximately one-third must be appointed for a 3-year term. A voting member appointed to fill a vacancy serves

the rest of the unexpired term. The Executive may reappoint a member, but a member who is not a government official or a designee of a government official must not serve more than 2 consecutive full terms, not including any portion of an unexpired term. A voting member continues in office until his or her successor is appointed and confirmed.

(2) The Executive may remove a member for violation of law or other good cause [[specific]] specified in the bylaws of the corporation, after giving the Council at least 15 days' notice of the proposed removal.

(f) *Compensation for Board Members.*

(1) Except as provided in paragraph (2), a member of the Board must serve without compensation. The corporation may reimburse a member who is not a government official or a designee of a government official for expenses incurred in attending meetings or carrying out other duties, including travel and dependent care costs at rates established by the County.

(2) The Entity may adopt guidelines based on need to provide stipends to members appointed as a parent of a child enrolled in an early child care or early education program.

(3) A member is not eligible to receive benefits under any County retirement system for serving as a Board Member.

(g) *Ethics.*

(1) A member is not subject to Chapter 19A because of serving on the Board. The Entity's bylaws must protect against any conflict of interest or similar impropriety by members of the Board of

Directors or the Executive Director or any other employees. The bylaws must include:

- (A) a prohibition against self-dealing and collusive practices;
- (B) a provision for the disclosure of a financial or similar interest of any person in any matter before the Entity that may create a conflict of interest;
- (C) a provision establishing conditions under which a person is disqualified from participating in decisions or other actions in which there is a conflict between the person's official duties and private interests;
- (D) appropriate remedies for a violation of the bylaws, including removal or termination; and
- (E) a policy to protect whistleblowers.

(2) Notwithstanding any inconsistent provision of Code § 19A-21, a member of the Board of Directors or a staff member of the Entity who engages in legislative, administrative, or executive advocacy as part of that person's duties is not required to register as a lobbyist under Article V of Chapter 19A because of the advocacy.

(h) Status; Incorporation; Bylaws.

(1) To qualify as the County's Early Care and Education Coordinating Entity, the Corporation's articles of incorporation must provide for the appointment of the members of its Board of Directors as set forth in this Section. The articles of incorporation must also provide that the Entity is:

- (A) a Maryland nonprofit, non-stock corporation with the purposes and activities limited to those that are permitted

to be performed by a corporation that is recognized as exempt from Federal income tax under 26 U.S.C. § 501, as amended;

(B) not an instrumentality of the County;

(C) incorporated for the purpose of serving as the County's Early Care and Education Coordinating Entity responsible for monitoring and supporting the early care and education system in the County;

(D) organized and operated under the laws of the State of Maryland; and

(E) headquartered in the County.

(2) The Entity's bylaws may contain any provision necessary to govern and manage the Entity that does not conflict with this Section. The Corporation may exercise all powers and is subject to all requirements which apply to non-stock corporations under the Corporations and Associations Article of the Maryland Code.

(3) The bylaws must require the Entity to comply with the Maryland Open Meetings law and the Maryland Public Information Act.

(i) *Duties.* In developing an equitable system of high quality, accessible, sustainable early care and education and eliminating systemic racism and structures that created access barriers for vulnerable, racially and ethnically diverse populations, the Early Care and Education Coordinating Entity must:

(1) develop recommendations for increasing availability of and access to high quality early care and education programs, with particular attention to underrepresented and special populations, including low-income children, families of children with special

needs, and English language learners and with a focus on children from birth to 5 years old;

- (2) convene and solicit input from all ECE stakeholders to identify unmet needs and barriers to accessing quality ECE services, develop common goals and priorities for system expansion and improvement, and identify opportunities for and barriers to collaboration and coordination among stakeholder groups. The Entity must seek advice from the members of the Early Childhood Coordinating Council while the Entity develops final recommendations for realigning existing County committees and advisory groups that provide input into the early care and education system;
- (3) solicit board members through a community-based process involving parent groups and other advisory bodies. Create and/or maintain existing advisory bodies to ensure continuing direct input from a wide range of community perspectives;
- (4) engage and educate families and the wider community about the importance of high-quality early care and education programs and advocate at the Federal, State, and local level for greater public and private investment in and improvements to the early care and education system;
- (4) research and facilitate innovative service models and strategies to improve the early care and education system and identify community needs through periodic mapping of early care and education services and resources and County-wide needs assessments;

- (5) secure and administer private-sector funding to support the early care and education system and manage and administer public funding that is directly appropriated to the Entity;
  - (6) measure and report on the efforts to improve and expand the early care and education system with a focus on achieving tangible results that improve access to high-quality ECE across the County;
  - (7) address current inequities imposing barriers to accessible high quality, affordable care for all communities; and
  - (8) create, as a neutral convener, a common early childhood education agenda based on community consensus that all major stakeholders commit to and maintain a 360 degree view of all aspects of the County's early childhood education sector.
- (j) *Racial Equity and Social Justice.* To effectively address the complex needs of the County's racially and economically diverse children and their families and strategically expand access to critical early care and education services to underrepresented populations, the Entity must adopt and implement a racial equity and social justice policy that applies a racial equity and social justice lens into all aspects of the Entity's operations in alignment with the County's racial equity and social justice strategic plan. The racial equity and social justice policy must include:
- (1) a statement of commitment to racial equity and social justice as part of the organization's core values;
  - (2) active recruitment of potential Board members from diverse backgrounds and outreach to communities of color for consideration by the County Executive and County Council;

