

HOUSE BILL 1079

F3, G1

(3lr2825)

ENROLLED BILL

— *Ways and Means/ Education, Energy, and the Environment* —

Introduced by **Prince George’s County Delegation**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o’clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Prince George’s County – Board of Education and School System Revisions ~~and~~**
3 **~~Local Public Campaign Financing for Board of Education Members~~**

4 **PG 502-23**

5 FOR the purpose of altering the purpose of and the duties and responsibilities of the Prince
6 George’s County Board of Education and certain officers of the county board; altering
7 the voting authority of the student member of the county board; ~~renaming and~~
8 ~~altering the duties of the County Superintendent of Schools; establishing an Office~~
9 ~~of Accountability and Compliance to be headed by an Inspector General in the Prince~~
10 ~~George’s County government for certain purposes; altering the residency, term limit,~~
11 ~~age,~~ and compensation requirements for elected members of the county board;
12 requiring the county board to retain counsel and pay certain counsel fees and expenses
13 incurred for defending a member in litigation involving a member’s service in the
14 member’s official capacity on the county board under certain circumstances; altering

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 certain procedures for the election of the student member of the county board;
 2 requiring the Prince George's County public school system to provide equal campaign
 3 funds for certain candidates for the student member of the county board and to
 4 educate students on the voting process under certain circumstances; *applying certain*
 5 *provisions of this Act retroactively; authorizing the governing body of Prince George's*
 6 *County to establish a system of public campaign financing for elected members of*
 7 *the county board after the governing body has implemented a system of public*
 8 *campaign financing for elective offices in the executive or legislative branches of the*
 9 *county government for at least one complete election cycle; prohibiting the system*
 10 *from including public campaign financing for the election of a student member of the*
 11 *board;* and generally relating to the governance of the Prince George's County public
 12 school system.

13 BY repealing and reenacting, without amendments,

14 Article – Education

15 Section ~~3-1002(b)~~ 3-1002(b) and (c)

16 Annotated Code of Maryland

17 (2022 Replacement Volume)

18 BY repealing and reenacting, with amendments,

19 Article – Education

20 Section ~~3-1002(i)~~ ~~3-1002(e) and (i)~~ 3-1002(g) and (i), 3-1004, ~~4-104~~, ~~4-102(a)~~,

21 4-112, and 4-401 ~~through 4-403~~

22 Annotated Code of Maryland

23 (2022 Replacement Volume)

24 BY adding to

25 Article – Education

26 Section ~~4-404 and 4-405~~

27 Annotated Code of Maryland

28 (2022 Replacement Volume)

29 BY repealing and reenacting, without amendments,

30 Article – Education

31 Section ~~3-1002(a) and (d)~~ 3-1002(a), (b), and (d)

32 Annotated Code of Maryland

33 (2022 Replacement Volume)

34 (As enacted by Chapter 217 of the Acts of the General Assembly of 2022)

35 BY repealing and reenacting, with amendments,

36 Article – Education

37 Section ~~3-1002(e), (f), and (g)~~ 3-1002(c) and (g) and 3-1003(a)

38 Annotated Code of Maryland

39 (2022 Replacement Volume)

40 (As enacted by Chapter 217 of the Acts of the General Assembly of 2022)

41 ~~BY repealing and reenacting, with amendments,~~

1 ~~Article – Election Law~~
 2 ~~Section 13–505~~
 3 ~~Annotated Code of Maryland~~
 4 ~~(2022 Replacement Volume and 2022 Supplement)~~

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 6 That the Laws of Maryland read as follows:

7 **Article – Education**

8 3–1002.

9 (b) The Prince George’s County Board consists of 14 members as follows:

10 (1) Nine elected members, each of whom resides in a different school board
 11 district;

12 (2) Four appointed members; and

13 (3) One student member selected under subsection (g)(2) of this section.

14 (c) (1) One member of the county board shall be elected from each of the nine
 15 school board districts described in § 3–1001 of this subtitle.

16 (2) From the time of filing as a candidate for election, each candidate shall
 17 be a registered voter of the county and a resident of the school board district the candidate
 18 seeks to represent.

19 (3) An elected county board member shall forfeit the office if the member:

20 (i) Fails to reside in the school board district from which the
 21 member was elected, unless this change is caused by a change in the boundaries of the
 22 district; or

23 (ii) Fails to be a registered voter of the county.

24 (4) A county board member may not hold another office of profit in county
 25 government during the member’s term.

26 (5) Each elected member of the county board shall be nominated by the
 27 registered voters of the member’s school board district.

28 ~~(6) EXCEPT FOR THE STUDENT MEMBER, EACH ELECTED MEMBER OF~~
 29 ~~THE COUNTY BOARD SHALL BE AT LEAST 21 YEARS OLD.~~

30 (g) (1) The student member shall be an eleventh or twelfth grade student in the
 31 Prince George’s County public school system during the student’s term in office.

1 (2) (I) An eligible student shall file a nomination form at least [2] 3
 2 weeks before a special election meeting of the Prince George's Regional Association of Student
 3 Governments.

4 (II) Nomination forms shall be made available in the administrative
 5 offices of all public senior high schools in the county, the office of student concerns, and the
 6 office of the president of the regional association.

7 (III) The delegates to the regional association annually shall elect TWO
 8 CANDIDATES FOR the student member to the board at a [special] PRIMARY election meeting
 9 to be held each school year.

10 (3) The student member may vote on all matters before the board except
 11 those relating to:

12 (i) [Capital and operating budgets;

13 (ii) School closings, reopenings, and boundaries;

14 (iii)] Collective bargaining decisions;

15 [(iv) Student disciplinary matters;

16 (v)] (II) Teacher and administrator disciplinary matters as
 17 provided under § 6-202(a) of this article; and

18 [(vi)] (III) Other personnel matters.

19 (4) On an affirmative vote of a majority of the elected and appointed
 20 members of the county board, the board may determine if a matter before the board relates
 21 to a subject that the student member may not vote on under paragraph (3) of this subsection.

22 (5) [Unless invited to attend by an affirmative vote of a majority of the
 23 elected and appointed members of the county board, the] THE student member may [not]
 24 attend an executive session [that] OF THE BOARD UNLESS THE EXECUTIVE SESSION
 25 relates to [hearings]:

26 (I) HEARINGS on appeals of special education placements, hearings
 27 held under § 6-202(a) of this article, or collective bargaining; OR

28 (II) A PERSONNEL MATTER FOR WHICH THE STUDENT MAY NOT
 29 VOTE UNDER PARAGRAPH (3) OF THIS SUBSECTION.

1 (6) (I) The Prince George's Regional Association of Student
 2 Governments [may] SHALL establish procedures for the election of the student member of
 3 the county board.

