

(1) the State officer or State employee submits to the Board a written application for reimbursement; and

(2) the Attorney General certifies that:

(i) the applicant retained counsel;

(ii) the applicant gave the Attorney General written notice promptly after counsel was retained; and

(iii) after review of the evidence and other information, the Attorney General or a designee appointed under this section made the following determinations:

1. in connection with the matter under criminal investigation, the applicant discharged the public responsibilities in good faith, did not engage in unlawful conduct, and was reasonable in retaining counsel and incurring the [expenses] COUNSEL FEES for which reimbursement is sought; or

2. in connection with the matter that was the subject of criminal charges, the applicant discharged the public responsibilities in good faith and incurred reasonable [expenses] COUNSEL FEES.

12-317.

(a) The Board of Public Works may act on the application for reimbursement of [legal expenses] COUNSEL FEES without a hearing.

(b) The Board of Public Works may pay reimbursement of counsel fees from:

(1) the General Emergency Fund;

(2) money appropriated for that purpose in the State budget; or

(3) money appropriated to the State Insurance Trust Fund for that purpose.

(c) If the Board of Public Works disapproves reimbursement wholly or partly, the Board shall state, in writing, its reasons for the disapproval.

(d) A decision of the Board of Public Works under this Part III of this subtitle is not subject to judicial review.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1984.

Approved May 29, 1984.

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