

Bill No. 19-03
Concerning: Ethics – Appeals, Cable
Compliance Commission
Revised: 6-19-03 Draft No. 2
Introduced: June 24, 2003
Enacted: July 29, 2003
Executive: August 7, 2003
Effective: November 6, 2003
Sunset Date: None
Ch. 15, Laws of Mont. Co. 2003

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Ethics Commission

AN ACT to:

- (1) allow further review of Ethics Commission decisions beyond the Circuit Court; and
- (2) add the Cable Compliance Commission to the list of quasi-judicial agencies whose members' activities are regulated by the County ethics law.

By amending

Montgomery County Code
Chapter 19A, Ethics
Sections 19A-6 and 19A-16A

Boldface	<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 19A-6 and 19A-16A are amended as follows:

19A-6. Authority and duties of Commission; appeal of Commission decisions.

* * *

(c) *Appeals.* A final decision of the Commission on a complaint, request for a waiver, or request for other employment approval may be appealed to the Circuit Court under the applicable Maryland Rules of Procedure governing judicial review of administrative [appeals] agency decisions. An appeal does not stay the effect of the Commission’s decision unless the court hearing the appeal orders a stay. Any party aggrieved by a judgment of the Circuit Court may appeal that judgment to the Court of Special Appeals.

* * *

19A-16A. Political activities of quasi-judicial officials.

* * *

(b) In this Section:

(1) County quasi-judicial official means:

* * *

(O) a hearing examiner in the Office of Zoning and Administrative Hearings; [and]

(P) any Public Hearing Officer in the Office of the County Executive; and

(Q) a member of the Cable Compliance Commission.

* * *

Sec 2. Effective Date. Section 19A-6(c) of the County Code, as amended by Section 1 of this Act, applies to any appeal from an action of the Ethics Commission:

(1) pending in the Circuit Court when this Act takes effect; or

28 (2) filed in the Circuit Court after this Act takes effect.

29 *Approved:*

30 Michael L. Subin 8/1/03
Michael L. Subin, President, County Council Date

31 *Approved:*

32 Douglas M. Duncan 8/7/03
Douglas M. Duncan, County Executive Date

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

34 Mary A. Edgar 8/13/03
Mary A. Edgar, CMC, Clerk of the Council Date