

In item (2) of this section, the reference to “the number set forth in the articles of organization as required by § 12-205(b)(1)(iv) of this title” is substituted for the former reference to a requirement to state “whether there will be 5, 7, or 9 commissioners” for consistency.

Defined term: “Authority” § 12-101

12-302. APPOINTMENT OF COMMISSIONERS OF AN AUTHORITY.

(A) APPOINTMENT BY CHIEF ELECTED OFFICIAL.

THE CHIEF ELECTED OFFICIAL SHALL APPOINT THE REQUIRED NUMBER OF COMMISSIONERS OF THE AUTHORITY.

(B) CERTIFICATE OF APPOINTMENT.

(1) A CERTIFICATE OF THE APPOINTMENT OF A COMMISSIONER OF AN AUTHORITY SHALL BE FILED WITH THE CUSTODIAN OF RECORDS.

(2) THE CERTIFICATE IS CONCLUSIVE EVIDENCE OF THE APPOINTMENT.

REVISOR’S NOTE: This section is new language derived without substantive change from former Art. 44A, § 1-207(a) and (f).

In subsection (a) of this section, the former reference to the chief elected official “of the local government” is deleted as implicit in the defined term “chief elected official”.

In subsection (b)(1) of this section, the former reference to the “reappointment” of the commissioner is deleted as implicit in the reference to “appointment”.

In subsection (b)(2) of this section, the former reference to a “due and proper” appointment is deleted as surplusage.

Defined terms: “Authority” § 12-101

“Chief elected official” § 12-101

“Custodian of records” § 12-101

12-303. ELIGIBILITY TO BE COMMISSIONER OF AN AUTHORITY.

(A) EMPLOYEES OF THE AUTHORITY BARRED.

A COMMISSIONER OF AN AUTHORITY MAY NOT BE AN EMPLOYEE OF THE AUTHORITY.

(B) EMPLOYEES OF POLITICAL SUBDIVISION LIMITED.

(1) IF AN AUTHORITY IS GOVERNED BY ARTICLES OF ORGANIZATION, ONLY ONE COMMISSIONER OF THE AUTHORITY MAY BE AN EMPLOYEE OF THE POLITICAL SUBDIVISION.

(2) OTHERWISE, A COMMISSIONER OF AN AUTHORITY MAY NOT BE AN EMPLOYEE OF THE POLITICAL SUBDIVISION.