

Introduced by: The Council President

At the request of: The Administration (the Office of the Inspector General)

Prepared by: Department of Legislative Reference

Date: November 25, 2019

Referred to: JUDICIARY Committee

Also referred for recommendation and report to municipal agencies listed on reverse.

CITY COUNCIL 19-0471

A BILL ENTITLED

AN ORDINANCE concerning

Whistleblower Rights and Responsibilities – Effective Date Modification

FOR the purpose of modifying the effective date of Ordinance 19-308 {“Whistleblower Rights and Responsibilities ”}; and providing for a special effective date.

BY repealing and reordaining, with amendments

Ordinance 19-308

Section 3

****The introduction of an Ordinance or Resolution by Councilmembers at the request of any person, firm or organization is a courtesy extended by the Councilmembers and not an indication of their position.**

CITY OF BALTIMORE
ORDINANCE 19.335
Council Bill 19-0471

Introduced by: The Council President
At the request of: The Administration (Office of the Inspector General)
Introduced and read first time: December 2, 2019
Assigned to: Judiciary Committee

Committee Report: Favorable
Council action: Adopted
Read second time: December 16, 2019

AN ORDINANCE CONCERNING

1 Whistleblower Rights and Responsibilities – Effective Date Modification

2 FOR the purpose of modifying the effective date of Ordinance 19-308 {“Whistleblower Rights
3 and Responsibilities”}; and providing for a special effective date.

4 BY repealing and reordaining, with amendments
5 Ordinance 19-308
6 Section 3

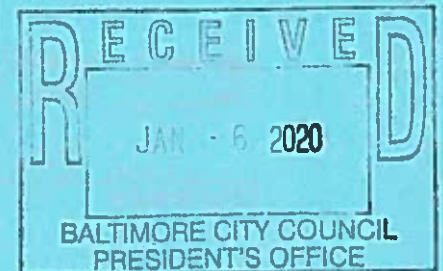
7 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the**
8 **Laws of Baltimore City read as follows:**

9 **Ordinance 19-308**

10 **SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes**
11 **effect on [the 60th day after the date it is enacted] MARCH 15, 2020.**

12 **SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is**
13 **enacted.**

EXPLANATION: CAPITALS indicate matter added to existing law
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
Strike-out indicates matter stricken from the bill by
amendment or deleted from existing law by amendment.



Council Bill 19-0471

DEC 16 2019

Certified as duly passed this _____ day of _____, 20____



President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,

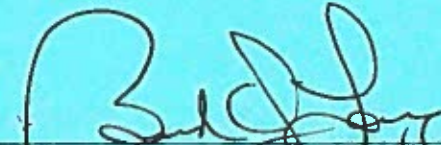
DEC 16 2019

this _____ day of _____, 20____



Chief Clerk

Approved this 18th day of Dec, 2019



Mayor, Baltimore City

Approved For Form and Legal Sufficiency
This 17th Day of December 2019



Chief Solicitor

**BALTIMORE CITY COUNCIL
JUDICIARY COMMITTEE
VOTING RECORD**

BILL#: CC-19-0471


DATE: 12/10/19

TITLE: Whistleblower Rights and Responsibilities - Effective Date Modification

MOTION BY: Sneed SECONDED BY: Clarke


- FAVORABLE FAVORABLE WITH AMENDMENTS
 UNFAVORABLE WITHOUT RECOMMENDATION

NAME	YEAS	NAYS	ABSENT	ABSTAIN
Costello, E., Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarke, M., Vice Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bullock, J.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pinkett, L.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Reisinger, E.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sneed, S.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stokes, R.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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TOTALS	<u>6</u>	<u>0</u>	<u>1</u>	<u>0</u>

CHAIRPERSON: 

COMMITTEE STAFF: Matthew L. Peters, Initials: MLP

Robert Cennamo

FROM	NAME & TITLE	Robert Cennamo, Budget Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall (410) 396-4774		
	SUBJECT	City Council Bill 19-0471 – Whistleblower Rights and Responsibilities—Effective Date Modification		

DATE:

TO

The Honorable President and
Members of the City Council
City Hall, Room 400

December 6, 2019

Position: Does Not Oppose

The Department of Finance is herein reporting on City Council Bill 19-0471, Whistleblower Rights and Responsibilities—Effective Date Modification, the purpose of which is establish that Ordinance 19-308 goes into effect on March 15, 2020.

