

AMENDMENT NO. 2 TO  
COUNTY ORDINANCE NO. 03-01

A AMENDMENT TO A BILL ENTITLED

AN ACT CONCERNING the Adoption of a New Subtitle 3 to Title 13 of the Code of Public Local Laws of Queen Anne's County (1996 Ed.) To be entitled "False Statements to County Commissioners".

FOR THE PURPOSE of adding the requirement that the Board of County Commissioners, with the concurrence of the County Attorney, certify a statement of facts concerning a violation to the Queen Anne's County State's Attorney who shall determine whether to initiate prosecution; eliminating the phrase "or before any authorized Board of Commissioner of the County" from the Bill; adding the requirement that a prohibited false or fraudulent statement be of a material fact; and adding a prohibition against false or fraudulent statements in any submission to the County Commissioners.

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that pending County Ordinance 03-01 be amended so that the proposed new Subtitle 3 to Title 13 of the Code of Public Local Laws of Queen Anne's County read as follows:

Subtitle 3. False Statements to County Commissioners  
13-301. Generally.

Any person who shall willfully and knowingly make any false or fraudulent statement OF MATERIAL FACT in the course of any testimony OR OTHER SUBMISSION to the County Commissioners of Queen Anne's County or in connection with the consideration or transaction of public business by the County Commissioners of Queen Anne's County ~~or before any authorized Board or Commission of the County or before any authorized Board or Commission of the County~~ shall be guilty of a misdemeanor and upon conviction shall be subject to imprisonment not to exceed ninety (90) days, a fine not to exceed \$1,000.00, or both such fine and imprisonment.

13.302. CERTIFICATION.

WHENEVER A MAJORITY OF THE BOARD OF COUNTY COMMISSIONERS, WITH THE CONCURRENCE OF THE COUNTY ATTORNEY, DETERMINES THAT A FALSE OR FRAUDULENT STATEMENT HAS BEEN MADE IN VIOLATION OF THIS ORDINANCE, IT SHALL CERTIFY A STATEMENT OF THE FACTS CONCERNING SUCH VIOLATION TO THE STATE'S ATTORNEY OF QUEEN ANNE'S COUNTY, WHOSE DUTY IT SHALL BE TO DETERMINE WHETHER TO INITIATE PROSECUTION OF THE PERSON OR PERSONS WHO ARE STATED TO HAVE COMMITTED THE VIOLATION. NO PROSECUTION FOR A VIOLATION OF THIS ORDINANCE SHALL BE INITIATED EXCEPT UPON A CERTIFICATION BY A MAJORITY OF THE BOARD OF COUNTY COMMISSIONERS AS PROVIDED HEREIN.

SECTION II

BE IT FURTHER ENACTED that this Amendment shall be effective immediately upon adoption.

INTRODUCED BY: Commissioner Koval

DATED: March 4, 2003

PUBLIC HEARING HELD: March 11, 2003 @ 8:15 p.m.

VOTE: 2 Yea 3 Nay

DATE: April 1, 2003 - Failed