

HOUSE BILL 273

G2, P5

2lr1303

By: **Delegates Rosenberg and Lafferty**

Introduced and read first time: January 27, 2012

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly – Disclosure of Financial Interests**

3 FOR the purpose of requiring a member of the General Assembly who is required
4 under the Maryland Public Ethics Law to publicly disclose certain information
5 to disclose the same information to a governmental entity in the State if the
6 legislator engages in certain business–related communication with an official or
7 employee of the governmental entity; specifying the manner of disclosure to the
8 governmental entity; and generally relating to disclosure of possible conflicts of
9 interest by members of the General Assembly.

10 BY repealing and reenacting, without amendments,
11 Article – State Government
12 Section 15–513(b)(1) and 15–607(a), (f), (i), and (k)
13 Annotated Code of Maryland
14 (2009 Replacement Volume and 2011 Supplement)

15 BY adding to
16 Article – State Government
17 Section 15–513(c)
18 Annotated Code of Maryland
19 (2009 Replacement Volume and 2011 Supplement)

20 BY repealing and reenacting, with amendments,
21 Article – State Government
22 Section 15–513(c)
23 Annotated Code of Maryland
24 (2009 Replacement Volume and 2011 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
26 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Article – State Government**

2 15–513.

3 (b) A legislator shall report the following information in writing to the Joint
4 Ethics Committee at the times and in the manner required by the Joint Ethics
5 Committee:

6 (1) if representing a person for compensation before a State or local
7 government agency, except in a judicial proceeding or in a quasi-judicial proceeding,
8 the name of the person represented, the services performed, and the consideration.
9 The Joint Ethics Committee may adopt procedures to keep confidential the name of
10 the person represented if that information is privileged or confidential pursuant to any
11 provision of law governing proceedings before that State agency.

12 **(c) (1) IF A LEGISLATOR COMMUNICATES WITH AN OFFICIAL OR**
13 **EMPLOYEE OF A GOVERNMENTAL ENTITY IN THE STATE ON BEHALF OF A**
14 **PERSON THAT IS SUBJECT TO DISCLOSURE UNDER SUBSECTION (B)(1) OF THIS**
15 **SECTION OR § 15–607(F) OR (I) OF THIS TITLE, THE LEGISLATOR SHALL REPORT**
16 **TO THE GOVERNMENTAL ENTITY THE NAME OF THE PERSON REPRESENTED**
17 **THAT IS REQUIRED TO BE DISCLOSED IN THE RELEVANT ETHICS FORM OR**
18 **DISCLOSURE SCHEDULE.**

19 **(2) A REPORT TO A GOVERNMENTAL ENTITY UNDER PARAGRAPH**
20 **(1) OF THIS SUBSECTION SHALL BE:**

21 **(I) IN WRITING;**

22 **(II) SUBMITTED BEFORE OR AT THE SAME TIME AS THE**
23 **COMMENCEMENT OF THE COVERED COMMUNICATION WITH THE OFFICIAL OR**
24 **EMPLOYEE; AND**

25 **(III) FILED WITH:**

26 **1. THE HIGHEST RANKING OFFICIAL OF THE**
27 **GOVERNMENTAL ENTITY; AND**

28 **2. THE OFFICE OF THE OFFICIAL OR EMPLOYEE**
29 **WITH WHOM THE LEGISLATOR COMMUNICATES.**

30 **[(c)] (D) (1) All reports filed under this section shall be a matter of public**
31 **record.**

1 (2) The Joint Ethics Committee shall develop procedures under which
2 a report required under **SUBSECTION (B) OF** this section may be filed electronically
3 without any additional cost to the legislator.

4 15–607.

5 (a) A statement that is required by § 15–601(a) of this subtitle shall contain
6 schedules disclosing the information and interests specified in this section, if known,
7 for the individual making the statement for the applicable period under this subtitle.

8 (f) (1) The statement shall include, as specified in this subsection, a
9 schedule of all offices, directorships, and salaried employment, or any similar interest
10 not otherwise disclosed, in business entities doing business with the State.

11 (2) This subsection applies to positions and interests held at any time
12 during the applicable period by:

13 (i) the individual; or

14 (ii) any member of the individual’s immediate family.

15 (3) For each position or interest reported, this schedule shall include:

16 (i) the name and address of the principal office of the business
17 entity;

18 (ii) the nature of the position or interest and the date it
19 commenced;

20 (iii) the name of each governmental unit with which the entity is
21 doing business; and

22 (iv) the nature of the business with the State, which, at a
23 minimum, shall be specified by reference to the applicable criteria of doing business
24 described in § 15–102(j) of this title.

25 (i) (1) Except as provided in paragraph (2) of this subsection, the
26 statement shall include a schedule listing the name and address of each:

27 (i) place of salaried employment, including secondary
28 employment, of the individual or a member of the individual’s immediate family at any
29 time during the applicable period; and

30 (ii) business entity of which the individual or a member of the
31 individual’s immediate family was a sole or partial owner, and from which the
32 individual or family member received earned income, at any time during the
33 applicable period.

1 (2) The statement may not include a listing of a minor child's
2 employment or business entities of which the child is sole or partial owner, unless the
3 place of employment or the business entity:

4 (i) is subject to the regulation or authority of the agency that
5 employs the individual; or

6 (ii) has contracts in excess of \$10,000 with the agency that
7 employs the individual.

8 (k) To the extent not reported under subsections (a) through (j) of this
9 section, a statement filed by a member of the General Assembly shall include:

10 (1) the information required under § 15-513(b) of this title; and

11 (2) an acknowledgment, signed by the member, that any information,
12 required under § 15-513(b) of this title, that becomes reportable after the statement is
13 filed shall be reported immediately to the Joint Ethics Committee as required by
14 § 15-513(b) of this title.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2012.