HOUSE BILL 124

G2, P5 4lr0388
HB 222/13 – ENV

By: **Delegates Rosenberg and Lafferty**
Introduced and read first time: January 13, 2014
Assigned to: Environmental Matters

A BILL ENTITLED

AN ACT concerning

General Assembly – Disclosure of Financial Interests

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

BY repealing and reenacting, without amendments,
Article – State Government
Section 15–513(b)(1)(i) and 15–607(a), (f), (i), and (k)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY adding to
Article – State Government
Section 15–513(c)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–513(c) and (d)
Annotated Code of Maryland
(2009 Replacement Volume and 2013 Supplement)

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

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

Article – State Government

15–513.

(b) (1) A legislator shall report the following information in writing to the Joint Ethics Committee at the times and in the manner required by the Joint Ethics Committee:

(i) subject to paragraph (2) of this subsection, if representing a person for compensation before a State or local government agency, except in a judicial proceeding or in a quasi–judicial proceeding, the name of the person represented, the services performed, and the consideration. The Joint Ethics Committee may adopt procedures to keep confidential the name of the person represented if that information is privileged or confidential pursuant to any provision of law governing proceedings before that State agency.

(C) (1) IF A LEGISLATOR COMMUNICATES WITH AN OFFICIAL OR AN EMPLOYEE OF A GOVERNMENTAL ENTITY IN THE STATE ON BEHALF OF A PERSON, AND THE REPRESENTATION IS SUBJECT TO OR REQUIRES DISCLOSURE UNDER SUBSECTION (B)(1)(I) OF THIS SECTION OR § 15–607(F) OR (I) OF THIS TITLE, THE LEGISLATOR SHALL REPORT TO THE GOVERNMENTAL ENTITY THE INFORMATION REQUIRED TO BE DISCLOSED TO THE JOINT ETHICS COMMITTEE OR THE STATE ETHICS COMMISSION.

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

(I) IN WRITING;

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

(III) FILED WITH:

1. THE HIGHEST RANKING OFFICIAL OF THE GOVERNMENTAL ENTITY; AND

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

[(c)**] (D) [**All**] EXCEPT FOR A REPORT FILED UNDER SUBSECTION (C) OF THIS SECTION, ALL** reports filed under this section shall be:

(1) filed electronically on a form required by the Joint Ethics Committee; and

(2) maintained as a matter of public record as required in subsection **[**(d)**] (E)** of this section.

[(d)**] (E)** (1) The Department of Legislative Services shall:

(i) compile the reports filed **WITH THE JOINT ETHICS COMMITTEE** under this section;

(ii) make the reports **FILED WITH THE JOINT ETHICS COMMITTEE** available for public inspection as provided in the Public Information Act; and

(iii) as to reports filed **WITH THE JOINT ETHICS COMMITTEE** on or after January 1, 2013, and except as provided in paragraph (2) of this subsection, make the reports freely available to the public on the Internet through an online registration program.

(2) The Department of Legislative Services may not post on the Internet information related to consideration received that is reported under subsection (b) of this section.

15–607.

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

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

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

(i) the individual; or

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

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

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

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

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

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

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

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

(ii) 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, at any time during the applicable period.

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

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.