

Expedited Bill No. 25-18  
Concerning: Health and Sanitation -  
Special Needs Housing - Renaming  
Revised: 6/12/2018 Draft No. 1  
Introduced: June 19, 2018  
Enacted: July 17, 2018  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsor: Council President at the request of the County Executive

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**AN EXPEDITED ACT to:**

- (1) change the name of the Special Needs Housing Unit within the Department of Health and Human Services to more accurately reflect the services provided;
- (2) modernize the County Code by updating the recently changed names of state and local programs and clarify the boards, committees, and commissions to which the Department provides staff support; and
- (3) generally amend County law governing the Department.

By amending

Montgomery County Code  
Chapter 2, Administration  
Section 2-42A

Chapter 15, Eating and Drinking Establishments  
Section 15-9

Chapter 23A, Group Homes  
Section 23A-3

Chapter 24, Health and Sanitation  
Sections 24-34 and 24-65

<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. Sections 2-42A, 15-9, 23A-3, 24-34, and 24-65 are amended as follows:**

**2-42A. Functions, powers, and duties.**

\* \* \*

(b) *Non-merit positions.* The Department has 5 senior level management positions that are non-merit positions. These positions consist of a chief operating officer; a chief of [special needs housing] Services to End and Prevent Homelessness; [and 3 direct service division chiefs] a chief of Aging and Disability Services; a chief of Behavioral Health and Crisis Services; and a chief of Children, Youth, and Family Services. In addition, the Health Officer referred to in Section 2-42 serves as the chief of the [direct service division for public health services] Direct Service Division for Public Health Services.

\* \* \*

(d) *Duties of the Department.*

\* \* \*

(3) The Department provides staff support to:

\* \* \*

(F) the Alcohol and Other Drug Abuse Advisory Council[.];

(G) the Mental Health Advisory [Council.] Committee;

(H) the [Juvenile Court Committee] Commission on Juvenile Justice;

\* \* \*

(N) the Early Childhood Coordinating Council; [and]

(O) the Interagency Commission on Homelessness;

(P) the Commission on Veteran Affairs; and

(Q) any program created to achieve health equity among County residents.

**15-9. Food service manager; responsibility[,]; certification; licensee's responsibility.**

(b) Unless otherwise provided by executive regulation, the [State] Maryland Department of Health [and Mental Hygiene] or its successor certifies food service managers for purposes of this [chapter] Chapter. A facility under the immediate control of a manager holding a state certificate complies with [section] Section 15-8(b). The [executive] County Executive may modify or supersede the State certification program by executive regulation. The [executive] Executive must establish criteria in executive regulation for renewal of a certificate.

**23A-3. Applicability of [chapter] Chapter.**

This Chapter does not apply to a:

(f) group home for developmentally disabled adults which is licensed by the [state] Maryland Department of Health [and Mental Hygiene]; or

**24-34. Mental Health Advisory Committee—Established; composition; appointment; terms; ex officio members.**

(b) The Committee has 19 voting members and at least 3 nonvoting ex officio members.

(1) The voting members are:

(A) 7 individuals selected from or representing:

(x) the [County Office] Area Agency on Aging;

**24-65. Members.**

\* \* \*

(b) The Executive must appoint the following to serve as [ex-officio] ex officio members:

\* \* \*

(2) Chief of [Special Needs Housing] Services to End and Prevent Homelessness of the Department of Health and Human Services;

\* \* \*

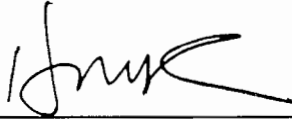
**Sec. 2. Transition.**

Any regulation that implements a function or describes the duties assigned to the Chief of Special Needs Housing by this Act continues in effect but any reference to the Chief of Special Needs Housing must be treated as a reference to the Chief of Services to End and Prevent Homelessness.

**Sec. 3. 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.

*Approved:*



*July 19, 2018*

Hans Riemer, President, County Council

Date

*Approved:*

Isiah Leggett, County Executive

Date

*This is a correct copy of Council action.*

Megan Davey Limarzi, Esq., Clerk of the Council

Date