

HOUSE BILL 234

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5lr0789

By: **Delegates Tarlau, Barron, Carr, Ebersole, Jalisi, Lam, Moon, Platt,
S. Robinson, and Smith**

Introduced and read first time: February 2, 2015

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Ethics – Executive Branch – Lobbying by Former Officials and Members of the**
3 **General Assembly**

4 FOR the purpose of altering the time period during which former members of the General
5 Assembly are prohibited from assisting or representing certain parties for
6 compensation in a matter that is subject to legislative action; prohibiting certain
7 former State officials of the Executive Branch and certain former public officials of
8 the Executive Branch from assisting or representing certain parties for
9 compensation, for a certain period of time, in a matter that is subject to legislative
10 action; providing an exception to a certain employment prohibition; and generally
11 relating to employment by former members of the General Assembly and former
12 Executive Branch officials.

13 BY repealing and reenacting, with amendments,
14 Article – General Provisions
15 Section 5–504(d)
16 Annotated Code of Maryland
17 (2014 Volume)

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

20 **Article – General Provisions**

21 5–504.

22 (d) (1) Except for a former member of the General Assembly, who shall be
23 subject to the restrictions provided under paragraph (2) of this subsection, a former official
24 or employee may not assist or represent a party, other than the State, in a case, a contract,
25 or any other specific matter for compensation if:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) the matter involves State government; and

2 (ii) the former official or employee participated significantly in the
3 matter as an official or employee.

4 (2) (i) Except as provided in subparagraph (ii) of this paragraph, [until
5 the conclusion of the next regular session that begins after the member leaves office,] a
6 former member of the General Assembly may not assist or represent another party for
7 compensation in a matter that is the subject of legislative action **UNTIL TWO FULL**
8 **REGULAR SESSIONS HAVE BEGUN AND CONCLUDED AFTER THE MEMBER LEAVES**
9 **OFFICE.**

10 (ii) The limitation under subparagraph (i) of this paragraph on
11 representation by a former member of the General Assembly does not apply to the former
12 member's representation of a municipal corporation, county, or State governmental entity.

13 **(3) (I) THIS PARAGRAPH APPLIES TO:**

14 **1. FORMER STATE OFFICIALS OF THE EXECUTIVE**
15 **BRANCH; AND**

16 **2. FORMER PUBLIC OFFICIALS OF THE EXECUTIVE**
17 **BRANCH WHO HAD DUTIES SUBSTANTIALLY RELATED TO STATE LEGISLATIVE**
18 **MATTERS AND THE GENERAL ASSEMBLY.**

19 **(II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS**
20 **PARAGRAPH, FOR 2 YEARS AFTER AN OFFICIAL LEAVES STATE EMPLOYMENT, THE**
21 **FORMER OFFICIAL MAY NOT ASSIST OR REPRESENT ANOTHER PARTY FOR**
22 **COMPENSATION IN A MATTER THAT IS THE SUBJECT OF LEGISLATIVE ACTION.**

23 **(III) THE LIMITATION UNDER SUBPARAGRAPH (II) OF THIS**
24 **PARAGRAPH DOES NOT APPLY TO THE FORMER OFFICIAL'S REPRESENTATION OF A**
25 **MUNICIPAL CORPORATION, COUNTY, OR STATE GOVERNMENTAL ENTITY.**

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2015.