

The fourth sentence of former Art. 19, § 8, which related to the powers of the Chief Deputy Comptroller and a deputy comptroller, is retained in Art. 19 and will be revised in the State Finance and Procurement Article.

4-105. ACTING COMPTROLLER.

(A) IN GENERAL.

IF THE COMPTROLLER TEMPORARILY IS UNABLE OR UNAVAILABLE TO CARRY OUT THE DUTIES OF OFFICE, AN ACTING COMPTROLLER SHALL HAVE THE POWERS AND DUTIES OF THE OFFICE, AS PROVIDED IN THIS SECTION.

(B) CHIEF DEPUTY COMPTROLLER.

THE CHIEF DEPUTY COMPTROLLER SHALL BE THE ACTING COMPTROLLER UNDER THIS SECTION, UNLESS THE MEMBERS OF THE BOARD OF PUBLIC WORKS, OTHER THAN THE COMPTROLLER, APPOINT ANOTHER INDIVIDUAL AS ACTING COMPTROLLER AND GIVE THE CHIEF DEPUTY COMPTROLLER WRITTEN NOTICE OF THE APPOINTMENT.

(C) NOTICE BY COMPTROLLER.

IF THE COMPTROLLER GIVES THE BOARD OF PUBLIC WORKS AND THE CHIEF DEPUTY COMPTROLLER WRITTEN NOTICE OF A TEMPORARY INABILITY OR UNAVAILABILITY, THE ACTING COMPTROLLER SHALL SERVE:

(1) ON AND AFTER THE DATE THAT THE COMPTROLLER SETS IN THE NOTICE; AND

(2) UNTIL THE COMPTROLLER GIVES THE BOARD OF PUBLIC WORKS AND THE ACTING COMPTROLLER WRITTEN NOTICE THAT THE COMPTROLLER IS ABLE TO CARRY OUT THE DUTIES.

(D) ACTION BY BOARD OF PUBLIC WORKS.

IF THE COMPTROLLER HAS NOT GIVEN NOTICE, BUT THE OTHER MEMBERS OF THE BOARD OF PUBLIC WORKS MAKE A FORMAL, WRITTEN DETERMINATION OF A TEMPORARY INABILITY OR UNAVAILABILITY OF THE COMPTROLLER, THE ACTING COMPTROLLER SHALL SERVE:

(1) ON AND AFTER THE DATE OF THE DETERMINATION; AND

(2) UNTIL THE MEMBERS DETERMINE AND GIVE THE COMPTROLLER AND THE ACTING COMPTROLLER WRITTEN NOTICE THAT THE COMPTROLLER IS ABLE TO CARRY OUT THE DUTIES.

(E) COURT OF APPEALS.

THE COURT OF APPEALS HAS EXCLUSIVE ORIGINAL JURISDICTION, ON PETITION OF THE GOVERNOR, THE COMPTROLLER, THE TREASURER, OR THE ACTING COMPTROLLER, TO DETERMINE ANY ISSUE THAT ARISES UNDER THIS SECTION AND TO PASS ANY APPROPRIATE ORDER.