Montgomery County Council

Committee: GO
Committee Review: At a future date
Staff: Christine Wellons, Chief Legislative Attorney
Purpose: To receive testimony – no vote expected

AGENDA ITEM #7
October 27, 2026
Public Hearing

SUBJECT

Expedited Bill 50-26, Administration - Non-merit Appointments – Deputy Directors

Lead Sponsor: Councilmember Jawando

Co-Sponsors: Councilmembers Evans, Glass, Katz, Mink, and Sayles

EXPECTED ATTENDEES

Public speakers

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Receive testimony.
- A worksession of the Government Operations and Fiscal Policy (GO) Committee is scheduled for November 13, 2026.

DESCRIPTION/ISSUE

Expedited Bill 50-26 would:

(1) convert to non-merit status certain leadership positions within the Executive branch of County government, including positions within the Office of the County Attorney, the Department of Finance, Montgomery County Fire and Rescue Services, the Department of General Services, the Department of Health and Human Services, the Office of Human Resources, the Department of Permitting Services, the Office of Public Information, the Office of Animal Services, the Office of Community Use of Public Facilities, the Office of Human Rights, the Office of Emergency Management and Homeland Security, and the Commission for Women; and

(2) generally amend the law regarding County personnel and appointments.

This report contains:

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Agenda Item #7
October 27, 2026
Public Hearing

M E M O R A N D U M

October 22, 2026

TO: County Council

FROM: Christine Wellons, Chief Legislative Attorney

SUBJECT: Expedited Bill 50-26, Administration – Non-Merit Appointments – Deputy Directors

PURPOSE: Public hearing – receive testimony

Expedited Bill 50-26, Administration – Non-Merit Appointments – Deputy Directors, was introduced on October 13, 2026. The Lead Sponsor is Councilmember Jawando. Co-Sponsors are Councilmembers Evans, Glass, Katz, Mink, and Sayles.

A public hearing is scheduled for October 27, 2026. A worksession of the Government Operations and Fiscal Policy (GO) Committee is scheduled for November 13, 2026.

Expedited Bill 50-26 would:

(1) convert to non-merit status certain leadership positions within the Executive branch of County government, including positions within the Office of the County Attorney, the Department of Finance, Montgomery County Fire and Rescue Services, the Department of General Services, the Department of Health and Human Services, the Office of Human Resources, the Department of Permitting Services, the Office of Public Information, the Office of Animal Services, the Office of Community Use of Public Facilities, the Office of Human Rights, the Office of Emergency Management and Homeland Security, and the Commission for Women; and
(2) generally amend the law regarding County personnel and appointments.

BACKGROUND AND PURPOSE

The Lead Sponsor has explained the mechanics and purpose of the Expedited Bill as follows.

The bill would make "the remaining merit deputy-level positions in the Executive Branch, four Fire and Rescue Service division chiefs, and the Executive Directors of certain non-principal offices non-merit positions appointed by the County Executive and confirmed by the Council. Previous administrations and Councils have already converted most of the County's deputy

leadership, and this bill completes that work. Executive Directors serving when the bill takes effect would be grandfathered; the deputy-level positions would convert on the bill's effective date.

"Residents judge the County government by whether it works: whether the permit gets issued, the call gets returned, and the program does what we said it would do. These bills strengthen County government by giving every department clear leadership that answers for results, with the Council confirming who those leaders are." *See* Sponsor's Memorandum at © 11.

BILL SPECIFICS

Under current County law, certain deputy directors of County departments and principal offices are merit positions, whereas others are non-merit positions appointed by the County Executive and confirmed by the County Council.

The Expedited Bill would convert deputy director positions (or their equivalents) that are currently merit positions into non-merit positions. In addition, the bill would make certain heads of non-principal Executive offices into non-merit positions.

Specifically, the following currently merit positions would become appointees of the Executive subject to Council confirmation:

- Deputy County Attorney;
- Executive Director, Office of Animal Services;
- Executive Director, Office of the Commission for Women;
- Executive Director, Office of Community Use of Public Facilities;
- Executive Director, Office of Emergency Management and Homeland Security;
- Executive Director, Office of Human Rights;
- Deputy Directors, Department of General Services (currently, only one is appointed);
- Chief Operating Officer, Department of Health and Human Services;
- Deputy Director, Department of Permitting Services;
- Deputy Director, Office of Public Information;
- Deputy Director, Office of Human Resources;
- Chief Operating Officer, Department of Finance
- Chief, Division of Fire and Rescue Operations, Montgomery County Fire and Rescue Services (MCFRS);
- Chief, Division of Support Services, MCFRS;
- Chief, Division of Fiscal Management, MCFRS;
- Chief, Division of Human Resources, MCFRS;

If the expedited legislation is enacted, a Method (1) regulation to establish a position description will be required for each of the newly created non-merit positions. (Montgomery County Code, Section 1A-104(b)(2)).

