

The Housing and Community Development Article Review Committee notes, for consideration by the General Assembly, that in subsection (a) of this section, the statement that a commissioner or employee of an authority may not acquire certain property "[e]xcept for bonds purchased before appointment" may be needless because the prohibition apparently is applicable only prospectively.

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

12-311. REMOVAL.

(A) IN GENERAL.

A COMMISSIONER OF AN AUTHORITY MAY BE REMOVED BY THE CHIEF ELECTED OFFICIAL IN ACCORDANCE WITH THIS SECTION FOR NEGLIGENCE OF DUTY OR MISCONDUCT IN OFFICE, INCLUDING VIOLATIONS OF LOCAL ETHICS LAWS AND MISCONDUCT IDENTIFIED IN § 12-310 OF THIS SUBTITLE.

(B) PROCEDURES.

(1) THE CHIEF ELECTED OFFICIAL SHALL FILE CHARGES WITH THE OFFICE OF THE CUSTODIAN OF RECORDS AND PROMPTLY DELIVER A COPY OF THE CHARGES TO THE COMMISSIONER AND TO THE SECRETARY OF THE AUTHORITY.

(2) WRITTEN NOTICE OF THE DATE, TIME, AND PLACE OF A HEARING SHALL BE GIVEN TO THE COMMISSIONER AT LEAST 14 DAYS BEFORE THE HEARING.

(3) UNLESS THE COMMISSIONER HAS RESIGNED FROM OFFICE, THE CHIEF ELECTED OFFICIAL SHALL HOLD THE HEARING, AT WHICH THE COMMISSIONER SHALL HAVE AN OPPORTUNITY TO BE REPRESENTED BY COUNSEL AND TO BE HEARD IN PERSON.

(4) ON COMPLETION OF THE HEARING, THE CHIEF ELECTED OFFICIAL SHALL MAKE WRITTEN FINDINGS.

(C) FILING OF RECORDS, CHARGES, AND FINDINGS.

IF A COMMISSIONER OF AN AUTHORITY IS REMOVED, A RECORD OF THE PROCEEDINGS AND THE CHARGES AND FINDINGS SHALL BE FILED IN THE OFFICE OF THE CUSTODIAN OF RECORDS.

(D) SUSPENSION AND REINSTATEMENT.

(1) ON THE FILING OF CHARGES UNDER SUBSECTION (B)(1) OF THIS SECTION WITH THE OFFICE OF THE CUSTODIAN OF RECORDS, THE CHIEF ELECTED OFFICIAL MAY TEMPORARILY SUSPEND A COMMISSIONER OF AN AUTHORITY.

(2) THE CHIEF ELECTED OFFICIAL SHALL IMMEDIATELY REINSTATE THE COMMISSIONER IN OFFICE IF THE CHIEF ELECTED OFFICIAL FINDS THE CHARGES HAVE NOT BEEN SUBSTANTIATED.