4 (II) THE PROCEDURES ESTABLISHED IN ACCORDANCE WITH
 5 SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL PROVIDE FOR:

6 1. THE ADMINISTRATION OF:

7 A. A PRIMARY ELECTION EACH YEAR BY THE PRINCE
 8 GEORGE'S REGIONAL ASSOCIATION OF STUDENT GOVERNMENTS; AND

9 B. A GENERAL ELECTION EACH YEAR BY STUDENTS IN
 10 6TH THROUGH 12TH GRADE IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL
 11 SYSTEM; AND

12 2. NOTIFICATION TO THE COUNTY SUPERINTENDENT
 13 OF CANDIDATES SELECTED BY THE PRINCE GEORGE'S REGIONAL ASSOCIATION OF
 14 STUDENT GOVERNMENTS AFTER EACH ANNUAL PRIMARY ELECTION.

15 (7) FOR THE GENERAL ELECTION HELD UNDER THIS SUBSECTION,
 16 THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM SHALL:

17 (I) PROVIDE EQUAL CAMPAIGN FUNDS TO THE CANDIDATES
 18 FOR THE STUDENT MEMBER OF THE BOARD; AND

19 (II) EDUCATE THE STUDENTS DESCRIBED UNDER PARAGRAPH
 20 (6)(II)1B OF THIS SUBSECTION ON THE VOTING PROCESS BEFORE EACH GENERAL
 21 ELECTION.

22 [(7)] (8) The election procedures established by the Prince George's
 23 Regional Association of Student Governments are subject to the approval of the elected and
 24 appointed members of the county board.

25 (i) (1) [With the approval of the Governor, the] **THE** State Board may remove
 26 a member of the county board for any of the following reasons:

- 27 (i) Immorality;
- 28 (ii) Misconduct in office;
- 29 (iii) Incompetency; or
- 30 (iv) Willful neglect of duty.

1 (2) Before removing a member, the State Board shall send the member a
 2 copy of the charges pending and give the member an opportunity within 10 days to request
 3 a hearing.

4 (3) If the member requests a hearing within the 10-day period:

5 (i) The State Board promptly shall hold a hearing, but a hearing
 6 may not be set within 10 days after the State Board sends the member a notice of the
 7 hearing; and

8 (ii) The member shall have an opportunity to be heard publicly
 9 before the State Board in the member's own defense, in person or by counsel.

10 (4) A member removed under this subsection has the right to judicial
 11 review of the removal by the Circuit Court for Prince George's County based on an
 12 administrative record and such additional evidence as would be authorized by § 10-222(f)
 13 and (g) of the State Government Article.

14 3-1004.

15 (a) (1) Beginning on December 5, 2022, the county board shall elect a chair
 16 and vice chair of the county board from among the members of the county board.

17 (2) The term of the chair and vice chair appointed under this subsection
 18 shall be ~~2 years~~ **1-YEAR**.

19 **(B) THE CHAIR OF THE COUNTY BOARD SHALL BE RESPONSIBLE FOR:**

20 **(1) LEADING PUBLIC MEETINGS OF THE COUNTY BOARD;**

21 **(2) MAKING SUBCOMMITTEE APPOINTMENTS;**

22 **(3) SERVING AS THE PRIMARY CONTACT FOR COMMUNICATIONS**
 23 **BETWEEN THE COUNTY BOARD AND THE COUNTY SUPERINTENDENT; ~~AND~~**

24 **(4) ADMINISTERING THE COUNTY BOARD IN ACCORDANCE WITH**
 25 **BYLAWS ADOPTED UNDER SUBSECTION (D) OF THIS SECTION; AND**

26 **(5) SIGNING CONTRACTS AUTHORIZED AND APPROVED BY A**
 27 **MAJORITY OF THE MEMBERS OF THE COUNTY BOARD.**

28 **[(b)] (C)** Subject to the provisions of § 4-403 of this article, the affirmative vote
 29 of the members of the county board for the passage of a motion by the county board shall
 30 be:

31 (1) Except as otherwise provided in item (2) of this subsection:

- 1 (i) Eight members when the student member is voting; or
2 (ii) Seven members when the student member is not voting; or
3 (2) When there are two or more vacancies on the county board:
4 (i) Seven members when the student member is voting; or
5 (ii) Six members when the student member is not voting.

6 **(D) (1) THE COUNTY BOARD SHALL ADOPT BYLAWS TO GOVERN ITS**
7 **CONDUCT AS NECESSARY AND APPROPRIATE TO CARRY OUT ITS PURPOSES UNDER**
8 **THIS TITLE.**

9 **(2) THE COUNTY BOARD SHALL REVIEW AND UPDATE ITS BYLAWS AT**
10 **LEAST ONCE EVERY 4 YEARS.**

11 **[(c)] (E) (1) At the beginning of each term, each Board member shall attend**
12 **an orientation and be provided with training materials that clarify the role of a member.**

13 **(2) IN ACCORDANCE WITH A SCHEDULE DETERMINED BY THE COUNTY**
14 **BOARD IN THE BYLAWS ADOPTED UNDER SUBSECTION (D) OF THIS SECTION, EACH**
15 **ELECTED MEMBER SHALL COMPLETE PROFESSIONAL DEVELOPMENT IN THE**
16 **FOLLOWING TOPICS DURING EACH YEAR OF THE MEMBER'S TERM:**

- 17 **(I) COMMUNITY ENGAGEMENT;**
18 **(II) ETHICS;**
19 **(III) LEGAL ISSUES IN EDUCATION;**
20 **(IV) PARLIAMENTARY PROCEDURE;**
21 **(V) PUBLIC EDUCATION BUDGETING AND FINANCING;**
22 **(VI) ROLE AND RESPONSIBILITIES OF THE COUNTY BOARD; AND**
23 **(VII) ANY OTHER TOPIC DETERMINED RELEVANT BY THE**
24 **COUNTY BOARD.**

25 **(3) ELECTED MEMBERS ARE ENCOURAGED TO ATTEND**
26 **PROFESSIONAL CONFERENCES RELATING TO THEIR DUTIES AND RESPONSIBILITIES**
27 **AS A MEMBER OF A BOARD OF EDUCATION.**

1 **(4) (I) ON OR BEFORE DECEMBER 1 EACH YEAR, EACH ELECTED**
 2 **MEMBER SHALL SUBMIT A PROFESSIONAL DEVELOPMENT DISCLOSURE STATEMENT**
 3 **DESCRIBING THE PROFESSIONAL DEVELOPMENT ACTIVITIES THE MEMBER**
 4 **COMPLETED DURING THAT YEAR.**

5 **(II) ON OR BEFORE JANUARY 30 EACH YEAR, THE COUNTY**
 6 **BOARD SHALL POST THE PROFESSIONAL DEVELOPMENT DISCLOSURE STATEMENTS**
 7 **OF THE MEMBERS ON ITS WEBSITE.**