- (3) a formal process to assess Board culture and identify barriers to inclusion in Board participation and leadership;
  - (4) communications and business practices that are tailored to the needs of communities of color and other marginalized communities;
  - (5) a process to identify and address discriminatory or non-inclusive behaviors;
  - (6) organizational policies and procedures that address diversity and inclusion; and
  - (7) a clear, realistic, actionable, and measurable commitment to addressing racial equity that is woven into the governance, culture, and membership of the entity that includes representatives of an inclusive group of community stakeholders.
- (k) Direct Services. The Entity must not provide direct services or deliver programs for early childhood education.
- (l) Reports.
- (1) The Board of Directors must report annually on the activities and finances of the Entity and provide an audited financial statement of the Entity to the Executive and Council by October 1 of each year. The report must include:
    - (A) the Entity's plan to solicit and receive additional public and private funding for its operations;
    - (B) outcomes data that measures the progress of early care and education system improvements, including changes in:
      - (i) the level of public and private investment;



- (ii) the availability and use of early care and education seats in the County as a whole and for isolated and vulnerable populations; and
  - (iii) school readiness (including academic, physical and social emotional competencies) rates broken out by total population, race/ethnicity, income categories, and special education status; and
- (C) advocacy efforts.
- (2) The Entity must make public data sets available on the internet to improve public knowledge of the Entity and its operations, further its mission, or increase its accountability and responsiveness.
  - (3) The Entity must provide the Executive and Council, upon request, all non-confidential data produced and received by the Entity, including research, data related to the delivery of early care and education services, and minutes of Board meetings.

**Sec 2. Effective date.** This Act must take effect on July 1, 2022.

Concerning: Elections – Public  
Campaign Financing - Restrictions  
Revised: 2/8/2022 Draft No. 3  
Introduced: November 18, 2021  
Enacted: February 15, 2022  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsors: Councilmembers Glass, Katz, and Riemer, and Council Vice-President Alborno  
Co-Sponsors: Councilmembers Navarro and Rice and Council President Hucker

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**AN EXPEDITED ACT** to:

- (1) permit applicant candidates and participating candidates to accept certain in-kind contributions from a state or County central committee of a political party; and
- (2) generally amend campaign finance law.

By mending  
Montgomery County Code  
Chapter 16, Elections  
Section 16-26

<b>Boldface</b>	<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:*

**Sec. 1. Section 16-26 is amended as follows:**

**16-26. Applicant and participating candidate restrictions.**

An applicant candidate or a participating candidate must not:

- (a) accept a private contribution from any group or organization, including a political action committee, a corporation, a labor organization, or a State or local central committee of a political party, except that an applicant candidate or a participating candidate may, subject to subsection (h), accept ~~[[an]] in-kind contributions [[contribution equal to or less than \$10,000]] from a State ~~[[or]] central committee of a political party, and from a Montgomery County central committee of a political party;~~~~
- (b) accept private contributions from an individual in an aggregate greater than \$150 during a 4-year election cycle, or the maximum amount of an eligible contribution, as adjusted by Section 16-23(i);
- (c) pay for any campaign expense after filing a notice of intent with the Board to seek public funding with any campaign finance account other than the candidate's publicly funded campaign account;
- (d) be a member of a slate in any election in which the candidate receives a public contribution;
- (e) accept a loan from anyone other than the candidate or the candidate's spouse; [or]
- (f) solicit funds for a State or a Montgomery County central committee of a political party; or
- (g) transfer funds:
  - (1) to the candidate's publicly funded campaign account from any other campaign finance entity established for the candidate; and

- (2) from the candidate's publicly funded campaign account to any other campaign finance entity.

(h) *Limitations on In-Kind Contributions.*

- (1) An applicant candidate or a participating candidate may accept in-kind contributions from a State central committee of a political party if:

- (A) the total amount of in-kind contributions from the central committee per election cycle are equal to or less than \$10,000; and

- (B) the funds used by the central committee to make an in-kind contribution derive from individual contributions that do not exceed the public contribution limits established under Section 16-23.


- (2) An applicant candidate or a participating candidate may accept in-kind contributions from a Montgomery County central committee of a political party if:

- (A) the total amount of in-kind contributions from the central committee per election cycle are equal to or less than \$10,000; and

- (B) the funds used by the central committee to make an in-kind contribution derive from individual contributions that do not exceed the public contribution limits established under Section 16-23.

**Sec. 2. Expedited Effective Date.** The Council declares that this legislation is necessary for the immediate protection of the public interest. This Act takes effect on the date on which it becomes law

This is a correct copy of Council action.

Handwritten signature of Selena Mendy Singleton in black ink.

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Selena Mendy Singleton, Esq.  
Clerk of the Council