

SENATE BILL 695

G2, P5

3lr2843
CF 3lr2696

By: **Senator Ferguson**

Introduced and read first time: February 1, 2013

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Public Ethics – General Assembly – Employment with Political Subdivisions**
3 **and Public Institutions of Higher Education**

4 FOR the purpose of authorizing the Joint Committee on Legislative Ethics to grant
5 certain exemptions from a certain employment restriction on a member of,
6 candidate for election to, and member–elect of the General Assembly under
7 certain circumstances; and generally relating to employment restrictions under
8 the Public Ethics Law.

9 BY repealing and reenacting, with amendments,
10 Article – State Government
11 Section 15–513(a)
12 Annotated Code of Maryland
13 (2009 Replacement Volume and 2012 Supplement)

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

16 **Article – State Government**

17 15–513.

18 (a) (1) Except as provided in paragraph (2) or (3) of this subsection, a
19 member of the General Assembly, a filed candidate for election to the General
20 Assembly, or a member–elect of the General Assembly may not receive earned income
21 from:

22 (i) an Executive unit; or

23 (ii) a political subdivision of the State.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) The Joint Ethics Committee may exempt an individual from the
2 provisions of paragraph (1) of this subsection if the earned income is for:

3 (i) educational instruction provided by the member, candidate,
4 or member–elect;

5 (ii) a position that is subject to a merit system hiring process;

6 (iii) a human services position; [or]

7 (iv) a career promotion, change, or progression that is a logical
8 transition from a pre–existing relationship as described in paragraph (3)(ii) of this
9 subsection; **OR**

10 **(V) A POSITION WITH A POLITICAL SUBDIVISION OF THE**
11 **STATE OR A PUBLIC INSTITUTION OF HIGHER EDUCATION IF THE INDIVIDUAL**
12 **MEETS THE QUALIFICATIONS REQUIRED FOR THE POSITION.**

13 (3) This subsection does not apply to compensation to a member,
14 candidate, or member–elect pursuant to:

15 (i) employment as a nonelected law enforcement officer or a fire
16 or rescue squad worker; or

17 (ii) a transaction or relationship that existed prior to:

18 1. the filing of a certificate of candidacy for election to
19 the General Assembly at a time when the individual was not an incumbent member of
20 the General Assembly; or

21 2. in the case of a member who was appointed to fill a
22 vacancy, the date of the appointment.

23 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
24 **October 1, 2013.**