8 **(F) (1) EACH YEAR, THE COUNTY BOARD SHALL CONVENE AND EACH**
 9 **ELECTED MEMBER SHALL ATTEND A PROFESSIONAL RETREAT TO:**

10 **(I) COMPLETE PROFESSIONAL DEVELOPMENT OR OTHER**
 11 **TRAINING;**

12 **(II) SET ANNUAL COUNTY BOARD PERFORMANCE GOALS; AND**

13 **(III) COMPLETE A COUNTY BOARD SELF-EVALUATION,**
 14 **INCLUDING IDENTIFYING OPPORTUNITIES TO IMPROVE THE COUNTY BOARD'S**
 15 **PERFORMANCE.**

16 **(2) WITHIN 30 DAYS OF THE LAST DAY OF THE PROFESSIONAL**
 17 **RETREAT UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY BOARD SHALL**
 18 **POST ON ITS WEBSITE THE RESULTS OF THE COUNTY BOARD'S SELF-EVALUATION**
 19 **AND ANY IDENTIFIED OPPORTUNITIES FOR IMPROVEMENT.**

20 4-104.

21 **(a) (1) [Each] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS**
 22 **SECTION, EACH county board may:**

23 **(i) Retain counsel to represent it in legal matters that affect the**
 24 **board; and**

25 **(ii) Contract for the payment of a reasonable fee to the counsel.**

26 **(2) Funds for these fees shall be included in the annual budget.**

27 **(b) (1) [Each] EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS**
 28 **SECTION, EACH county board may pay all or part of the counsel fees for the defense of a**
 29 **county board member who is involved in litigation because of his service and in his official**
 30 **capacity on that board.**

31 **(2) Payments made under paragraph (1) of this subsection are a valid**
 32 **educational expense.**

1 (c) (1) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

2 (2) THE COUNTY BOARD SHALL RETAIN COUNSEL TO DEFEND A
3 COUNTY BOARD MEMBER WHO IS INVOLVED IN LITIGATION BECAUSE OF THE
4 MEMBER'S SERVICE AND IN THE MEMBER'S OFFICIAL CAPACITY ON THE COUNTY
5 BOARD.

6 (3) THE COUNTY BOARD SHALL PAY ALL COUNSEL FEES AND
7 REASONABLE AND RELATED EXPENSES INCURRED FOR DEFENDING A MEMBER IN
8 LITIGATION INVOLVING THE MEMBER'S SERVICE IN THE MEMBER'S OFFICIAL
9 CAPACITY ON THE COUNTY BOARD IF IT IS DETERMINED DURING THE COURSE OF
10 LITIGATION THAT THE MEMBER WAS ACTING WITHIN THE SCOPE OF THE MEMBER'S
11 AUTHORITY AND WITHOUT MALICE AND GROSS NEGLIGENCE.

12 (D) (1) In any suit or claim brought against a principal, teacher, school security
13 guard, or other agent or employee of a county board by a parent or other claimant with
14 respect to an action taken by the agent or employee, the board shall provide for counsel for
15 that individual if:

16 (i) The action was taken in the performance of his duties, within the
17 scope of his employment, and without malice; and

18 (ii) The board determines that he was acting within his authorized
19 official capacity in the incident.

20 (2) The counsel required by this section may be provided through the office
21 of the county attorney or city solicitor.

22 (3) This subsection does not require a county board to provide or reimburse
23 the cost of counsel to a plaintiff or claimant in a suit or claim against a county board or its
24 members, agents, or employees.

25 ~~4-102.~~

26 ~~(a) (1) Except in Baltimore City, the county superintendent is the executive~~
27 ~~officer, secretary, and treasurer of the county board.~~

28 ~~(2) (i) In Baltimore City, the Chief Executive Officer of the Baltimore~~
29 ~~City Board of School Commissioners is the executive officer, secretary, and treasurer of the~~
30 ~~Board of School Commissioners.~~

31 ~~(ii) The Chief Executive Officer shall have the powers and duties~~
32 ~~imposed under this article.~~

~~(iii) The Chief Executive Officer is not a public officer under the Constitution or the laws of the State.~~

~~(3) [(i) In Prince George's County, the county superintendent is the Chief Executive Officer of the Prince George's County public school system.~~

~~(ii) The Chief Executive Officer is the executive officer, secretary, and treasurer of the county board.~~

~~(iii) The Chief Executive Officer shall have the powers and duties imposed under this article.~~

~~(iv) The Chief Executive Officer is not a public officer under the Constitution or the laws of the State.~~

~~(4)] A county superintendent is not a public officer under the Constitution or the laws of the State.~~

4-112.

(a) Each county board shall establish at least one citizen advisory committee to advise the board and to facilitate its activities and programs in the public schools.

(b) Similar advisory committees may be established for:

(1) An individual school; or

(2) A group of schools within a region.

(c) A committee established under this section may include parents, teachers, students, and other citizens as members.

(D) (1) THIS SUBSECTION APPLIES ONLY IN PRINCE GEORGE'S COUNTY.

(2) A CITIZEN ADVISORY COMMITTEE ESTABLISHED BY THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION SHALL REFLECT, TO THE EXTENT PRACTICABLE, THE GEOGRAPHIC, RACIAL, ETHNIC, CULTURAL, AND GENDER DIVERSITY OF THE COUNTY.

Subtitle 4. Prince George's County.

4-401.

(A) The purpose of the county board is to:

1 (1) MAINTAIN THROUGHOUT THE COUNTY A REASONABLY UNIFORM
 2 SYSTEM OF PUBLIC SCHOOLS THAT IS DESIGNED TO PROVIDE QUALITY EDUCATION
 3 AND EQUITABLE EDUCATIONAL OPPORTUNITY FOR ALL CHILDREN;

4 (2) Raise the level of academic achievement of the students in the Prince
 5 George's County public school system; and

6 [(2)] (3) Raise the level of engagement of the parents, students, and
 7 community as a whole.

8 (B) (1) ~~THE~~ SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE
 9 COUNTY BOARD SHALL ESTABLISH AN AUDIT COMMITTEE TO ENSURE THAT PUBLIC
 10 FUNDS FOR THE COUNTY SCHOOL SYSTEM ARE SPENT ~~EQUALLY~~ EQUITABLY ACROSS
 11 ALL THE SCHOOLS IN THE COUNTY SCHOOL SYSTEM.

12 (2) NOTHING IN THIS SUBSECTION MAY BE CONSTRUED TO ALTER
 13 THE MANDATORY ALLOCATION OF FUNDING TO INDIVIDUAL SCHOOLS REQUIRED
 14 UNDER TITLE 5 OF THIS ARTICLE, INCLUDING THE MINIMUM SCHOOL FUNDING
 15 REQUIRED UNDER § 5-234 OF THIS ARTICLE.

