

Article - General Provisions

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§5-514.

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

- (i) an executive unit; or
- (ii) a political subdivision of the State.

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

- (i) educational instruction provided by the member, candidate, or member-elect;
- (ii) a position that is subject to a merit system hiring process;
- (iii) a human services position; or
- (iv) a career promotion, change, or progression that is a logical transition from a pre-existing relationship as described in paragraph (3)(ii) of this subsection.

(3) This subsection does not apply to compensation to a member, candidate, or member-elect derived from:

- (i) employment as a nonelected law enforcement officer or a fire or rescue squad worker; or
- (ii) a transaction or relationship that existed before the individual:
 - 1. filed a certificate of candidacy for election to the General Assembly while the individual was not an incumbent member of the General Assembly; or
 - 2. was appointed to fill a vacancy.

(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;

(ii) if representing a State or local government agency for compensation, the name of the agency, the services performed, and the consideration;

(iii) the name of any business enterprise subject to regulation by a State agency in which the legislator and a member of the legislator's immediate family (spouse and children living with the legislator), together or separately, have:

1. the lesser of:

A. 10% or more of the capital stock of any corporation; or

B. capital stock of any corporation with a cumulative value of \$25,000 or more; and

2. any interest in a partnership, limited liability partnership, or limited liability company;

(iv) details of any contractual relationship with a governmental entity of the State or a local government in the State, including the subject matter and the consideration;

(v) details of any transaction with a governmental entity of the State or a local government in the State involving a monetary consideration; and

(vi) any primary employment or business interest and the employer of the legislator or the spouse of the legislator, except for employment as a legislator.

(2) A legislator, on the written advice of the Counsel to the Joint Ethics Committee, is not required to report any information under this subsection if reporting the information would violate standards of client confidentiality or professional conduct.

(3) The Joint Ethics Committee may adopt procedures to keep confidential the name of the person represented in a report filed under subsection (b)(1)(i) of this section if that information is privileged or confidential under any law governing proceedings before that State or local government agency.

(c) 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) of this section.

(d) (1) The Department of Legislative Services shall:

(i) compile the reports filed under this section;

(ii) make the reports available for public inspection as provided in the Public Information Act; and

(iii) as to reports filed 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.

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