



**Committee:** PS  
**Committee Review:** Held  
**Staff:** Khandikile Mvunga Sokoni, Legislative Attorney  
**Purpose:** Withdraw Bill Under Council Rule 6(g)  
**Keywords:** #Police#PolicingAdvisoryCommission #PAC

AGENDA ITEM#13A  
July 25, 2023  
**Withdraw**

## SUBJECT

Expedited Bill 27-23, Police – Policing Advisory Commission - Repeal  
Lead Sponsor: Councilmembers Luedtke and Katz

## EXPECTED ATTENDEES

None

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Motion followed by hand vote, under Council Rule 6(g), on whether to withdraw Expedited Bill 27-23.
- A motion may be made by an original sponsor of the bill to withdraw the bill.
- A majority vote is required to withdraw the bill.

## DESCRIPTION/ISSUE

The lead sponsor of Expedited Bill 27-23, Councilmember Luedtke, requests the withdrawal of the bill, and wishes instead to introduce a new bill amending the provisions governing the Policing Advisory Commission (PAC). Expedited Bill 27-23 as introduced would have repealed the PAC. Bill sponsors had proposed amendments to the bill but instead of pursuing those as amendments to Expedited Bill 27-23, Councilmember Luedtke is incorporating them into a new bill scheduled for introduction on July 25, 2023.

## SUMMARY OF KEY DISCUSSION POINTS

- Expedited Bill 27-23 was introduced on May 25, 2023.
- A public hearing was held on June 13, 2023.
- A worksession of the Public Safety Committee was held on June 26, 2023, and the Committee supported the bill sponsors' proposal to withdraw the bill.
- The lead sponsor is introducing a new bill amending the provisions governing the PAC and wishes to withdraw the bill.

## This report contains:

Expedited Bill 27-23 (with proposed amendments)

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Expedited Bill No. 27-23  
Concerning: Police – Policing Advisory Commission -  
[[Repeal]]Amendments  
Revised: 6/21/2023 Draft No. 2  
Introduced: May 25, 2023  
Expiration: December 7, 2026  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsors: Councilmembers Luedtke and Katz

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**AN EXPEDITED ACT** to:

- (1) [[repeal the law regarding]]rename the Policing Advisory Commission so that it will now be known as Community Advisory Commission on Public Safety; [[and]]
- (2) amend the law regarding the Policing Advisory Commission regarding appointment of members and scope of the Commission; and
- [[2]](3) generally amend the law regarding policing and law enforcement.

By [[repealing]]amending  
Montgomery County Code  
Chapter 35  
[[Section]] Sections 35-6 and 35-6A

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
<b>[Single boldface brackets]</b>	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
<b>[[Double boldface brackets]]</b>	<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. Section 35-6 is repealed as follows:**

2   **35-6. [Policing Advisory Commission] [Reserved.]**

3           [(a) Definitions. In this Section the following words have the meanings  
4           indicated:

5                 *Commission* means the Policing Advisory Commission.

6                 *Department* means the Montgomery County Police Department.

7           [(b) Established. County Council must appoint a Policing Advisory  
8           Commission.

9           [(c) Composition and terms of members.

10                (1) The Commission has 13 members.

11                (2) The Council should appoint 9 public members. Each member  
12                should represent a community organization operating in the  
13                County or be an individual. Each Councilmember should  
14                nominate one member.

15                (3) The Council should appoint 4 public members nominated by the  
16                Executive. Of these members:

17                    (A) one member should be 25 years of age or younger at the  
18                    time of appointment; and

19                    (B) one member should be 26-35 years of age at the time of  
20                    appointment.

21                (4) The public members appointed under paragraphs (2) and (3)  
22                should:

23                    (A) reflect a range of ethnicities, socioeconomic status, and  
24                    places of origin to reflect the racial and economic diversity  
25                    of the County's communities, including religious creed,  
26                    age, sex - including on the basis of gender identity or  
27                    orientation, disability, and geographic location, with

28 emphasis on those disproportionately impacted by  
29 inequities; and

30 (B) have an interest or expertise in policing matters.

31 (5) The Council should appoint the following as non-voting ex  
32 officio members:

33 (A) the Police Chief or the Police Chief's designee; and

34 (B) the President of an employee organization certified under  
35 Article V of Chapter 33 or the President's designee.

36 (6) The term of each member is 3 years. After an appointment to fill  
37 a vacancy before a term expires, the successor serves the rest of  
38 the unexpired term.

39 [(d) Citizens Academy participation. The public members appointed under  
40 paragraph (c) must participate in the Montgomery County Police  
41 Department Citizens Academy.

42 [(e) Voting, officers, meetings, and compensation.

43 (1) Except the ex officio members, all members of the Commission  
44 are voting members.

45 (2) The Commission must elect a Chair and Vice-Chair from among  
46 its voting members.

47 (3) The Commission meets at the call of the Chair. The Commission  
48 must meet as often as necessary to perform its duties, but not less  
49 than 6 times each year.

50 (4) A member must serve without compensation. However, a  
51 member may request reimbursement for mileage and dependent  
52 care costs at rates established by the County.