16 ~~4-402.~~

17 (a) ~~In addition to the other powers granted to, and duties imposed on, a county~~
 18 ~~superintendent under this article, the [Chief Executive Officer] COUNTY~~
 19 ~~SUPERINTENDENT has the responsibilities and powers set forth in this section.~~

20 (b) ~~The [Chief Executive Officer] COUNTY SUPERINTENDENT shall be~~
 21 ~~responsible for:~~

22 (1) ~~The overall administration of the Prince George's County public school~~
 23 ~~system;~~

24 (2) ~~Subject to the provisions of Title 6 of this article, and after a budget is~~
 25 ~~submitted by the county board and approved by the County Council at the beginning of~~
 26 ~~each fiscal year, the day to day management and oversight of the fiscal affairs of the~~
 27 ~~Prince George's County public school system, including the management of activities~~
 28 ~~related to:~~

29 (i) ~~Administration;~~

30 (ii) ~~Mid-level administration;~~

31 (iii) ~~Instructional salaries;~~

32 (iv) ~~Textbooks and other classroom instructional supplies;~~

- 1 ~~(v) Instructional costs;~~
- 2 ~~(vi) Special education;~~
- 3 ~~(vii) Student personnel services;~~
- 4 ~~(viii) Health services;~~
- 5 ~~(ix) Student transportation;~~
- 6 ~~(x) Operation of plants and equipment;~~
- 7 ~~(xi) Plant maintenance;~~
- 8 ~~(xii) Fixed charges;~~
- 9 ~~(xiii) Food services; and~~
- 10 ~~(xiv) Capital planning and expenditures; and~~

11 ~~(3) The development and implementation of the curriculum taught and the~~
 12 ~~instruction provided in the Prince George's County public school system.~~

13 ~~(e) The [Chief Executive Officer] COUNTY SUPERINTENDENT;~~

14 ~~(1) Shall hire and set the salaries of a chief operating officer, a chief~~
 15 ~~financial officer, a chief academic officer, a chief of staff, a board liaison, and any other~~
 16 ~~necessary executive staff in the office of the [Chief Executive Officer] COUNTY~~
 17 ~~SUPERINTENDENT; and~~

18 ~~(2) May delegate the responsibilities established under subsection (b) of~~
 19 ~~this section to appropriately qualified individuals as determined and deemed necessary by~~
 20 ~~the [Chief Executive Officer] COUNTY SUPERINTENDENT.~~

21 ~~(d) (1) The [Chief Executive Officer] COUNTY SUPERINTENDENT shall enter~~
 22 ~~into a memorandum of understanding that relates to the provision of policy analysis and~~
 23 ~~advice to the county board with the following institutions of higher education:~~

- 24 ~~(i) The University of Maryland, College Park Campus;~~
- 25 ~~(ii) The University of Maryland Global Campus;~~
- 26 ~~(iii) Bowie State University; and~~
- 27 ~~(iv) Prince George's Community College.~~

~~(2) The [Chief Executive Officer] COUNTY SUPERINTENDENT may include additional institutions of higher education in the memorandum of understanding required under paragraph (1) of this subsection.~~

~~4-403.~~

~~(a) Except as provided in subsection (b) of this section, the county board may not implement a policy or take any action that contradicts the day-to-day management and oversight of the fiscal affairs of the Prince George's County public school system by the [Chief Executive Officer] COUNTY SUPERINTENDENT under this subtitle.~~

~~(b) Except for personnel matters and appeals of personnel matters in accordance with §§ 4-205(c)(2) and (3) of this title and 6-202 of this article, the county board shall require a two-thirds vote of all voting members of the county board to take an action that is contrary to an action of the [Chief Executive Officer] COUNTY SUPERINTENDENT.~~

~~4-404.~~

(A) THE COUNTY BOARD AND THE COUNTY SUPERINTENDENT SHALL:

(1) ESTABLISH ANNUAL GOALS FOR THE PERFORMANCE OF THE COUNTY SCHOOL SYSTEM; AND

(2) EVALUATE THE PERFORMANCE OF THE COUNTY SCHOOL SYSTEM AGAINST THE GOALS ESTABLISHED UNDER ITEM (1) OF THIS SUBSECTION IN A PUBLIC MEETING OF THE COUNTY BOARD EACH YEAR.

(B) (1) EACH YEAR, THE COUNTY BOARD AND THE COUNTY SUPERINTENDENT SHALL CONDUCT A POLL OF THE STAKEHOLDERS AND COMMUNITY MEMBERS OF THE COUNTY SCHOOL SYSTEM TO MEASURE PUBLIC OPINION ON THE CONFIDENCE AND EFFECTIVENESS OF THE COUNTY BOARD, COUNTY SUPERINTENDENT, AND COUNTY SCHOOL SYSTEM, ADDRESSING EACH COMPONENT SEPARATELY.

(2) WHEN ESTABLISHING ANNUAL GOALS FOR THE PERFORMANCE OF THE COUNTY BOARD AND THE COUNTY SCHOOL SYSTEM, THE COUNTY BOARD AND THE COUNTY SUPERINTENDENT SHALL CONSIDER THE FINDINGS OF THE POLL CONDUCTED UNDER THIS SUBSECTION.

(C) AT THE FIRST MEETING OF THE COUNTY BOARD EACH YEAR, THE COUNTY BOARD SHALL:

(1) REVIEW THE RESPECTIVE ROLES, DUTIES, AND RESPONSIBILITIES OF THE COUNTY BOARD AND THE COUNTY SUPERINTENDENT;

1 (2) ANNOUNCE THE ANNUAL PERFORMANCE GOALS OF THE COUNTY
2 BOARD AS DETERMINED UNDER § 3-1004 OF THIS ARTICLE;

3 (3) DISCUSS THE RESULTS OF THE COUNTY BOARD
4 SELF-EVALUATION AS DETERMINED UNDER § 3-1004 OF THIS ARTICLE; AND

5 (4) DISCUSS THE PROFESSIONAL DEVELOPMENT COMPLETED BY THE
6 COUNTY BOARD MEMBERS DURING THE PREVIOUS YEAR.

