

HOUSE BILL 374

G2
HB 27/11 – ENV

2lr2304

By: **Delegate O'Donnell**

Introduced and read first time: February 1, 2012

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Ethics – Executive Branch – Lobbying by Former Officials**

3 FOR the purpose of prohibiting certain former State officials or public officials of the
4 Executive Branch from engaging in certain employment for a certain period of
5 time; providing exceptions to the employment prohibition; and generally
6 relating to lobbying by former Executive Branch officials.

7 BY repealing and reenacting, with amendments,
8 Article – State Government
9 Section 15–504(d)
10 Annotated Code of Maryland
11 (2009 Replacement Volume and 2011 Supplement)

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

14 **Article – State Government**

15 15–504.

16 (d) (1) Except for a former member of the General Assembly, who shall be
17 subject to the restrictions provided under paragraph (2) of this subsection, a former
18 official or employee may not assist or represent a party, other than the State, in a
19 case, contract, or other specific matter for compensation if:

20 (i) the matter involves State government; and

21 (ii) the former official or employee participated significantly in
22 the matter as an official or employee.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) (i) Except as provided in subparagraph (ii) of this paragraph,
2 until the conclusion of the next regular session that begins after the member leaves
3 office, a former member of the General Assembly may not assist or represent another
4 party for compensation in a matter that is the subject of legislative action.

5 (ii) The limitation under subparagraph (i) of this paragraph on
6 representation by a former member of the General Assembly does not apply to the
7 former member's representation of a municipal corporation, county, or State
8 governmental entity.

9 (3) (I) **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
10 **PARAGRAPH, FOR 1 YEAR AFTER THE OFFICIAL LEAVES STATE EMPLOYMENT, A**
11 **FORMER STATE OFFICIAL OR PUBLIC OFFICIAL OF THE EXECUTIVE BRANCH**
12 **WHO HAD DUTIES SUBSTANTIALLY RELATED TO STATE LEGISLATIVE MATTERS**
13 **AND THE GENERAL ASSEMBLY MAY NOT ASSIST OR REPRESENT ANOTHER**
14 **PARTY FOR COMPENSATION IN A MATTER THAT IS THE SUBJECT OF**
15 **LEGISLATIVE ACTION.**

16 (II) **THE LIMITATION UNDER SUBPARAGRAPH (I) OF THIS**
17 **PARAGRAPH ON REPRESENTATION BY A FORMER STATE OFFICIAL OR PUBLIC**
18 **OFFICIAL OF THE EXECUTIVE BRANCH DOES NOT APPLY TO THE FORMER**
19 **OFFICIAL'S REPRESENTATION OF A MUNICIPAL CORPORATION, COUNTY, OR**
20 **STATE GOVERNMENTAL ENTITY.**

21 (4) (I) **EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
22 **PARAGRAPH, FOR 1 YEAR AFTER THE OFFICIAL LEAVES STATE EMPLOYMENT, A**
23 **FORMER STATE OFFICIAL OR PUBLIC OFFICIAL OF THE EXECUTIVE BRANCH**
24 **WHO HAD DUTIES SUBSTANTIALLY RELATED TO THE PROCUREMENT OF GOODS**
25 **AND SERVICES MAY NOT ASSIST OR REPRESENT ANOTHER PARTY FOR**
26 **COMPENSATION IN A PROCUREMENT MATTER BEFORE THE OFFICIAL'S FORMER**
27 **AGENCY.**

28 (II) **THE LIMITATION UNDER SUBPARAGRAPH (I) OF THIS**
29 **PARAGRAPH DOES NOT APPLY TO THE FORMER OFFICIAL'S REPRESENTATION**
30 **OF ANOTHER STATE GOVERNMENTAL ENTITY.**

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