Background

City Council Bill 19-0377, Whistleblower Rights and Responsibilities, was passed by the City Council on October 7, 2019 and signed by the Mayor on November 4, 2019 as Ordinance 19-308. This ordinance prohibits retaliation against whistleblowers, establishes procedures for filing complaints for retaliation, and authorizes and mandates the Office of the Inspector General to investigate complaints of retaliation filed by whistleblowers.

Fiscal Impact

There is no fiscal impact for changing the date the ordinance goes into effect.

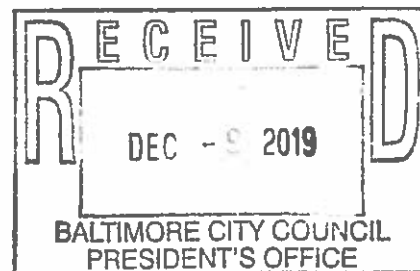
Conclusion

This legislation changes the date Ordinance 19-308 goes into effect from the 60th day after the date it is enacted to March 15, 2020. This change does not have a fiscal impact.

For the reason stated above, the Department of Finance does not oppose City Council Bill 19-0471.

cc: Henry Raymond
Matthew Stegman
Nina Themelis

Handwritten notes in the margin



Not opposed

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG
Mayor



DEPARTMENT OF LAW
ANDRE M. DAVIS, CITY SOLICITOR
100 N. HOLLIDAY STREET
SUITE 101, CITY HALL
BALTIMORE, MD 21202

December 2, 2019

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 19-0471 – Whistleblower Rights and Responsibilities – Effective Date Modification

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0471 for form and legal sufficiency. The bill modifies the effective date of Ordinance 19-308 and provides for a special effective date.

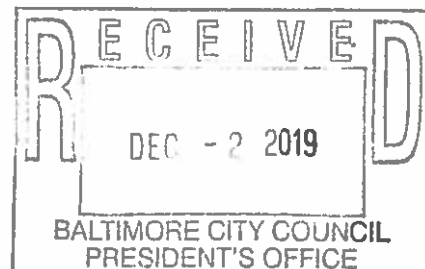
There are no legal impediments to the passage of this bill. The Law Department will approve it for form and legal sufficiency.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor K. Terval".

Victor K. Terval
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Matt Stegman, Mayor's Legislative Liaison
Caylin Young, President's Legislative Director
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor



City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Meeting Minutes - Final

Judiciary Committee

Tuesday, December 10, 2019

11:30 AM

Du Burns Council Chamber, 4th floor, City Hall

19-0471

CALL TO ORDER

INTRODUCTIONS

ATTENDANCE

Present 6 - Eric T. Costello, Mary Pat Clarke, John T. Bullock, Edward Reisinger, Shannon Sneed, and Robert Stokes Sr.

Absent 1 - Leon F. Pinkett III

ITEM SCHEDULED FOR PUBLIC HEARING

19-0471

Whistleblower Rights and Responsibilities - Effective Date Modification

For the purpose of modifying the effective date of Ordinance 19-308 {"Whistleblower Rights and Responsibilities"}; and providing for a special effective date.

Sponsors: City Council President (Administration)

A motion was made by Sneed, seconded by Clarke, that this Ordinance be Recommended Favorably. The motion carried by the following vote:

Yes: 6 - Costello, Clarke, Bullock, Reisinger, Sneed, and Stokes Sr.