7 ~~4-405.~~

8 (A) (1) ~~IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS~~
9 ~~INDICATED.~~

10 (2) ~~“COUNTY” MEANS PRINCE GEORGE’S COUNTY.~~

11 (3) ~~“INSPECTOR GENERAL” MEANS THE INSPECTOR GENERAL IN~~
12 ~~THE OFFICE OF ACCOUNTABILITY AND COMPLIANCE.~~

13 (4) ~~“OFFICE” MEANS THE OFFICE OF ACCOUNTABILITY AND~~
14 ~~COMPLIANCE.~~

15 (B) (1) ~~THERE IS AN OFFICE OF ACCOUNTABILITY AND COMPLIANCE.~~

16 (2) ~~THE OFFICE IS AN INDEPENDENT UNIT OF THE COUNTY~~
17 ~~GOVERNMENT.~~

18 (3) ~~THE PURPOSE OF THE OFFICE IS TO PROVIDE ACCOUNTABILITY~~
19 ~~AND TRANSPARENCY IN THE EXPENDITURE OF PUBLIC FUNDS FOR EDUCATION IN~~
20 ~~PRINCE GEORGE’S COUNTY AND TO ENSURE PRINCE GEORGE’S COUNTY PUBLIC~~
21 ~~SCHOOL SYSTEM PERSONNEL ARE IN COMPLIANCE WITH ETHICAL STANDARDS.~~

22 (4) ~~ALL EXPENSES AND OPERATIONS RELATED TO THE~~
23 ~~ADMINISTRATION OF THE OFFICE SHALL BE SEPARATELY IDENTIFIED AND~~
24 ~~INDEPENDENT OF ANY OTHER UNIT OF COUNTY GOVERNMENT.~~

25 (C) (1) ~~THERE IS AN INSPECTOR GENERAL IN THE OFFICE OF~~
26 ~~ACCOUNTABILITY AND COMPLIANCE.~~

27 (2) ~~AN INDIVIDUAL IS ELIGIBLE TO BE THE INSPECTOR GENERAL~~
28 ~~ONLY IF THE INDIVIDUAL EXECUTES AN AFFIDAVIT STATING THAT THE INDIVIDUAL~~
29 ~~WILL NOT ACCEPT APPOINTMENT TO, OR BE A CANDIDATE FOR, A COUNTY OFFICE.~~

1 ~~(I) DURING THE PERIOD OF SERVICE AS THE INSPECTOR~~
2 ~~GENERAL; AND~~

3 ~~(H) FOR AT LEAST 2 YEARS IMMEDIATELY AFTER THE~~
4 ~~INDIVIDUAL LAST SERVES AS THE INSPECTOR GENERAL.~~

5 ~~(3) THE INSPECTOR GENERAL SHALL RENEW THE AFFIDAVIT EVERY~~
6 ~~2 YEARS DURING THE PERIOD OF SERVICE.~~

7 ~~(4) A FAILURE TO RENEW THE AFFIDAVIT UNDER THIS SUBSECTION~~
8 ~~SHALL SUBJECT THE INSPECTOR GENERAL TO REMOVAL FROM OFFICE UNDER THIS~~
9 ~~SECTION.~~

10 ~~(D) (1) THE INSPECTOR GENERAL SHALL BE APPOINTED UNANIMOUSLY~~
11 ~~BY THE PRINCE GEORGE'S COUNTY COUNCIL.~~

12 ~~(2) THE TERM OF THE INSPECTOR GENERAL IS 5 YEARS, BEGINNING~~
13 ~~JULY 1 AFTER THE APPOINTMENT OF THE INSPECTOR GENERAL.~~

14 ~~(3) AT THE END OF A TERM, THE INSPECTOR GENERAL SHALL~~
15 ~~CONTINUE TO SERVE UNTIL A SUCCESSOR IS APPOINTED.~~

16 ~~(4) IF A VACANCY OCCURS IN THE OFFICE, AN INTERIM INSPECTOR~~
17 ~~GENERAL SHALL BE APPOINTED AS A SUCCESSOR TO SERVE FOR THE REMAINDER~~
18 ~~OF THE UNEXPIRED TERM.~~

19 ~~(E) THE INSPECTOR GENERAL MAY BE REMOVED UNANIMOUSLY BY THE~~
20 ~~PRINCE GEORGE'S COUNTY COUNCIL FOR:~~

21 ~~(1) MISCONDUCT IN OFFICE;~~

22 ~~(2) PERSISTENT FAILURE TO PERFORM THE DUTIES OF THE OFFICE;~~

23 ~~OR~~

24 ~~(3) CONDUCT PREJUDICIAL TO THE PROPER ADMINISTRATION OF~~
25 ~~JUSTICE.~~

26 ~~(F) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE~~
27 ~~INSPECTOR GENERAL SHALL BE PROFESSIONALLY QUALIFIED THROUGH~~
28 ~~EXPERIENCE OR EDUCATION IN AT LEAST ONE OF THE FOLLOWING AREAS:~~

29 ~~(I) LAW;~~

30 ~~(H) AUDITING;~~

1 ~~(III) GOVERNMENT OPERATIONS;~~

2 ~~(IV) FINANCIAL MANAGEMENT; OR~~

3 ~~(V) EDUCATION POLICY.~~

4 ~~(2) IF THE INSPECTOR GENERAL IS PROFESSIONALLY QUALIFIED IN~~
5 ~~THE AREA OF EDUCATION POLICY, THE INSPECTOR GENERAL ALSO SHALL BE~~
6 ~~PROFESSIONALLY QUALIFIED THROUGH EXPERIENCE OR EDUCATION IN AT LEAST~~
7 ~~ONE OF THE OTHER AREAS LISTED IN PARAGRAPH (1) OF THIS SUBSECTION.~~

8 ~~(C) (1) THE INSPECTOR GENERAL IS ENTITLED TO THE SALARY~~
9 ~~PROVIDED IN THE COUNTY BUDGET.~~

10 ~~(2) FUNDING FOR THE OFFICE SHALL BE AS PROVIDED IN THE~~
11 ~~COUNTY BUDGET.~~

12 ~~(3) THE INSPECTOR GENERAL MAY APPOINT AND EMPLOY~~
13 ~~PROFESSIONAL AND CLERICAL STAFF, INCLUDING ATTORNEYS, ACCOUNTANTS,~~
14 ~~AUDITORS, ANALYSTS, AND INVESTIGATORS, AS APPROPRIATED IN THE ANNUAL~~
15 ~~COUNTY BUDGET, TO CONDUCT THE WORK OF THE OFFICE.~~

16 ~~(H) THE INSPECTOR GENERAL SHALL BE RESPONSIBLE FOR EXAMINING~~
17 ~~AND INVESTIGATING THE FOLLOWING MATTERS WITH RESPECT TO THE~~
18 ~~MANAGEMENT AND AFFAIRS OF THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL~~
19 ~~SYSTEM:~~

20 ~~(1) INSTANCES OF FRAUD, WASTE, OR ABUSE INVOLVING THE USE OF~~
21 ~~PUBLIC FUNDS AND PROPERTY; AND~~

22 ~~(2) COMPLIANCE WITH APPLICABLE STATE AND LOCAL ETHICS LAWS.~~

23 ~~(I) (1) THE INSPECTOR GENERAL SHALL BE RESPONSIBLE FOR~~
24 ~~CONDUCTING INDEPENDENT AUDITS:~~

25 ~~(I) OF RESOURCE DEPLOYMENT, EXPENSES, AND STUDENT~~
26 ~~ACTIVITY FUNDS;~~

27 ~~(II) OF CONTRACTS WITH VENDORS TO CONSIDER SCOPE OF~~
28 ~~WORK AND EFFECTIVENESS IN COMPLYING WITH CONTRACT TERMS; AND~~

