

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2023, Legislative Day No. 20

Bill No. 83-23

Mr. Julian E. Jones Jr., Chairman
By Request of County Executive

By the County Council, November 6, 2023

A BILL
ENTITLED

AN ACT concerning

County Charter – Office of the Inspector General

FOR the purpose of amending the County Charter to provide that staff of the Office of Inspector General are exempt service employees; providing the Inspector General with subpoena power; establishing the Office of the Inspector General in the County Charter; providing for the appointment of an Inspector General; establishing a term of office for the Inspector General; providing for the reappointment of the Inspector General; setting qualifications for the Inspector General; providing for the removal of the Inspector General under certain circumstances; providing for the staff of the Office and its supervision; providing that staff of the Office of Inspector General are County employees and subject to County personnel laws; providing that the Office shall be funded as a separate budget entity; providing for

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

the continuity of terms of certain officials, the status of certain transactions and employees, rights, titles, and interests; and generally relating to the Office of the Inspector General.

BY repealing and re-enacting, with amendments

Section 801(8) and (9)
Article VIII – Merit System
Baltimore County Charter

Section 1008
Article X – Miscellaneous
Baltimore County Charter

BY adding

Section 1014
Article X – Miscellaneous
Baltimore County Charter

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that under the authority granted to it by Section 1202 of the Baltimore
3 County Charter, Section 801 of Article VIII, Merit System, and Sections 1008 and 1014 of
4 Article X, Miscellaneous, of the Baltimore County Charter be and are hereby proposed to be
5 repealed and re-enacted, with amendments, to read as follows:

6

7

Article VIII – Merit System

8

9 Section 801. County council to establish and maintain merit system; composition of exempt
10 service.

11 At its first annual legislative session after the effective date of this Charter, the county
12 council shall enact a county personnel law establishing a merit system of personnel

1 administration. The county personnel law shall provide for the division of all employees in the
2 county government into the classified and the exempt service, the latter to consist of:

3 (8) All employees of the county council and the office of the county auditor,
4 [and]

5 (9) Such seasonal or occasional employees and such nonsupervisory employees
6 paid on an hourly basis as may be specifically exempted from the effect of the county personnel
7 law or from the plans, rules, and regulations thereto, AND

8 (10) ALL EMPLOYEES OF THE OFFICE OF THE INSPECTOR GENERAL.
9

10 Article X – Miscellaneous
11

12 Section 1008. Subpoena power.

13 The county council, the county executive, the county administrative officer, the personnel
14 and salary advisory board, the county board of appeals, the county auditor, THE INSPECTOR
15 GENERAL and such other officers or agencies of the county as may be so empowered by
16 legislative act of the county council or otherwise by law shall have the power to administer
17 oaths, to compel the attendance of witnesses and to require the production of records and other
18 materials in connection with any investigation, inquiry or hearing authorized by this Charter or
19 by law.
20

21 SECTION 1014. OFFICE OF THE INSPECTOR GENERAL.

22 (A) THERE IS AN OFFICE OF THE INSPECTOR GENERAL.

23 (B) THE PURPOSE OF THE OFFICE OF THE INSPECTOR GENERAL IS TO

1 PROVIDE INCREASED ACCOUNTABILITY AND OVERSIGHT IN THE OPERATIONS
2 OF THE COUNTY GOVERNMENT BY IDENTIFYING:

3 (1) FRAUD, WASTE AND ABUSE IN THE COUNTY GOVERNMENT; AND

4 (2) WAYS TO PROMOTE EFFICIENCY, ACCOUNTABILITY, AND
5 INTEGRITY IN COUNTY GOVERNMENT.

6 (C) (1) THE OFFICE SHALL BE HEADED BY AN INSPECTOR GENERAL,
7 APPOINTED BY THE COUNTY EXECUTIVE AND CONFIRMED BY THE COUNTY
8 COUNCIL.

