

SB0191/303221/1

BY: Ways and Means Committee

AMENDMENTS TO SENATE BILL 191
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “– **Property Tax Credit**”; in the same line, after “**Employees**” insert “**Property Tax Credit and Office of Integrity and Compliance**”; in line 10, after “date;” insert “providing that the Office of Integrity and Compliance is an independent unit within the school system; specifying the independent nature and contractual relationship of the Integrity and Compliance Officer and other employees within the Office;”; strike beginning with “a” in line 11 down through “employees” in line 12 and substitute “Prince George’s County Public School System employees and the Office of Integrity and Compliance”; and after line 12, insert:

“BY repealing and reenacting, without amendments,

Article - Education

Section 4-404(b)

Annotated Code of Maryland

(2022 Replacement Volume and 2023 Supplement)

BY repealing and reenacting, with amendments,

Article - Education

Section 4-404(c), (d), and (e)

Annotated Code of Maryland

(2022 Replacement Volume and 2023 Supplement)”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“Article – Education

SB0191/303221/01 Ways and Means Committee
Amendments to SB 191
Page 2 of 5

4-404.

(b) This section applies only in Prince George's County.

(c) (1) There is an Office of Integrity and Compliance in the local school system.

(2) **THE OFFICE IS AN INDEPENDENT UNIT WITHIN THE LOCAL SCHOOL SYSTEM.**

(3) (i) The County Council of Prince George's County shall select [and], appoint, AND CONTRACT WITH an Integrity and Compliance Officer.

(ii) The County Council shall select the Integrity and Compliance Officer solely on the basis of professional ability and personal integrity, without regard to political affiliation.

(iii) The Integrity and Compliance Officer must be qualified professionally by experience or education in auditing, government operations, or financial management.

(d) (1) The term of the Integrity and Compliance Officer is 4 years beginning on the date of appointment.

(2) An individual may not serve as Integrity and Compliance Officer for more than three terms.

(3) The Integrity and Compliance Officer continues to serve until a successor is appointed.

SB0191/303221/01 Ways and Means Committee
Amendments to SB 191
Page 3 of 5

(4) If a vacancy occurs for the Integrity and Compliance Officer, the County Council shall appoint an Interim Integrity and Compliance Officer to serve for the remainder of the unexpired term.

(5) The County Council may remove the Integrity and Compliance Officer only through a majority vote of the County Council for neglect of duty, malfeasance, conviction of a felony, or other good cause.

(6) THE INTEGRITY AND COMPLIANCE OFFICER SHALL SERVE AS AN INDEPENDENT EMPLOYEE WITHIN THE LOCAL SCHOOL SYSTEM.

(7) The Integrity and Compliance Officer shall discharge the duties of office on a full-time basis and with no secondary employment of any nature during the Integrity and Compliance Officer's term.

(e) (1) The Office shall:

(i) Assist the County Council and the local school system by providing independent evaluation and recommendations regarding opportunities to:

1. Preserve the local school system's reputation; and
2. Improve the effectiveness, productivity, or efficiency of local school system programs, policies, practices, and operations;

(ii) Ensure public accountability by preventing, investigating, and reporting instances of fraud, waste, and abuse of property or funds of the local school system;

(iii) Examine, evaluate, and report on the adequacy and effectiveness of the systems of internal controls and their related accounting, financial, technology, and operational policies; and

(Over)

(iv) Report noncompliance with and propose ways to improve employee compliance with applicable law, policy, and ethical standards of conduct.

(2) (I) THE OFFICE MAY EMPLOY STAFF IN ORDER TO EXECUTE THE DUTIES OF THE OFFICE.

(II) STAFF EMPLOYED BY THE OFFICE SHALL SERVE UNDER THE SUPERVISION AND DIRECTION OF THE INTEGRITY AND COMPLIANCE OFFICER.

(3) In developing recommendations, the Office may:

(i) Conduct administrative investigations, budgetary analyses, and financial, management, or performance audits and similar reviews;

(ii) Provide management advisories; and

(iii) Utilize the assistance from any other government agency or private party to complete a project initiated by the Office.

[(3)] (4) When applicable, the Integrity and Compliance Officer shall comply with generally accepted government auditing standards.

[(4)] (5) (i) Except as provided in subparagraph (ii) of this paragraph, the Integrity and Compliance Officer shall publish on the Office's website, in a readily available location:

1. [Periodic reports] A REPORT AT LEAST ONCE EVERY 2 YEARS, BEGINNING IN FISCAL YEAR 2025, that [summarize] SUMMARIZES the activities, findings, recommendations, and accomplishments of the Office; and

2. Any official written comments or responses offered by the local school system administration with any report published by the Office.

(ii) The Integrity and Compliance Officer:

1. May not disclose any record, report, or related information that is protected from disclosure under the Public Information Act;

2. May provide an oral report if appropriate under generally accepted government auditing standards; and

3. Shall establish and follow procedures for safeguarding the identity of confidential sources and protecting privileged and confidential information.

[(5)] (6) If reasonable grounds exist to believe that a serious violation of federal, State, or local law has occurred, the Integrity and Compliance Officer shall report the allegation to:

(i) An appropriate law enforcement agency;

(ii) The State Ethics Commission; or

(iii) Any other agency with jurisdiction to enforce the law.

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

On page 3, in line 7, strike “2.” and substitute “3.”; in lines 9 and 12, in each instance, after “by” insert “Section 2 of”; in line 15, strike “3.” and substitute “4.”; and in line 16, strike “, and” and substitute “. Section 2 of this Act”.