

*Clerk's Note: Correction made to typographical error on paragraph (1) of the long title.*

Expedited Bill No. 9-19  
Concerning: Consolidated Retiree Health  
Benefits Trust – Delegation of Duties  
Revised: March 26, 2019 Draft No. 2  
Introduced: April 2, 2019  
Enacted: July 16, 2019  
Executive: July 25, 2019  
Effective: July 25, 2019  
Sunset Date: None  
Ch. 12, Laws of Mont. Co. 2019

**COUNTY COUNCIL  
FOR MONTGOMERY COUNTY, MARYLAND**

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Lead Sponsor: Council President Navarro at the Request of the Board of Trustees for the  
Consolidated Retiree Health Benefits Trust

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**AN EXPEDITED ACT** to:

- (1) authorize the Board of Trustees to delegate certain duties to certain County employees in its written policies and procedures; and
- (2) generally amend the laws governing the management of the Consolidated Retiree Health Benefits Trust.

By amending

Montgomery County Code  
Chapter 33, Personnel and Human Resources  
Sections 33-160 and 33-162

<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. Sections 33-160 and 33-162 are amended as follows:**

2   **33-160. Board of Trustees.**

3   \*     \*     \*

4           (e)   *Written policies.* The Board must establish written policies to administer  
5   and invest the funds created by this Article and to transact the business of  
6   the Trust Fund. Any delegation of duties by the Board under Section 33-  
7   162 must be specified in written policies and procedures.

8   \*     \*     \*

9   **33-162. Trust Fund management.**

10    \*     \*     \*

11           (k)   Delegation of Duties. The Board may delegate its duties to the Executive  
12    Director or a similarly situated County employee as it deems appropriate  
13    and consistent with its fiduciary duties in a written policy and procedure. If  
14    the Board has prudently delegated its duties and monitored the delegation,  
15    the trustees must not be liable for an act or omission made by its delegate.


16           **Sec. 2.       Expedited Effective Date.**

17           The Council declares that this legislation is necessary for the immediate  
18           protection of the public interest. This Act takes effect on the date on which it becomes  
19           law.

Approved:

  
\_\_\_\_\_  
Nancy Navarro, President, County Council 7/16/19  
Date

Approved:

  
\_\_\_\_\_  
Marc Elrich, County Executive 7/25/19  
Date

*This is a correct copy of Council action.*

  
\_\_\_\_\_  
Megan Davey Limarzi, Esq., Clerk of the Council 7/26/19  
Date