9 (2) THE COUNTY EXECUTIVE SHALL CONDUCT AN OPEN SEARCH
10 PROCESS FOR THE INSPECTOR GENERAL TO MEET THE QUALIFICATIONS
11 REQUIRED UNDER SUBSECTION (E) OF THIS SECTION, AND MAY USE MEASURES,
12 SUCH AS REGIONAL OR NATIONAL RECOGNIZED ORGANIZATIONS OR
13 PROFESSIONAL SEARCH FIRMS, TO REVIEW AND SELECT AN INSPECTOR
14 GENERAL CANDIDATE FOR APPOINTMENT.

15 (D) (1) THE INSPECTOR GENERAL SHALL HOLD OFFICE FOR A TERM OF
16 FOUR YEARS COMMENCING AT THE TIME OF THEIR APPOINTMENT AND
17 CONTINUING UNTIL THEIR SUCCESSOR QUALIFIES.

18 (2) AN INSPECTOR GENERAL MAY NOT SERVE MORE THAN TWO
19 FULL TERMS, NOT INCLUDING ANY TIME SERVED AS INSPECTOR GENERAL TO
20 COMPLETE AN UNEXPIRED TERM, AND SHALL BE SUBJECT TO APPOINTMENT
21 FOR A SECOND TERM IN ACCORDANCE WITH THE PROVISIONS OF SUBSECTION
22 (C)(1) OF THIS SECTION.

23 (E) THE INSPECTOR GENERAL SHALL BE PROFESSIONALLY QUALIFIED, BY

1 EXPERIENCE OR EDUCATION, IN AUDITING, LAW, ETHICS, COMPLIANCE,
2 GOVERNMENT OPERATIONS, OR FINANCIAL MANAGEMENT, AND SHALL BE
3 SELECTED SOLELY ON THE BASIS OF PROFESSIONAL ABILITY AND PERSONAL
4 INTEGRITY, WITHOUT REGARD TO POLITICAL AFFILIATION.

5 (F) (1) THE INSPECTOR GENERAL MAY BE REMOVED BY THE COUNTY
6 EXECUTIVE BEFORE THE EXPIRATION OF THE TERM FOR WHICH THE INSPECTOR
7 GENERAL WAS APPOINTED ONLY FOR CAUSE, SUBJECT TO THE APPROVAL OF
8 THE COUNTY COUNCIL BY A VOTE OF A MAJORITY PLUS ONE OF THE MEMBERS
9 OF THE COUNTY COUNCIL.

10 (2) THE CAUSE OF REMOVAL SHALL BE STATED IN WRITING AND A
11 PUBLIC HEARING HELD ON THE REMOVAL.

12 (G) (1) THE INSPECTOR GENERAL SHALL SUPERVISE THE OPERATIONS
13 OF THE STAFF OF THE OFFICE OF THE INSPECTOR GENERAL, INCLUDING THE
14 HIRING, DIRECTION AND DISCHARGE OF ALL OFFICE OF THE INSPECTOR
15 GENERAL STAFF MEMBERS IN ACCORDANCE WITH THE COUNTY PERSONNEL
16 LAWS.

17 (2) NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS CHARTER
18 OR THE CODE, THE STAFF OF THE OFFICE OF THE INSPECTOR GENERAL SHALL
19 BE CONSIDERED COUNTY EMPLOYEES AND ARE SUBJECT TO ALL APPLICABLE
20 COUNTY PERSONNEL LAWS.

21 (3) EXCEPT AS OTHERWISE STATED IN SUBSECTION (F) OF THIS
22 SECTION, THE INSPECTOR GENERAL SHALL BE SUBJECT TO ALL APPLICABLE
23 COUNTY PERSONNEL LAWS.

1 (H) (1) (I) THE OFFICE OF THE INSPECTOR GENERAL SHALL BE
2 FUNDED AS A SEPARATE BUDGET ENTITY IN THE ANNUAL BUDGET AND
3 APPROPRIATION ORDINANCE.

