

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2024 Legislative Session

Bill No. CB-051-2024

Chapter No. _____

Proposed and Presented by Council Member Ivey

Introduced by Council Members Ivey, Watson and Hawkins

Co-Sponsors _____

Date of Introduction June 18, 2024

CHARTER AMENDMENT

1 AN ACT concerning

2 Amendment of Section 313, Charter of Prince George's County

3 For the purpose of proposing an amendment to Section 313 of the Charter of Prince George's
 4 County to provide for the repeal of the County Auditor's five-year term, with five-year term
 5 discretionary renewals, to provide that the County Auditor may be removed for cause by a two-
 6 thirds vote of the full Council, and generally regarding the County Auditor.

7 BY proposing an amendment to:

8 Section 313,

9 Charter of Prince George's County, Maryland.

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 11 Maryland, that the following amendment to Section 313, Charter of Prince George's County,
 12 Maryland, is hereby proposed:

13 **Sec. 313. Office of Audits and Investigations.**

14 There shall be an Office of Audits and Investigations, under the supervision and direction of a
 15 County Auditor who shall be appointed by the Council. The County Auditor shall receive such
 16 compensation as the Council may determine. [The County Auditor shall serve a term of five years
 17 commencing on January 1, 2019, and each fifth year thereafter. The County Auditor appointment
 18 may be renewed for additional five-year terms.] The Auditor shall remain until a successor is
 19 appointed and qualifies. The County Auditor may be removed for cause by a two-thirds vote of
 20 the full Council. The Auditor shall prepare and submit to the Council and to the County Executive
 21 a complete financial audit for the preceding fiscal year of selected agencies that receive or disburse

1 County funds. Upon recommendation by the Auditor that a State audit in a given year is adequate,
2 the Council may, by resolution, exempt from County audit an agency whose entire records,
3 accounts, and affairs are completely audited each year by or with the approval of the State of
4 Maryland or an independent audit by a qualified independent certified public accountant. Any such
5 resolution of exemption from audit shall be limited to a period of not more than one year. In
6 addition to the annual audit, either the Council or the County Executive may at any time order a
7 special audit of the accounts of any agency receiving or disbursing County funds, and upon the
8 death, resignation, removal or expiration of the term of any County administrative officer, the
9 Auditor shall cause a special audit to be made of the accounts maintained by the officer, and by
10 their agency. If, as a result of any audit, an officer shall be found to be indebted to the County, the
11 County Executive shall proceed forthwith to collect the indebtedness. In the event that the County
12 Executive shall be found to be indebted to the County, the Council shall proceed forthwith to
13 collect the indebtedness. The County Auditor is empowered to conduct investigations related to
14 fraud, waste and abuse by the County Executive, Council Members or other County officials and
15 employees. The Auditor is also empowered to conduct necessary audits of any agency which is
16 the recipient of funds appropriated or approved by the Council whenever they deem it appropriate.
17 No employee or official of the County shall interfere with, threaten with disciplinary action, or
18 otherwise attempt to restrain an employee of the County from providing information to the County
19 Auditor, nor shall any adverse action be taken against such employee. Any adverse action taken
20 within twelve (12) months after the employee has provided information to the County Auditor
21 shall be presumed to be retaliatory, which presumption may be rebutted only by clear and
22 convincing evidence to the contrary. Any audit, including performance audits, special audits, and
23 State audits which form the basis for an exemption by the Council from a County audit, shall be
24 published in suitable form and made available to the public at reasonable hours at the Office of
25 Audits and Investigations. All records and files pertaining to the receipt and expenditure of County
26 funds by all officers, agents, and employees of the County and all agencies thereof, shall at all
27 times be open to the inspection of the County Auditor. The Auditor shall promptly call to the
28 attention of the Council and the County Executive any irregularity or improper procedure which
29 they may discover. The County Auditor shall have the power to administer oaths, to compel the
30 attendance of witnesses, and to require the production of records and other materials in connection
31 with any audit, investigation, inquiry, or hearing authorized by law or by this Charter. The Council

1 shall have the power to implement the provisions of this section and to assign additional functions,
2 duties, and personnel to the County Auditor.

3 SECTION 2. BE IT FURTHER ENACTED that a copy of this Act be transmitted to the
4 County Executive for publication and that a copy also be transmitted to the Board of Supervisors
5 of Elections for submission of the proposed amendment to the voters of this County at the 2024
6 General Election pursuant to Section 1105 of the Charter.

7 SECTION 3. BE IT FURTHER ENACTED that the question of adoption of this proposed
8 Charter Amendment shall be submitted to the voters of the County at the General Election
9 occurring on November 5, 2024, and shall be placed on the ballot in the following form:

10 PROPOSED CHARTER AMENDMENT

11 To provide for the repeal of the County Auditor’s five-year term, with
12 five-year term discretionary renewals, and to provide that the County
13 Auditor may be removed for cause by a two-thirds vote of the full Council.

14 Adopted this ____ day of _____, 2024, by an affirmative vote of two-thirds of
15 the members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Jolene Ivey
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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