1 ~~(H) TO DETERMINE THE EFFECTIVENESS OF COUNTY SCHOOL~~
2 ~~SYSTEM PROGRAMS AND TO MAKE RECOMMENDATIONS REGARDING THE~~
3 ~~CONTINUATION TO FUNDING FOR SUCH PROGRAMS.~~

4 ~~(2) THE OFFICE SHALL CONDUCT THE FOLLOWING TYPES OF AUDITS:~~

5 ~~(I) COMPLIANCE;~~

6 ~~(II) FINANCIAL;~~

7 ~~(III) INFORMATION TECHNOLOGY;~~

8 ~~(IV) INTERNAL INVESTIGATIONS; AND~~

9 ~~(V) OPERATIONAL.~~

10 ~~(J) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,~~
11 ~~DURING AN INVESTIGATION CONDUCTED IN ACCORDANCE WITH THIS SECTION, THE~~
12 ~~INSPECTOR GENERAL SHALL HAVE ACCESS TO ALL RECORDS, DATA, REPORTS,~~
13 ~~CONTRACTS, CORRESPONDENCE, OR OTHER DOCUMENTS OF THE COUNTY SCHOOL~~
14 ~~SYSTEM THAT IS THE SUBJECT OF THE INVESTIGATION.~~

15 ~~(2) THE INSPECTOR GENERAL MAY NOT ACCESS OR COMPEL THE~~
16 ~~PRODUCTION OF DOCUMENTS THAT ARE:~~

17 ~~(I) PROTECTED UNDER THE ATTORNEY-CLIENT PRIVILEGE;~~

18 ~~OR~~

19 ~~(II) CONFIDENTIAL OR PRIVILEGED UNDER APPLICABLE~~
20 ~~PROVISIONS OF FEDERAL OR STATE LAW.~~

21 ~~(3) A PERSON MAY HAVE AN ATTORNEY PRESENT DURING ANY~~
22 ~~CONTACT WITH THE INSPECTOR GENERAL.~~

23 ~~(4) DURING AN INVESTIGATION CONDUCTED IN ACCORDANCE WITH~~
24 ~~THIS SECTION, THE INSPECTOR GENERAL MAY:~~

25 ~~(I) SEEK AND OBTAIN SWORN TESTIMONY; AND~~

26 ~~(II) ISSUE SUBPOENAS AS NECESSARY TO COMPEL THE~~
27 ~~PRODUCTION OF DOCUMENTS AND RECORDS OR THE ATTENDANCE OF WITNESSES.~~

28 ~~(5) (I) A SUBPOENA MAY BE SERVED IN THE SAME MANNER AS ONE~~
29 ~~ISSUED BY A CIRCUIT COURT.~~

1 ~~(H) THE INSPECTOR GENERAL SHALL ADVISE A PERSON OF THE~~
2 ~~RIGHT TO COUNSEL WHEN A SUBPOENA IS SERVED.~~

3 ~~(6) (I) THE INSPECTOR GENERAL IMMEDIATELY MAY REPORT THE~~
4 ~~FAILURE OF A PERSON TO OBEY A LAWFULLY SERVED SUBPOENA TO THE CIRCUIT~~
5 ~~COURT OF THE COUNTY THAT HAS JURISDICTION.~~

6 ~~(H) THE INSPECTOR GENERAL SHALL PROVIDE A COPY OF THE~~
7 ~~SUBPOENA AND PROOF OF SERVICE TO THE CIRCUIT COURT.~~

8 ~~(7) AFTER CONDUCTING A HEARING AT WHICH THE PERSON WHO~~
9 ~~ALLEGEDLY FAILED TO COMPLY WITH A SUBPOENA HAS AN OPPORTUNITY TO BE~~
10 ~~HEARD AND REPRESENTED BY COUNSEL, THE CIRCUIT COURT MAY GRANT~~
11 ~~APPROPRIATE RELIEF.~~

12 ~~(K) (1) THE COUNTY BOARD, THE COUNTY SUPERINTENDENT, THE~~
13 ~~COUNTY SCHOOL SYSTEM, OR ANY OTHER COUNTY OR LOCAL OFFICIAL MAY NOT~~
14 ~~TAKE ADVERSE, RETALIATORY ACTION AGAINST AN INDIVIDUAL BECAUSE THE~~
15 ~~INDIVIDUAL COOPERATED WITH OR PROVIDED INFORMATION TO THE INSPECTOR~~
16 ~~GENERAL.~~

17 ~~(2) RECORDS OR INFORMATION PROVIDED TO, PREPARED FOR, OR~~
18 ~~OBTAINED BY THE INSPECTOR GENERAL IN CONNECTION WITH AN INVESTIGATION~~
19 ~~ARE CONFIDENTIAL AND NOT SUBJECT TO DISCLOSURE UNDER THE PUBLIC~~
20 ~~INFORMATION ACT.~~

21 ~~(L) (1) IF THE INSPECTOR GENERAL FINDS OR HAS REASONABLE~~
22 ~~GROUND TO BELIEVE THAT THERE HAS BEEN A CRIMINAL VIOLATION OF FEDERAL~~
23 ~~OR STATE LAW, THE INSPECTOR GENERAL SHALL NOTIFY AND REFER THE MATTER~~
24 ~~TO THE APPROPRIATE FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AUTHORITY,~~
25 ~~LOCAL STATE'S ATTORNEY'S OFFICE, OFFICE OF THE ATTORNEY GENERAL, OFFICE~~
26 ~~OF THE STATE PROSECUTOR, OR FEDERAL AGENCY.~~

27 ~~(2) IF THE INSPECTOR GENERAL IDENTIFIES AN ISSUE OF CONCERN~~
28 ~~THAT WOULD NOT CONSTITUTE A CRIMINAL VIOLATION OF STATE LAW, THE~~
29 ~~INSPECTOR GENERAL MAY REPORT THE ISSUE OF CONCERN TO THE STATE~~
30 ~~SUPERINTENDENT, THE STATE BOARD, THE PRINCE GEORGE'S COUNTY~~
31 ~~EXECUTIVE, THE COUNTY SUPERINTENDENT, THE GOVERNOR, AND, IN~~
32 ~~ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL~~
33 ~~ASSEMBLY.~~

34 ~~(M) (1) ON OR BEFORE DECEMBER 1 EACH YEAR, THE OFFICE SHALL~~
35 ~~SUBMIT A REPORT TO THE COUNTY SUPERINTENDENT, THE COUNTY BOARD, THE~~