4 (II) THE COUNTY EXECUTIVE AND COUNTY COUNCIL SHALL
5 ENSURE THAT THE BUDGET FOR THE OFFICE OF INSPECTOR GENERAL IS
6 SUFFICIENT TO PROVIDE THE SERVICES OUTLINED IN THE APPLICABLE
7 SECTIONS OF THE BALTIMORE COUNTY CODE, AS AMENDED.

8 (2) ANY DECREASE IN APPROPRIATIONS FROM THE PRIOR FISCAL
9 YEAR, IN EITHER THE PROPOSED OR ADOPTED BUDGET, SHALL BE
10 ACCOMPANIED BY A WRITTEN JUSTIFICATION FOR THE DECREASE WHICH
11 SHALL BE PUBLICLY POSTED IN TIME FOR PUBLIC HEARINGS ON THE BUDGET TO
12 PERMIT PUBLIC COMMENT AND INPUT ON SUCH REDUCTIONS.

13 (3) THE OFFICE MAY EXPEND FUNDS DERIVED FROM PRIVATE
14 GRANTS, THE STATE OR THE UNITED STATES TO CARRY OUT ITS FUNCTIONS
15 AND ACTIVITIES, AND TO COOPERATE WITH ANY AGENCY OF THE STATE OR THE
16 UNITED STATES IN CARRYING OUT ITS FUNCTIONS AND ACTIVITIES.

17
18 SECTION 2. AND BE IT FURTHER ENACTED, that pursuant to Section 1202 of the
19 Baltimore County Charter, the question of whether or not the Charter is to be amended as
20 proposed by this Act shall be submitted to the voters of Baltimore County at the general election
21 on November 5, 2024, and that this Act shall be published in at least two newspapers of general
22 circulation in the County for five successive weeks prior to the election.

1 SECTION 3. AND BE IT FURTHER ENACTED, that upon ratification by the voters of
2 Baltimore County, this Act shall become effective from and after the thirtieth day following said
3 election.

4
5 SECTION 4. AND BE IT FURTHER ENACTED, that the first Inspector General was
6 appointed in 2020 serving an initial five-year term, as permitted in the original enabling
7 legislation at that time and, unless removed for cause, shall be permitted to complete that initial
8 five-year term, with every other term of any Inspector General thereafter consisting of four years.

9
10 SECTION 5. AND BE IT FURTHER ENACTED, that, except as expressly provided to
11 the contrary in this Act, any transaction or property interest affected by or flowing from any
12 change of nomenclature or any statute amended, repealed, or transferred by this Act and validly
13 entered into or existing before the effective date of this Act and every right, duty, or interest
14 flowing from the statute, remains valid after the effective date of this Act and may be terminated,
15 completed, consummated, or enforced as required or allowed by any statute amended, repealed,
16 or transferred by this Act as though the repeal, amendment, or transfer had not occurred. If the
17 change in nomenclature involves a change in name or designation of any County unit, the
18 successor unit shall be considered in all respects as having the powers and obligations granted
19 the former unit.

20
21 SECTION 6. AND BE IT FURTHER ENACTED, that except as expressly provided in
22 this Act, the continuity of every commission, office, department, agency, bureau, or other unit in
23 existence on the effective date of this Act is retained. The personnel, records, files, furniture,

1 fixtures, and other properties and all appropriations, credits, assets, liabilities, and obligations of
2 each retained unit are continued as the personnel, records, files, furniture, fixtures, properties,
3 appropriations, credits, assets, liabilities, and obligations of the unit under the laws enacted by
4 this Act.

5
6 SECTION 7. AND BE IT FURTHER ENACTED, that except as expressly provided to
7 the contrary in this Act, any person licensed, registered, certified, or issued a permit or certificate
8 by any commission, office, department, agency, bureau, or other unit established or continued by
9 any statute amended, repealed, or transferred by this Act is considered for all purposes to be
10 licensed, registered, certified, or issued a permit or certificate by the appropriate unit continued
11 under this Act for the duration of the term for which the license, registration, certification, or
12 permit was issued, and may renew that authorization in accordance with the appropriate renewal
13 provisions.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Young
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Ertel
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell