

Expedited Bill No. 33-09  
Concerning: Inspector General - Attorney  
Revised: 11-13-09 Draft No. 2  
Introduced: September 15, 2009  
Enacted: November 17, 2009  
Executive: November 26, 2009  
Effective: November 26, 2009  
Sunset Date: None  
Ch. 27, Laws of Mont. Co. 2009

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

---

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

---

**AN EXPEDITED 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

<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:*

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

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

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

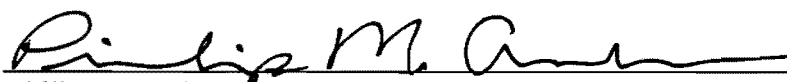
32 (B) the County Attorney has had a reasonable opportunity to  
33 comment on the qualifications of the person or firm that  
34 the Inspector General has selected to provide those  
35 services; and

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

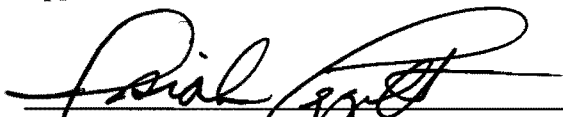
40 \* \* \*

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

44 *Approved:*

45  November 18, 2009  
Philip M. Andrews, President, County Council Date

46 *Approved:*

 Nov 26, 2009  
Isiah Leggett, County Executive Date

47 *This is a correct copy of Council action.*

 Nov 30, 2009  
Linda M. Lauer, Clerk of the Council Date