Absent: 1 - Pinkett III

ADJOURNMENT



HEARING NOTES

Bill: 19-0471

Whistleblower Rights and Responsibilities - Effective Date Modification

Committee: Judiciary
Chaired by: Councilmember Eric T. Costello

Hearing Date: December 10, 2019
Time (Beginning): 11:40 a.m.
Time (Ending): 11:45 a.m.
Location: Clarence "Du" Burns Council Chamber
Total Attendance: Approximately 15 people
Committee Members in Attendance:
Eric Costello Mary Pat Clarke John Bullock Edward Reisinger
Shannon Sneed Robert Stokes

Bill Synopsis in the file? YES NO N/A
Attendance sheet in the file? YES NO N/A
Agency reports read? YES NO N/A
Video or audio-digitally recorded? YES NO N/A
Certification of advertising/posting notices in the file? YES NO N/A
Evidence of notification to property owners? YES NO N/A
Final vote taken at this hearing? YES NO N/A
Motioned by: **Councilmember Sneed**
Seconded by: **Councilmember Clarke**
Final Vote: **Favorable**

Major Speakers
(This is not an attendance record.)

Jennifer Caffrey, Office of the Inspector General

Major Issues Discussed

1. Chairman Costello called the hearing to order and introduced the committee members in attendance.
2. Agency representatives confirmed the recommendations in their written reports.

3. Jennifer Caffrey explained that the Office of the Inspector General is researching best practices and developing policies to implement Ordinance 19-308. She noted that the policies must conform to numerous provisions of the City Charter, City Code, and agreements with employee unions. The Office has convened a task force of subject matter experts and stakeholders to develop the policies, but the process requires more time than anticipated when the ordinance was enacted.

Further Study

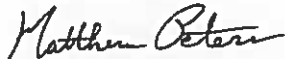
Was further study requested?

Yes No

If yes, describe.

Committee Vote:

E. Costello: Yea
M. Clarke: Yea
J. Bullock: Yea
L. Pinkett: Absent
E. Reisinger: Yea
S. Sneed: Yea
R. Stokes: Yea



Matthew L. Peters, Committee Staff

Date: December 10, 2019

Cc: Bill File
OCS Chrono File



Baltimore City Council Committee Hearing Attendance Record

Subject: Ordinance - Whistleblower Rights and Responsibilities - Effective Date Modification	Bill #: 19-0471
Committee: Judiciary	Chair: Eric Costello
Date: Tuesday, December 10, 2019	Time: 11:30 AM
Location: Clarence "Du" Burns Council Chamber	

PLEASE PRINT CLEARLY

CHECK HERE TO TESTIFY



First Name	Last Name	Address / Organization / Email	Testify	What is your position on this bill?		Lobbyist: Are you registered in the City?*	
				For	Against	Yes	No
John	Doe	400 N. Holliday St. Johndoenbmore@yahoo.com	✓	✓	✓	✓	✓

*NOTE: IF YOU ARE COMPENSATED OR INCUR EXPENSES IN CONNECTION WITH THIS BILL, YOU MAY BE REQUIRED BY LAW TO REGISTER WITH THE CITY ETHICS BOARD AS A LOBBYIST. REGISTRATION CAN BE DONE ONLINE AND IS A SIMPLE PROCESS. FOR INFORMATION VISIT: [HTTPS://ETHICS.BALTIMORECITY.GOV/](https://ethics.baltimorecity.gov/) OR CALL: 410-396-4730

City of Baltimore

City Council
City Hall, Room 408
100 North Holliday Street
Baltimore, Maryland 21202

Meeting Agenda - Final

Judiciary Committee

Tuesday, December 10, 2019

11:30 AM

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19-0471

Whistleblower Rights and Responsibilities - Effective Date Modification
For the purpose of modifying the effective date of Ordinance 19-308
{"Whistleblower Rights and Responsibilities"}; and providing for a special
effective date.