~~GOVERNOR, AND, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
ARTICLE, THE GENERAL ASSEMBLY.~~

~~(2) THE REPORT SHALL INCLUDE INFORMATION ON:~~

~~(i) THE OFFICE'S GOALS AND PRIORITIES FOR THE UPCOMING
YEAR;~~

~~(ii) THE OFFICE'S ACTIVITIES DURING THE PRECEDING YEAR;~~

~~(iii) THE NUMBER OF INCIDENTS, IN THE AGGREGATE, AND A
GENERAL SUMMARY OF THE NATURE OF THE REPORTED INCIDENTS, REFERRED TO
THE APPROPRIATE FEDERAL, STATE, OR LOCAL LAW ENFORCEMENT AUTHORITY,
LOCAL STATE'S ATTORNEY'S OFFICE, OFFICE OF THE ATTORNEY GENERAL, OFFICE
OF THE STATE PROSECUTOR, OR FEDERAL AGENCY DURING THE PRECEDING YEAR;~~

~~(iv) SPECIFIC FINDINGS AND RECOMMENDATIONS RELATING
TO:~~

~~1. INSTANCES OF FRAUD, WASTE, OR ABUSE INVOLVING
THE USE OF PUBLIC FUNDS AND PROPERTY; AND~~

~~2. COMPLIANCE WITH STATE AND LOCAL ETHICS LAWS;
AND~~

~~(v) ANY REGULATORY OR STATUTORY CHANGES NECESSARY TO
ENSURE COMPLIANCE WITH APPLICABLE FEDERAL AND STATE LAWS.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
as follows:

Article – Education

3–1002.

(a) In this subtitle, “elected member” means a member of the Prince George’s
County Board elected from one of the nine school board districts described in § 3–1001 of
this subtitle.

(b) The Prince George’s County Board consists of 10 members as follows:

(1) Nine elected members, each of whom resides in a different school board
district; and

(2) One student member selected under subsection (f)(2) of this section.

1 (c) (1) One member of the county board shall be elected from each of the nine
2 school board districts described in § 3–1001 of this subtitle.

3 (2) ~~(I)~~ [From the time of filing as a candidate for election, each] **EACH**
4 candidate shall [be]:

5 ~~(I)~~ **1. BE** a registered voter of the county; and

6 ~~(II)~~ **2. ~~BE EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF~~**
7 **THIS PARAGRAPH, BE** a resident of the school board district the candidate seeks to
8 represent **FOR AT LEAST 1 YEAR BEFORE THE DATE OF THE ~~PRIMARY~~ GENERAL**
9 **ELECTION.**

10 **(II) IN AN ELECTION YEAR IMMEDIATELY FOLLOWING AN**
11 **APPROVED DECENNIAL REDISTRICTING PLAN CHANGING THE BOUNDARIES OF ANY**
12 **SCHOOL BOARD DISTRICT, THE 1 YEAR RESIDENCY REQUIREMENT UNDER**
13 **SUBPARAGRAPH (I) OF THIS PARAGRAPH DOES NOT APPLY IF THE CANDIDATE:**

14 **1. IS A QUALIFIED VOTER BUT NO LONGER RESIDES IN**
15 **THE CANDIDATE'S FORMER SCHOOL BOARD DISTRICT DUE TO A BOUNDARY CHANGE**
16 **IN THE APPROVED DECENNIAL REDISTRICTING PLAN;**

17 **2. RESIDED IN THE CANDIDATE'S FORMER SCHOOL**
18 **BOARD DISTRICT FOR AT LEAST 1 YEAR IMMEDIATELY PRECEDING THE GENERAL**
19 **ELECTION; AND**

20 **3. RESIDES, AS OF THE DATE OF THE DEADLINE FOR**
21 **FILING AS A CANDIDATE FOR ELECTION, IN THE SCHOOL BOARD DISTRICT SPECIFIED**
22 **UNDER ITEM 2 OF THIS SUBPARAGRAPH.**

23 (3) An elected member shall forfeit the office if the member:

24 (i) Fails to reside in the school board district from which the
25 member was elected, unless this change is caused by a change in the boundaries of the
26 district; or

27 (ii) Fails to be a registered voter of the county.

28 (4) A member may not hold another office of profit in county government
29 during the member's term.

30 (5) Each elected member of the county board shall be nominated by the
31 registered voters of the member's school board district.

1 (d) The elected members of the county board shall be elected:

2 (1) At the general election every 4 years; and

3 (2) By the voters of the school board district that each member represents.

4 ~~(f) (1) The student member shall be an eleventh or twelfth grade student in~~
5 ~~the Prince George's County public school system during the student's term in office.~~

6 ~~(2) (I) An eligible student shall file a nomination form at least 2-3 weeks~~
7 ~~before a special election meeting of the Prince George's Regional Association of Student~~
8 ~~Governments.~~

9 ~~(H) Nomination forms shall be made available in the administrative~~
10 ~~offices of all public senior high schools in the county, the office of student concerns, and the~~
11 ~~office of the president of the regional association.~~

12 ~~(HH) The delegates to the regional association annually shall elect~~
13 ~~TWO CANDIDATES FOR the student member to the board at a special PRIMARY election~~
14 ~~meeting to be held each school year.~~

15 ~~(3) The student member may vote on all matters before the board except~~
16 ~~those relating to:~~

17 ~~(i) [Capital and operating budgets;~~

18 ~~(ii) School closings, reopenings, and boundaries;~~

19 ~~(iii)] Collective bargaining decisions;~~

20 ~~[(iv) Student disciplinary matters;]~~

21 ~~[(v)] (H) Teacher and administrator disciplinary matters as~~
22 ~~provided under § 6-202(a) of this article; and~~

23 ~~[(vi)] (H) Other personnel matters.~~

24 ~~(4) On an affirmative vote of a majority of the elected members of the~~
25 ~~county board, the board may determine if a matter before the board relates to a subject that~~
26 ~~the student member may not vote on under paragraph (3) of this subsection.~~

27 ~~(5) [Unless invited to attend by an affirmative vote of a majority of the~~
28 ~~elected members of the county board, the] THE student member may [not] attend an~~
29 ~~executive session [that] OF THE BOARD UNLESS THE EXECUTIVE SESSION relates to~~
30 ~~[hearings];~~

~~(I) HEARINGS on appeals of special education placements, hearings held under § 6-202(a) of this article, or collective bargaining; OR~~

~~(II) A PERSONNEL MATTER FOR WHICH THE STUDENT MAY NOT VOTE UNDER PARAGRAPH (3) OF THIS SUBSECTION.~~

~~(6) (I) The Prince George's Regional Association of Student Governments may SHALL establish procedures for the election of the student member of the county board.~~