Legislation to create new non-merit positions requires the affirmative vote of seven Councilmembers for enactment. (Montgomery County Charter, Section 401).

This packet contains:	Circle #
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Expedited Bill No. 50-26
Concerning: Administration - Non-merit Appointments – Deputy Directors
Revised: 10/13/2026 Draft No. 2
Introduced: October 13, 2026
Expires: December 7, 2026
Enacted:
Executive:
Effective:
Sunset Date: None
Ch.___, Laws of Mont. Co.

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsor: Councilmember Jawando
Co-Sponsors: Councilmembers Evans, Glass, Katz, Mink, and Sayles

AN EXPEDITED ACT to:

(1) convert to non-merit status certain leadership positions within the Executive branch of County government, including positions within the Office of the County Attorney, the Department of Finance, Montgomery County Fire and Rescue Services, the Department of General Services, the Department of Health and Human Services, the Office of Human Resources, the Department of Permitting Services, the Office of Public Information, the Office of Animal Services, the Office of Community Use of Public Facilities, the Office of Human Rights, the Office of Emergency Management and Homeland Security, and the Commission for Women; and

(2) generally amend the law regarding County personnel and appointments.

By amending

Montgomery County Code
Chapter 1A, Structure of County Government
Sections 1A-104, 1A-204

Chapter 2, Administration
Sections 2-30, 2-42A, 2-42B, 2-64H, and 2-64I

Chapter 20, Finance
Section 20-38

Chapter 21, Fire and Rescue Services
Section 21-3

Boldface	*Heading or a defined term.*
Underlining	*Added to existing law by original bill.*
[Single boldface brackets**]**	*Deleted from existing law by original bill.*
Double underlining	*Added by amendment.*
[[Double boldface brackets**]]**	*Deleted from existing law or the bill by amendment.*
* * *	*Existing law unaffected by bill.*

The County Council for Montgomery County, Maryland, approves the following Act:

Sec 1. Sections 1A-104, 1A-204 2-30, 2-42A, 2-42B, 2-64H, 2-64I, 20-38, and 21-3 are amended as follows:

1A-104. Heads of departments and principal offices; other positions designated as non-merit.

(a) *Names.* The head of a department or principal office is called the Director of the department or principal office, except that:

(1) the Director of Police is also called the Chief of Police;

(2) the Director of the Montgomery County Fire and Rescue Service is also called the Fire Chief; and

(3) the Director of the Office of the County Attorney is called the County Attorney.

(b) *Qualifications.*

(1) Each head of a department or principal office should be professionally qualified.

(2) A person holding any other position in the Executive Branch designated by law as a non-merit position must be professionally qualified for the position under a position description established by regulation under method (1).

(c) *Status.* Heads of departments and principal offices, the position of Deputy County Attorney, and holders of any other position in the Executive Branch designated by law as a non-merit position, are County employees but are not merit system employees.

* * *

1A-204. Supervision of offices and appointment of heads.

(a) *Executive Branch – non-principal offices.*

(1) Each Executive Director who supervises one of the following **[**office**]** offices established under Section 1A-203(a) is **[**under the

supervision of an Executive Director who is**]** a non-merit position appointed by the **[**Chief Administrative Officer**]** Executive and confirmed by the Council:

(A) Office of Animal Services;

(B) Office of the Commission for Women;

(C) Office of Community Use of Public Facilities;

(D) Office of Emergency Management and Homeland Security; and

(E) Office of Human Rights. **[**Each Executive Director is a merit system employee.**]**

(2) Except as provided under paragraph (1) of this subsection, each office established under Section 1A-203(a) is supervised by a merit system position appointed by the Chief Administrative Officer.

* * *

2-30. Department of General Services — Functions; non-merit positions.

(a) *Generally.* The Department of General Services must:

* * *

(b) *Non-merit position.* The **[**position**]** positions of Deputy Director **[**is a**]** of the Department of General Services are non-merit **[**position**]** positions.

2-42A. Functions, powers, and duties; non-merit positions.

