

**HB1370/144168/1**

BY: Appropriations Committee

AMENDMENTS TO HOUSE BILL 1370  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “eliminating” in line 4 down through the second “of” in line 5 and substitute “of altering certain requirements to have certain determinations made concerning”; and in line 6, after “circumstances,” insert “prohibiting the Board of Public Works from approving payment under this Act until certain determinations are reported to the Board of Public Works;”.

AMENDMENT NO. 2

On page 2, in line 31, after “(2)” insert “**EXCEPT AS PROVIDED IN § 12-315.1 OF THIS SUBTITLE,**”.

On page 3, in line 24, strike “**SUBSECTION (B)**” and substitute “**SUBSECTIONS (B) AND (C)**”.

On page 4, after line 8, insert:

**“(C) (1) THE BOARD OF PUBLIC WORKS MAY NOT APPROVE PAYMENT UNDER THIS SECTION UNTIL THE DETERMINATIONS REQUIRED UNDER PARAGRAPHS (2) AND (3) OF THIS SUBSECTION ARE REPORTED TO THE BOARD OF PUBLIC WORKS.**

**(2) THE ATTORNEY GENERAL SHALL DETERMINE AND REPORT TO THE BOARD OF PUBLIC WORKS AS TO WHETHER THE APPLICANT:**

**(I) RETAINED COUNSEL; AND**

(Over)

(II) GAVE THE ATTORNEY GENERAL WRITTEN NOTICE PROMPTLY AFTER COUNSEL WAS RETAINED.

(3) AFTER REVIEW OF THE EVIDENCE AND OTHER INFORMATION, THE ATTORNEY GENERAL OR A DESIGNEE APPOINTED UNDER § 12-315 OF THIS SUBTITLE SHALL DETERMINE AND REPORT TO THE BOARD OF PUBLIC WORKS AS TO WHETHER THE APPLICANT:

(I) IN CONNECTION WITH THE MATTER UNDER CRIMINAL INVESTIGATION, DISCHARGED THE PUBLIC RESPONSIBILITIES IN GOOD FAITH, DID NOT ENGAGE IN UNLAWFUL CONDUCT, AND WAS REASONABLE IN RETAINING COUNSEL AND INCURRING THE COUNSEL FEES FOR WHICH REIMBURSEMENT WAS SOUGHT; OR

(II) IN CONNECTION WITH THE MATTER THAT WAS THE SUBJECT OF CRIMINAL CHARGES, DISCHARGED THE PUBLIC RESPONSIBILITIES IN GOOD FAITH AND INCURRED REASONABLE COUNSEL FEES.”.