~~(II) THE PROCEDURES ESTABLISHED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL PROVIDE FOR:~~

~~1. THE ADMINISTRATION OF:~~

~~A. A PRIMARY ELECTION EACH YEAR BY THE PRINCE GEORGE'S REGIONAL ASSOCIATION OF STUDENT GOVERNMENTS; AND~~

~~B. A GENERAL ELECTION EACH YEAR BY STUDENTS IN 6TH THROUGH 12TH GRADE IN THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM; AND~~

~~2. NOTIFICATION TO THE COUNTY SUPERINTENDENT OF CANDIDATES SELECTED BY THE PRINCE GEORGE'S REGIONAL ASSOCIATION OF STUDENT GOVERNMENTS AFTER EACH ANNUAL PRIMARY ELECTION.~~

~~(7) FOR THE GENERAL ELECTION HELD UNDER THIS SUBSECTION, THE PRINCE GEORGE'S COUNTY PUBLIC SCHOOL SYSTEM SHALL:~~

~~(I) PROVIDE EQUAL CAMPAIGN FUNDS TO THE CANDIDATES FOR THE STUDENT MEMBER OF THE BOARD; AND~~

~~(II) EDUCATE THE STUDENTS DESCRIBED UNDER PARAGRAPH (6)(I)1B OF THIS SUBSECTION ON THE VOTING PROCESS BEFORE EACH GENERAL ELECTION.~~

~~(7) (8) The election procedures established by the Prince George's Regional Association of Student Governments are subject to the approval of the elected members of the county board.~~

(g) (1) An elected member serves for a term of 4 years beginning on the first Monday in December after the member's election and until the member's successor is elected and qualifies.

~~(H) 1. THIS SUBPARAGRAPH APPLIES ONLY IN PRINCE GEORGE'S COUNTY.~~

~~2. SUBJECT TO THE PROVISIONS OF THIS SECTION, AFTER THE GOVERNING BODY OF PRINCE GEORGE'S COUNTY HAS IMPLEMENTED A SYSTEM OF PUBLIC CAMPAIGN FINANCING ESTABLISHED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH FOR AT LEAST ONE COMPLETE ELECTION CYCLE, THE GOVERNING BODY OF PRINCE GEORGE'S COUNTY MAY ESTABLISH, BY LAW, A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR ELECTED MEMBERS OF THE PRINCE GEORGE'S COUNTY BOARD OF EDUCATION.~~

~~3. A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR ELECTED MEMBERS OF THE COUNTY BOARD OF EDUCATION ESTABLISHED UNDER SUBSUBPARAGRAPH 1 OF THIS SUBPARAGRAPH MAY NOT INCLUDE PUBLIC CAMPAIGN FINANCING FOR THE ELECTION OF A STUDENT MEMBER OF THE COUNTY BOARD OF EDUCATION.~~

~~(2) A system of public financing established under paragraph (1) of this subsection may include public financing of a contested election committee.~~

~~(3) When establishing a system of public campaign financing for [elective offices in the executive or legislative branches of county government] AN OFFICE UNDER PARAGRAPH (1) OF THIS SUBSECTION, the governing body of a county shall:~~

~~(i) specify the criteria that are to be used to determine whether an individual is eligible for public campaign financing; and~~

~~(ii) provide the funding and staff necessary for the operation, administration, and auditing of the system of public campaign financing.~~

~~(e) A system of public campaign financing enacted under subsection (b) of this section:~~

~~(1) shall provide for participation of candidates in public campaign financing on a strictly voluntary basis;~~

~~(2) may not regulate candidates who choose not to participate in public campaign financing;~~

~~(3) shall prohibit the use of public campaign financing for any campaign except a campaign for [county] LOCAL elective office;~~

~~(4) shall require a candidate who accepts public campaign financing to:~~

1 ~~(i) establish a campaign finance entity solely for the campaign for~~
2 ~~[county] LOCAL elective office; and~~

3 ~~(ii) use funds from that campaign finance entity only for the~~
4 ~~campaign for [county] LOCAL elective office;~~

5 ~~(5) shall prohibit a candidate who accepts public campaign financing from~~
6 ~~transferring funds:~~

7 ~~(i) to the campaign finance entity established to finance the~~
8 ~~campaign for [county] LOCAL elective office from any other campaign finance entity~~
9 ~~established for the candidate; and~~

10 ~~(ii) from the campaign finance entity established to finance the~~
11 ~~campaign for [county] LOCAL elective office to any other campaign finance entity;~~

12 ~~(6) shall provide for a public election fund for [county] LOCAL elective~~
13 ~~offices that is administered by the chief financial officer of the county; and~~

14 ~~(7) shall be subject to regulation and oversight by the State Board to ensure~~
15 ~~conformity with State law and policy to the extent practicable.~~

16 ~~(d) A system of public campaign financing enacted under subsection (b) of this~~
17 ~~section may:~~

18 ~~(1) provide for more stringent regulation of campaign finance activity by~~
19 ~~candidates who choose to accept public campaign financing, including contributions,~~
20 ~~expenditures, reporting, and campaign material, than is provided for by State law;~~

21 ~~(2) provide for administrative penalties for violations, in accordance with §~~
22 ~~10-202 of the Local Government Article; and~~

23 ~~(3) allow a publicly financed candidate to transfer any amount of funds~~
24 ~~from the candidate's campaign finance entity to the candidate's contested election~~
25 ~~committee.~~

26 SECTION 3. AND BE IT FURTHER ENACTED, *That:*

27 ~~(a) The provisions of § 4-104 of the Education Article, as enacted by Section 1 of~~
28 ~~this Act, shall be construed to apply retroactively and shall be applied to and interpreted to~~
29 ~~affect any litigation that was initiated on or after January 1, 2020, involving the defense of~~
30 ~~a member of the Prince George's County Board of Education who:~~

31 ~~(1) is involved in litigation because of the member's service and in the~~
32 ~~member's official capacity on the county board; and~~

1 (2) was found during the course of litigation to have been acting within the
 2 scope of the member's authority and without malice and gross negligence.

3 (b) An individual seeking to be reimbursed by the Prince George's County Board
 4 of Education under this section must provide to the Prince George's County Board of
 5 Education on or before August 1, 2023, documentation of the litigation costs incurred.

6 SECTION 4. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall
 7 take effect July 1, 2024, the effective date of Chapter 217 of the Acts of the General
 8 Assembly of 2022. If the effective date of Chapter 217 is amended, Section 2 of this Act shall
 9 take effect on the taking effect of Chapter 217.

10 SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That, except as provided in
 11 Section ~~3~~ 4 of this Act, this Act shall take effect July 1, 2023, ~~contingent on the taking effect~~
 12 of Chapter ~~(H.B. 432)~~ of the Acts of the General Assembly of 2023, and if Chapter
 13 ~~(H.B. 432)~~ does not become effective, this Act, with no further action required by the
 14 General Assembly, shall be null and void.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.