

HOUSE BILL 234

G2

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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 16, 2015

CHAPTER _____

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**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 5-504.

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

6 (i) the matter involves State government; and

7 (ii) the former official or employee participated significantly in the
8 matter as an official or employee.

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

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

18 (3) (I) THIS PARAGRAPH APPLIES TO:

19 1. FORMER STATE OFFICIALS OF THE EXECUTIVE
20 BRANCH; AND

21 2. FORMER PUBLIC OFFICIALS OF THE EXECUTIVE
22 BRANCH WHO HAD DUTIES SUBSTANTIALLY RELATED TO STATE LEGISLATIVE
23 MATTERS AND THE GENERAL ASSEMBLY.

24 (II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS
25 PARAGRAPH, FOR ~~2 YEARS~~ 1 YEAR AFTER AN OFFICIAL LEAVES STATE
26 EMPLOYMENT, THE FORMER OFFICIAL MAY NOT ASSIST OR REPRESENT ANOTHER
27 PARTY FOR COMPENSATION IN A MATTER THAT IS THE SUBJECT OF LEGISLATIVE
28 ACTION.

29 (III) THE LIMITATION ON REPRESENTATION BY A FORMER
30 STATE OFFICIAL OR PUBLIC OFFICIAL OF THE EXECUTIVE BRANCH UNDER
31 SUBPARAGRAPH (II) OF THIS PARAGRAPH DOES NOT APPLY TO THE FORMER
32 OFFICIAL'S REPRESENTATION OF A MUNICIPAL CORPORATION, COUNTY, OR STATE
33 GOVERNMENTAL ENTITY.

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.