(a) *Generally.* The Department is responsible for providing a single integrated system for the provision of health and human services with other public and private agencies that provide health and human services in the County. Department services are supportive services that provide the basic necessities, such as food, clothing, and shelter to

people, and those services that directly serve and protect the health, mental health, economic well-being, and social functioning of individuals and families. The Department administers programs and provides services in the areas of:

(1) individual and community health services;

(2) public health services; and

(3) human services to clients.

(b) *Non-merit positions.* The Department has **[**5**]** 6 senior level management positions that are non-merit positions. These positions consist of a chief of Public Health Services; a chief of Services to End and Prevent Homelessness; a chief of Aging and Disability Services; a chief of Behavioral Health and Crisis Services; **[**and**]** a chief of Children, Youth, and Family Services; and a Chief Operating Officer. The chief of Public Health Services also serves as the Deputy Health Officer.

* * *

2-42B. Functions; Advisory Committee; non-merit deputy.

(a) *Functions.* The Department of Permitting Services is responsible for:

* * *

(b) *Advisory Committee.*

* * *

(c) The position of Deputy Director of the Department of Permitting Services is a non-merit position.

2-64H. Functions; non-merit deputy.

(a) The **[**office of public information**]** Office of Public Information shall have the following functions:

[(a)**]** (1) **[**Serve**]** serve as a focal point for communications with citizens and community organizations**[**.**]**;

[(b)**]** (2) **[**Establish**]** establish and maintain a public information program**[**.**]**;

[(c)**]** (3) **[**Provide**]** provide professional editing and design support and coordination for county-wide publications and to county departments and agencies**[**.**]**;

[(d)**]** (4) **[**Establish**]** establish and maintain an information and referral program**[**.**]**;

[(e)**]** (5) **[**Carry**]** carry out related matters as may be assigned**[**.**]**; and

[(f)**]** (6) **[**Recruitment**]** recruitment and utilization of volunteer services for county programs.

(b) The position of Deputy Director of the Office of Public Information is a non-merit position.

2-64I. Functions; non-merit deputy.

(a) The Office of Human Resources has the following functions:

[(a)**]** (1) **[**Under**]** under the administration of the Chief Administrative Officer, supervise the County merit system in accordance with the County Charter, local, state and federal laws, rules and regulations**[**.**]**;

[(b)**]** (2) **[**Assist**]** assist all appointing authorities in the implementation of merit system Charter provisions and the personnel regulations of the Executive**[**.**]**;

[(c)**]** (3) **[**Assist**]** assist the Executive in the development and administration of a career service and in the administration of a comprehensive management personnel program**[**.**]**;

[(d)**]** (4) **[**Provide**]** provide cooperative personnel services to political subdivisions of Montgomery County or agencies supported in whole or in part by taxes levied by the Council and to the Montgomery County Revenue Authority**[**.**]**;

[(e)**]** (5) **[**Perform**]** perform related duties as assigned**[**.**]**; and

[(f)**]** (6) **[**Develop**]** develop and administer the equal employment opportunity program, unless this responsibility is transferred to the Chief Administrative Officer in accordance with the termination provision of chapter 1, section 5 of the 1981 Laws of Montgomery County.

(b) The position of Deputy Director of the Office of Human Resources is a non-merit position.

20-38. Powers and duties of Director generally; chief operating officer.

(a) The Director of Finance, under the general direction of the County Executive, must:

[(a)**]** (1) **[***Review and audit of claims, vouchers, etc.***]** review and audit accounts, claims, invoices, demands, or vouchers presented to the County for payment**[**.**]**;

[(b)**]** (2) **[***Accounting system, etc.***]** prescribe the system of accounts, reports, and expenditure and receipt documents to be used by all of the officers of the County government, except as prescribed by law**[**.**]**;

[(c)**]** (3) **[***Financial records.***]** keep the financial records of the County government, including payroll**[**.**]**;

[(d)**]** (4) **[***Annual Financial Report.***]** prepare an Annual Financial Report containing a detailed account of all funds received and

paid by the County in accordance with applicable accounting and financial reporting standards**[**.**]**; and

[(e)**]** (5) **[***Inventory, storage, etc., management.***]** coordinate the development and implementation of inventory, storage and other materials, management policies and practices of the County.

(b) The position of Chief Operating Officer of the Department of Finance is a non-merit position.

21-3. Fire Chief; Division Chiefs; non-merit positions.

(a) The Executive must appoint, subject to confirmation by the Council, and may remove the Fire Chief.