Sponsors:

City Council President (Administration)

ADJOURNMENT

THIS MEETING IS OPEN TO THE PUBLIC

CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG, Mayor



OFFICE OF COUNCIL SERVICES

LARRY E. GREENE, Director
415 City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202
410-396-7215 / Fax: 410-545-7596
email: larry.greenc@baltimorecity.gov

BILL SYNOPSIS

Committee: Judiciary

Bill 19-0471

Whistleblower Rights and Responsibilities - Effective Date Modification

Sponsor: *City Council President (Office of the Inspector General)*

Introduced: *December 2, 2019*

Purpose:

For the purpose of modifying the effective date of Ordinance 19-308 {"Whistleblower Rights and Responsibilities"}; and providing for a special effective date.

Effective: The date it is enacted

AGENCY REPORTS

City Solicitor	Favorable
Office of the inspector General	
Department of Finance	
Department of Human Resources	

ANALYSIS

Ordinance 19-308 (Whistleblower Rights and Responsibilities) updates the prohibition on retaliating against whistleblowers, establishes procedures for complaints and investigations of retaliation, and includes other related provisions. The ordinance tasks the Inspector General with reviewing whistleblower appeals, investigating certain whistleblower complaints, adopting rules and regulations, and creating an administrative manual. The ordinance was signed by the Mayor on October 23, 2019 and provides that it takes effect 60 days after the date it was enacted.

Bill 19-0471 will change the effective date of Ordinance 19-308 to March 15, 2020.

ADDITIONAL INFORMATION

Fiscal Note: None

Information Source(s): Reporting Agencies, Ordinance 19-308, Bill 19-0471.

Matthew Peters

Analysis by: Matthew L. Peters
Analysis Date: December 6, 2019

Direct Inquiries to: (410) 396-1268

**CITY OF BALTIMORE
COUNCIL BILL 19-0471
(First Reader)**

Introduced by: The Council President
At the request of: The Administration (Office of the Inspector General)
Introduced and read first time: December 2, 2019
Assigned to: Judiciary Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Office of the Inspector General,
Department of Human Resources, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Whistleblower Rights and Responsibilities – Effective Date Modification**

3 FOR the purpose of modifying the effective date of Ordinance 19-308 {“Whistleblower Rights
4 and Responsibilities”}; and providing for a special effective date.

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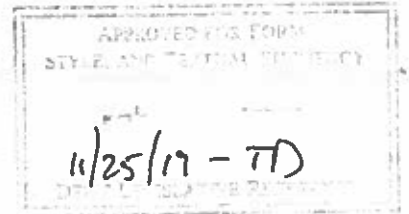
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13 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the date it is
14 enacted.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

INTRODUCTORY*
CITY OF BALTIMORE
COUNCIL BILL _____



Introduced by: The Council President
At the request of: The Administration (Office of the Inspector General)

