AN ACT to:

(1) require a racial equity and social justice impact statement for each zoning text amendment;
(2) add 2 public members to the Racial Equity and Social Justice Advisory Committee;
(3) authorize the Executive to establish one or more task forces to study and make recommendations on a specific issue; and
(4) generally amend the law governing Racial Equity and Social Justice.

By amending

Montgomery County Code
Chapter 2, Administration
[[Section]] Sections 2-64A and 2-81C

Chapter 27, Human Rights and Civil Liberties
Section 27-83

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Sections 2-64A, 2-81C and 27-83 are amended as follows:

Division 13. OFFICE OF RACIAL EQUITY AND SOCIAL JUSTICE.

2-64A. Office of Racial Equity and Social Justice.

(d) Racial Equity and Social Justice Action Plan.

(2) The racial equity and social justice action plan must include:

(D) a requirement for the Executive to explain how each management initiative or program that would be funded in the Executive’s annual recommended operating and capital budgets, including the recommended operating and capital budgets for the County Board of Education, or in a supplemental appropriation promotes racial equity and social justice;

(f) Responsibilities of each department and office. Each Executive and Legislative Branch department and office must:

(1) designate an employee to serve as the racial equity and social justice lead for the department or office to coordinate work with the Office;

(2) develop a department or office racial equity and social justice action plan in coordination with the Office; and

(3) provide discrete data on disproportionality and other information to the Office as needed.

(g) Responsibility of the Council. The Council must:
(1) establish a structure to provide oversight of the County’s progress in meeting its racial equity and social justice goals. The Council may retain experts from academic and scientific organizations to assist the Council with this oversight responsibility; [[and]]

(2) establish a process to explain how each special appropriation promotes racial equity and social justice; and

(3) ensure that the operating budget is sufficient:

(A) for the Office of Racial Equity and Social Justice to provide the services required by this Section; and

(B) to implement the Racial Equity and Social Justice Action Plan.


* * *

(b) Racial Equity and Social Justice impact statement. The Director must submit a statement to the Council describing the racial equity and social justice impact, if any, of each bill and zoning text amendment under consideration by the Council or the District Council. The Director must submit a separate statement for each bill or zoning text amendment. The Director must consult with the Planning Board staff before submitting a racial equity and social justice impact statement for a zoning text amendment to the Council.

* * *

(e) Compliance. Council action on an expedited bill or District Council action on a zoning text amendment that is otherwise valid is not invalid because of any failure to follow the requirements of this Section.

(a) **Members.** The Executive must appoint, subject to confirmation by the Council, a Racial Equity and Social Justice Advisory Committee. The Committee must have [15] **17** voting members.

(1) Voting members. The members must reflect a range of ethnicities, professional backgrounds, socioeconomic status, and places of origin to reflect the racial, economic, and linguistic diversity of the County’s communities, with an emphasis on those most disproportionately impacted by inequities. Each member should have some experience in redressing disparate impacts based on race and social justice issues.

(A) One member should be a designee of a public education system in the County.

(B) One member should be the Chair of the Housing Opportunities Commission or the Chair’s designee.

(C) One member should be a designee of the County Council.

(D) One member should be an employee of the County Department of Health and Human Services.

(E) One member should be an employee of the County Department of Correction and Rehabilitation.

(F) One member should be a sworn officer of the County Police Department.

(G) One member should be the Chair of the Montgomery County Planning Board or the Chair’s designee.

(H) [Eight] **Ten** members should be a public member with experience in redressing disparate impacts based on race and social justice issues. Each public member must reside in the County.
(2) Term. Each member serves a 3-year term. A member must not serve more than 2 consecutive full terms. A member appointed to fill a vacancy serves the rest of the unexpired term. Members continue in office until their successors are appointed and qualified.

(3) Compensation. Except for the [8] 10 public members, members must receive no compensation for their services. Each of the [8] 10 public members may receive an annual stipend of $2,000.00 and reimbursement for expenses incurred in serving.

(b) Chair and Vice Chair. The Committee must annually elect one member as chair and another as vice chair and may elect other officers.

(c) Meetings. The Committee may meet at the call of the chair as often as required to perform its duties, but at least 6 times each year. The Committee must also meet if a majority of the members submit a written request for a meeting to the chair at least 7 days before the proposed meeting. A majority of the members are a quorum for the transaction of business, and a majority of members present at any meeting with a quorum may take an action.

(d) Staff. The Office of Racial Equity and Social Justice must provide the Committee with staff, offices, and supplies as are appropriate.

(e) Duties. The Committee must:

(1) adopt rules and procedures as necessary to perform its functions;

(2) keep a record of its activities and minutes of all meetings, which must be kept on file and open to the public during business hours upon request;

(3) develop and distribute information about racial equity and social justice in the County;
(4) promote educational activities that increase the understanding of racial equity and social justice in the County;
(5) recommend coordinated strategies for reducing racial and social justice inequity in the County;
(6) advise the Council, the Executive, and County agencies about racial equity and social justice in the County, and recommend policies, programs, legislation, or regulations necessary to reduce racial and social justice inequity;
(7) meet periodically with the racial equity and social justice lead for each department and office; and
(8) submit an annual report by December 1 of each year to the Executive and Council on the activities of the Committee.

(f) **Advocacy.** The Committee must not engage in any advocacy activity at the State or federal levels unless that activity is approved by the Office of Intergovernmental Relations.

(g) The Executive may establish one or more limited issue task forces to study and make recommendations on a specific racial equity and social justice issue. A limited issue task force established by the Executive ceases to exist once it has completed its assigned task. The appointment of members of a limited issue task force must not be subject to confirmation by the Council. Each recommendation of a limited issue task force must be shared with the Council, the Executive, and the Racial Equity and Social Justice Advisory Committee.

**Sec. 2. Transition.**

The amendments to Section 2-81C in Section 1 must take effect on September 1, 2021.
Approved:

/s/ 12/2/2020
Tom Hucker, President, County Council

Approved:

/s/ 12/11/2020
Marc Elrich, County Executive

This is a correct copy of Council action.

/s/ 12/11/2020
Selena Mendy Singleton, Esq., Clerk of the Council