* * *

(c) The Chief of the Division of Fire and Rescue Operations is a **[**merit**]** non-merit position. The Division Chief must meet the requirements for chief officer adopted under Section 21-8. The Division Chief has operational authority over fire, rescue, and emergency medical services activities of the Fire and Rescue Service, including the local fire and rescue departments, as assigned by the Fire Chief. The Division Chief must promote the integration of the activities of volunteer and career firefighters and rescuers. The Division Chief, subject to the authority of the Fire Chief, may take disciplinary action, including discharge, against any merit system employee in the Service, subject to applicable merit system regulations and collective bargaining agreements.

(d) The Chief of the Division of Volunteer Services is a non-merit position. The Division Chief must meet the requirements for chief officer adopted under Section 21-8 and must have experience as a chief, or an assistant or deputy chief, in a volunteer fire and rescue organization in the County. The Division Chief must be given the same rank under the

IECS as the Chief of the Division of Fire and Rescue Operations. Before the Fire Chief recommends a person to the Executive for appointment as Division Chief for Volunteer Services, the Chief must invite the LFRD representative to submit a list of at least 5 qualified persons for the Executive's consideration. If the LFRD representative submits a list and the Executive appoints a person whose name was not on that list, the Executive must explain to the Council why no person on the list was selected. If the Chief does not receive a list of at least 5 candidates within 30 days after requesting it, the Executive may appoint a qualified person without explaining why no person was selected from a list. The Division Chief has operational authority over fire, rescue, and emergency medical services activities of the Fire and Rescue Service, including the local fire and rescue departments, as assigned by the Fire Chief. The Division Chief, under the direction of the Fire Chief must serve as the highest ranking volunteer officer in the County and coordinate the operations and administration of volunteer personnel and LFRD's. The Division Chief must:

(1) promote the integration of the activities of volunteer and career firefighters and rescuers;

(2) promote recruitment and retention of volunteers;

(3) assist LFRD's in training, risk management, use and maintenance of apparatus, budget preparation, and formulating department policy and recommendations to the Chief and Commission;

(4) monitor legislative and regulatory actions involving volunteer activities and inform affected groups; and

(5) provide additional opportunities for people to volunteer, including the creation of a mobile volunteer personnel corps.

* * *

(i) The position of Chief of the Division of Support Services is a non-merit position.

(j) The position of Chief of the Division of Fiscal Management is a non-merit position.

(k) The position of Chief of the Division of Human Resources is a non-merit position.

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.

Sec. 3. Transition for incumbent employees of non-principal offices.

(a) If, on the effective date of this Act, an employee occupies a position under Sections 1A-204(a)(1) or 21-3, as amended by this Act:

(1) the employee retains all merit system rights; and

(2) the position does not become a non-merit position until that employee leaves the position through transfer, promotion, demotion, retirement, or other separation from service.

(b) If, on the effective date of this Act, an employee is in a probationary period for a position under Sections 1A-204(a)(1) or 21-3, as amended by this Act:

(1) the employee retains all merit system rights upon successful completion of the probationary period; and

(2) the position does not become a non-merit position until the employee leaves the position through transfer, promotion, demotion, retirement, or other separation from service.

M E M O R A N D U M

October 5, 2026

TO: Council President Natali Fani-González

CC: Councilmembers

FROM: Will Jawando, Councilmember At-Large

SUBJECT: Request for Introduction of Two Expedited Bills on Executive Branch Leadership

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I am writing to request introduction of two expedited bills on Tuesday, October 13. Both bills strengthen the leadership of the Executive Branch so County departments deliver better results for residents, and both bring those leadership positions before the Council for confirmation.

The first bill, Administration – Office of the County Executive – Non-Merit Positions, increases the number of Assistant Chief Administrative Officers (ACAOs) from four to six by repurposing two existing positions in the Office of the County Executive. County government has grown in size and in what residents ask of it. Six ACAOs gives each a portfolio one person can reasonably manage, and gives every department a senior leader in the County Executive's office who is directly accountable for it.

The second bill, Administration – Non-Merit Appointments – Deputy Directors, makes the remaining merit deputy-level positions in the Executive Branch, four Fire and Rescue Service division chiefs, and the Executive Directors of certain non-principal offices non-merit positions appointed by the County Executive and confirmed by the Council. Previous administrations and Councils have already converted most of the County's deputy leadership, and this bill completes that work. Executive Directors serving when the bill takes effect would be grandfathered; the deputy-level positions would convert on the bill's effective date.

Residents judge the County government by whether it works: whether the permit gets issued, the call gets returned, and the program does what we said it would do. These bills strengthen County government by giving every department clear leadership that answers for results, with the Council confirming who those leaders are.

I look forward to discussing these bills with you and our colleagues.