A BILL ENTITLED

AN ORDINANCE concerning

Whistleblower Rights and Responsibilities – Effective Date Modification

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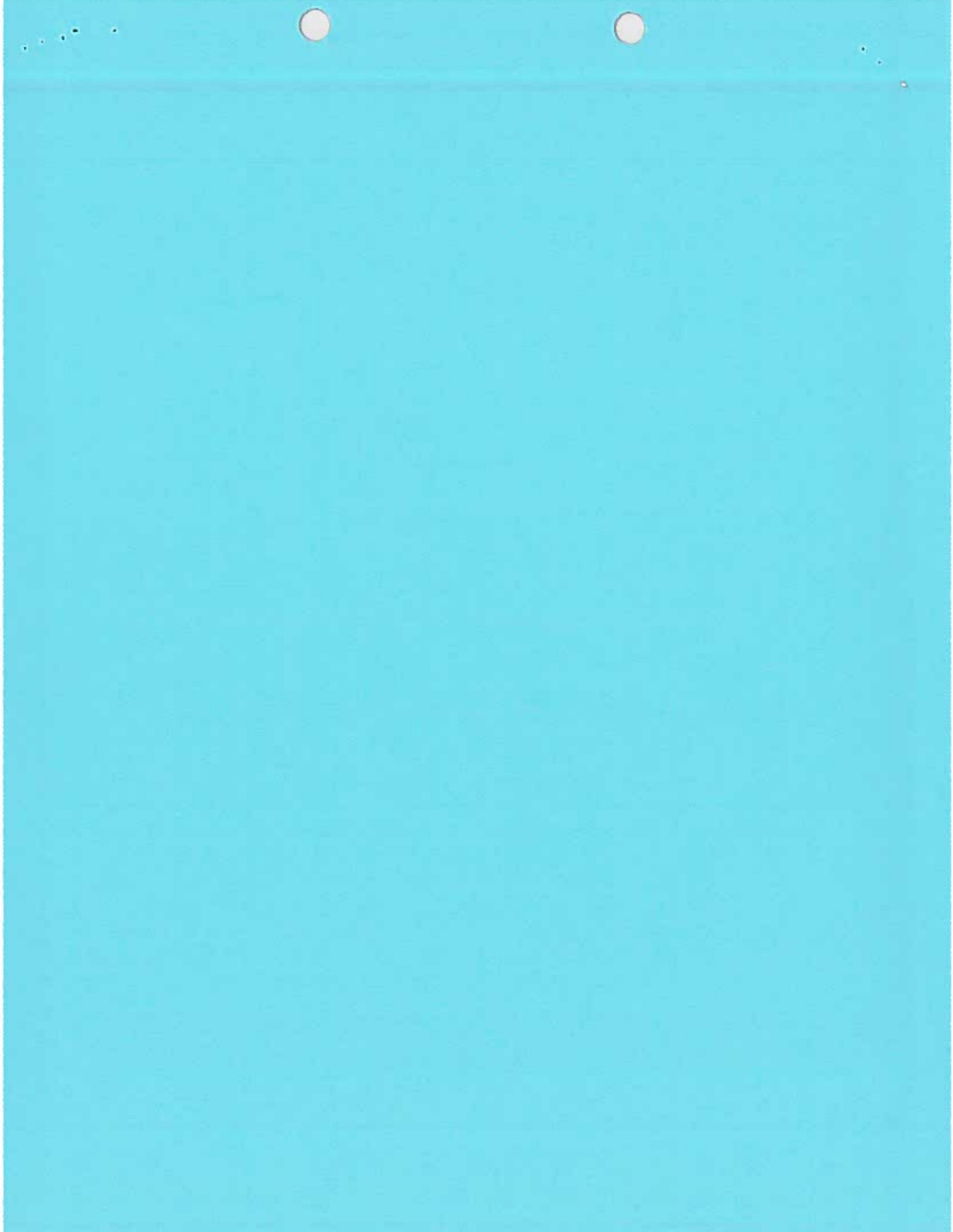
Ordinance 19-308

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on [the 60th day after the date it is enacted] MARCH 15, 2020.

SECTION 2. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the date it is enacted.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

* **WARNING:** THIS IS AN UNOFFICIAL, INTRODUCTORY COPY OF THE BILL.
THE OFFICIAL COPY CONSIDERED BY THE CITY COUNCIL IS THE FIRST READER COPY.



ACTION BY THE CITY COUNCIL

DEC 02 2019
20

FIRST READING (INTRODUCTION) _____

PUBLIC HEARING HELD ON Dec. 10, 2019 _____ 20 _____

COMMITTEE REPORT AS OF Dec. 16, 2019 _____ 20 _____

FAVORABLE _____ UNFAVORABLE _____ FAVORABLE AS AMENDED _____ WITHOUT RECOMMENDATION



Chair

COMMITTEE MEMBERS:

COMMITTEE MEMBERS:

SECOND READING: The Council's action being favorable (unfavorable), this City Council bill was (was not) ordered printed for Third Reading on:

DEC 16 2019
20

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING _____ DEC 16 2019
20

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (ENROLLED) _____ 20 _____

_____ Amendments were read and adopted (defeated) as indicated on the copy attached to this blue backing.

THIRD READING (RE-ENROLLED) _____ 20 _____

WITHDRAWAL _____ 20 _____

There being no objections to the request for withdrawal, it was so ordered that this City Council Ordinance be withdrawn from the files of the City Council.

President

Chief Clerk