53 [(f) Duties. The Commission must:

54 (1) advise the Council on policing matters;

- 55 (2) provide information regarding best practices on policing matters;
  - 56 (3) recommend policies, programs, legislation, or regulations;
  - 57 (4) comment on matters referred to it by the Council;
  - 58 (5) conduct at least one public forum each year for community input
  - 59 on policing matters;
  - 60 (6) accept correspondence and comments from members of the
  - 61 public; and
  - 62 (7) engage in public education.
- 63 [(g) Requests for information. The County, including the Police
- 64 Department, should respond to Commission requests for information
- 65 within 30 days after the County receives the request.
- 66 [(h) Annual Report. By July 1 each year, the Commission must submit to
- 67 the Executive and the Council an annual report on its functions,
- 68 activities, accomplishments, and plans and objectives.
- 69 [(i) Advocacy. The Commission must not engage in any advocacy activity
- 70 at the State or federal levels unless that activity is approved by the
- 71 Office of Intergovernmental Relations.
- 72 [(j) Staff. The Executive Director of the Office of the County Council must
- 73 provide appropriate staff to the Commission.]

74 **Sec. 2. A new Section 35-6 is enacted as follows:**

75 **35-6. Community Advisory Commission on Public Safety.**

- 76 (a) Definitions. In this Section the following words have the meanings
- 77 indicated:
- 78 Commission means the Community Advisory Commission on Public
- 79 Safety.
- 80 Department means the Montgomery County Police Department.

81 Institutional members are: (A) the Police Chief or the Police Chief's  
82 designee; and (B) the President of an employee organization certified  
83 under Article V of Chapter 33 or the President's designee.

84 (b) Established. County Council must appoint a Community Advisory  
85 Commission on Public Safety.

86 (c) Composition and terms of members.

87 (1) The Commission has 15 members consisting of 13 public  
88 members and two institutional members. All members of the  
89 Commission are voting members.

90 (2) The Council must appoint all members. Except for the  
91 institutional members, each member should represent a  
92 community organization operating in the County or be an  
93 individual.

94 (3) The public members appointed under sub-paragraphs (1) and (2)  
95 above should:

96 (A) reflect a range of ethnicities, socioeconomic status, and  
97 places of origin to reflect the racial and economic diversity  
98 of the County's communities, including religious creed,  
99 age, sex - gender identity or orientation, disability, and  
100 geographic location, with emphasis on those  
101 disproportionately impacted by inequities;

102 (B) include representation from business owners or  
103 organizations, Urban Districts, homeowners' associations,  
104 common ownership communities, and tenants'  
105 associations; and

106 (C) have an interest or expertise in public safety matters.

107           (4) The term of each member is 3 years. After an appointment to fill  
108                           a vacancy before a term expires, the successor serves the rest of  
109                           the unexpired term.

110       (d) Citizens Academy participation. The public members appointed under  
111                           paragraph (c) must participate in the Montgomery County Police  
112                           Department Citizens Academy.

113       (e) Voting, officers, meetings, and compensation.

114           (1) All members of the Commission are voting members.

115           (2) The Commission must elect a Chair and Vice-Chair from among  
116                           its members.

117           (3) The Commission meets at the call of the Chair. The Commission  
118                           must meet as often as necessary to perform its duties, but not less  
119                           than 6 times each year.

120           (4) A member must serve without compensation. However, a  
121                           member may request reimbursement for mileage and dependent  
122                           care costs at rates established by the County.

123       (f) Duties. The Commission must:

124           (1) advise the Council on public safety matters;

125           (2) provide information regarding best practices on public safety  
126                           matters;

127           (3) recommend policies, programs, legislation, or regulations;

128           (4) comment on matters referred to it by the Council;

129           (5) conduct at least one public forum each year for community input  
130                           on public safety matters;

131           (6) accept correspondence and comments from members of the  
132                           public;

133           (7) perform community outreach and discussion with an emphasis  
134           on getting feedback and input from those living or working in  
135           Equity Focus Areas; and

136           (8) engage in public education.

137       (g) Requests for information. The County, including the Police  
138       Department, should respond to Commission requests for information  
139       within 30 days after the County receives the request.

140       (h) Annual Report. By July 1 each year, the Commission must submit to  
141       the Executive and the Council an annual report on its functions,  
142       activities, accomplishments, and plans and objectives.

143       (i) Advocacy. The Commission must not engage in any advocacy activity  
144       at the State or federal levels unless that activity is approved by the  
145       Office of Intergovernmental Relations.

146       (j) Staff. The Executive Director of the Office of the County Council must  
147       provide appropriate staff to the Commission.

148 **Sec. 3. Section 35-6A is amended as follows:**

149       **Sec. 35-6A. Community Policing.**

150                               \*               \*               \*

151       (c) Reporting requirements.

152                               \*               \*               \*

153       (6) [(2)] The Department must also provide the information reported  
154               under paragraph (1) to the [Policing Advisory Commission]  
155               Community Advisory Commission on Public Safety established  
156               under Section 35-6.

157                               \*               \*               \*



158 ~~[[Sec. 2]]~~ Sec. 4 **Expedited Effective Date.** The Council declares that this  
159 legislation is necessary for the immediate protection of the public interest and that  
160 this Act takes effect on August 1, 2023.