

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 948 (Senator Raskin, *et al.*)
Education, Health, and Environmental Affairs

Ethics - Financial Disclosure by Local Elected Officials and County Boards of Education

This bill authorizes local governments and school boards, when enacting specified financial disclosure provisions applicable to local elected officials and school board members, and candidates for those offices, to limit the disclosure of an interest in a corporation, partnership, limited liability partnership, or limited liability company to include only those entities that do business with or are regulated by the county, municipal corporation, or school system. The provisions, however, must require that if an interest becomes disclosable after the reporting period for the most recent disclosure statement, it must be disclosed in an amendment filed within 30 days of learning that the interest is disclosable. The bill also specifies that financial disclosure regulations applicable to school board members and candidates for school board member apply to candidates for appointment to a board as well as candidates for election.

The bill takes effect June 1, 2012.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill does not directly affect local government finances.

Small Business Effect: None.

Analysis

Current Law: Under the Maryland Public Ethics Law, counties and municipal corporations are required to enact financial disclosure provisions applicable to local elected officials, including candidates for elective office, which are equivalent to or exceed State financial disclosure requirements. Similarly, a school board must adopt financial disclosure regulations applicable to members of a school board, including candidates for election to a school board, which are equivalent to or exceed State requirements. In both cases, however, the provisions or regulations may be modified to the extent necessary to make them relevant to the prevention of conflicts of interest in that jurisdiction or school system.

State financial disclosure requirements regarding interests in business entities require disclosure of each interest held in a corporation, partnership, limited liability partnership, or limited liability company, whether or not the entity does business with the State.

Background: The provisions being amended by the bill were enacted under Chapter 277 of 2010, which generally requires local governments and school boards to enact conflict of interest and financial disclosure provisions applicable to local elected officials and school board members that are at least as stringent as State requirements. These provisions added to more generally applicable provisions requiring counties and municipal corporations to enact conflict of interest and financial disclosure provisions that are similar to State requirements and requiring school boards to either adopt conflict of interest and financial disclosure regulations similar to State requirements or be covered by county ethics laws.

Additional Information

Prior Introductions: None.

Cross File: Although HB 1177 (Delegate Haddaway-Riccio, *et al.* - Environmental Matters) is designated as a cross file, it is different.

Information Source(s): State Ethics Commission, Prince George's County, City of Bowie, Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2012
ncs/kdm

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