

Department of Legislative Services  
Maryland General Assembly  
2012 Session

FISCAL AND POLICY NOTE

House Bill 273 (Delegates Rosenberg and Lafferty)  
Environmental Matters

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General Assembly - Disclosure of Financial Interests

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This bill requires a member of the General Assembly who communicates with an official or employee of a governmental entity in the State on behalf of a person or entity with which the legislator has a specified relationship, to report the name of the person or entity to the governmental entity.

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Fiscal Summary

**State Effect:** The bill does not directly affect State finances.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Bill Summary:** If a member of the General Assembly communicates with a government official or entity in the State on behalf of a person or entity with which the legislator has a specified relationship, generally involving employment or compensation of either the legislator or an immediate family member by the person or entity, the legislator must report the name of the person or entity to the governmental entity. This report is in addition to existing requirements that such a relationship be disclosed to the Joint Committee on Legislative Ethics and/or the State Ethics Commission. The report must be in writing; submitted before or at the same time as the commencement of the communication; and filed with the highest ranking official of the governmental entity as well as the office of the official or employee with whom the legislator communicates.

**Current Law:** If representing a person for compensation before a State or local government agency (except in a judicial or quasi-judicial proceeding) a member of the General Assembly must report the name of the person represented, the services performed, and the consideration to the Joint Committee on Legislative Ethics at the times and in the manner required by the committee. The reports are a matter of public record, though the joint committee may adopt procedures to keep confidential the name of the person represented if that information is privileged or confidential pursuant to any law governing proceedings before that State agency. "Person" is defined as an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity.

A member of the General Assembly must also file financial disclosure statements with the State Ethics Commission that must include specified information regarding all offices, directorships, and salaried employment, or any similar interest not otherwise disclosed, in business entities doing business with the State (held either by the individual or any member of the individual's immediate family). A statement must also include the name and address of each (1) place of salaried employment, including secondary employment, of the individual or a member of the individual's immediate family during the applicable period, and (2) business entity of which the individual or a member of the individual's immediate family was a sole or partial owner, and from which the individual or family member received earned income, during the applicable period. A limited exception applies with respect to disclosure of a minor child's employment and business entities of which the child is sole or partial owner.

If not otherwise reported in accordance with requirements for financial disclosure statements, the information regarding representation of a person for compensation before a State or local government agency that is required to be reported to the Joint Committee on Legislative Ethics must also be included in the financial disclosure statement.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** State Ethics Commission, Department of Legislative Services

**Fiscal Note History:** First Reader - February 12, 2012  
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