

(C) ELECTED OFFICIALS OF POLITICAL SUBDIVISION BARRED.

A COMMISSIONER OF AN AUTHORITY MAY NOT BE AN ELECTED OFFICIAL OF THE POLITICAL SUBDIVISION.

(D) TENANT OF HOUSING PROJECT NOT BARRED.

THIS SUBTITLE DOES NOT BAR A TENANT OF A HOUSING PROJECT OR OF PROPERTY INCLUDED OR PLANNED TO BE INCLUDED IN A HOUSING PROJECT FROM BEING A COMMISSIONER OF AN AUTHORITY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 44B, § 1-207(b)(1), (2), and (4).

In subsections (b)(1) and (2) and (c) of this section, references to the defined term "political subdivision" are substituted for the former references to "local government" to conform to the terminology used throughout this article.

Defined terms: "Authority" § 12-101
"Housing project" § 12-101
"Political subdivision" § 12-101

12-304. TENURE OF COMMISSIONERS OF AN AUTHORITY.

(A) AUTHORITIES GOVERNED BY ARTICLES OF ORGANIZATION.

(1) THIS SUBSECTION APPLIES TO AUTHORITIES FOR WHICH THE SECRETARY OF STATE APPROVES ARTICLES OF ORGANIZATION ON OR AFTER JULY 1, 1990.

(2) ALL INITIAL APPOINTMENTS OF COMMISSIONERS OF AN AUTHORITY AFTER THE SECRETARY OF STATE APPROVES THE ARTICLES OF ORGANIZATION SHALL HAVE THE SAME EFFECTIVE DATE.

(3) THE EFFECTIVE DATE SHALL BE SET FORTH ALONG WITH THE TERM OF APPOINTMENT ON EACH INITIAL CERTIFICATE OF APPOINTMENT REQUIRED BY § 12-302(B) OF THIS SUBTITLE.

(4) FOR AUTHORITIES WHOSE ARTICLES OF ORGANIZATION SAY THAT COMMISSIONERS OF THE AUTHORITY HAVE 5-YEAR TERMS, THOSE WHO ARE INITIALLY APPOINTED SHALL HAVE STAGGERED TERMS OF:

(I) 1, 2, 3, 4, AND 5 YEARS FOR FIVE-MEMBER AUTHORITIES;

(II) 1, 2, 3, 3, 4, 5, AND 5 YEARS FOR SEVEN-MEMBER AUTHORITIES;

AND

(III) 1, 2, 2, 3, 3, 4, 4, 5, AND 5 YEARS FOR NINE-MEMBER AUTHORITIES.

(5) FOR AUTHORITIES WHOSE ARTICLES OF ORGANIZATION SAY THAT COMMISSIONERS OF THE AUTHORITY HAVE 3-YEAR TERMS, THOSE WHO ARE INITIALLY APPOINTED SHALL HAVE STAGGERED TERMS OF: