

SENATE BILL 18

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(PRE-FILED)

By: **Chair, Education, Health, and Environmental Affairs Committee (By Request
– Departmental – State Ethics Commission)**

Requested: September 27, 2016

Introduced and read first time: January 11, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Ethics – Bicounty Commissions – Financial Disclosure**

3 FOR the purpose of altering certain duties of executive directors of bicounty commissions
4 relating to certain ethics forms; requiring certain financial disclosure statements to
5 be filed electronically with the State Ethics Commission; requiring paper copies of
6 certain financial disclosure statements to be filed with certain officials in certain
7 counties; requiring the Commission to delete certain financial disclosure statements
8 filed by certain applicants for bicounty commissions; and generally relating to the
9 electronic filing of financial disclosure statements with the State Ethics Commission.

10 BY repealing and reenacting, with amendments,

11 Article – General Provisions

12 Section 5–824, 5–825, and 5–826

13 Annotated Code of Maryland

14 (2014 Volume and 2016 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

16 That the Laws of Maryland read as follows:

17 **Article – General Provisions**

18 5–824.

19 (a) In this section, as to the Washington Suburban Transit Commission,
20 “commissioner” includes the members appointed from Montgomery County or Prince
21 George’s County and the members appointed by the Governor.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) Each commissioner and each applicant for appointment to a bicounty
2 commission shall file the financial disclosure statement required by § 5–601(a) of this title,
3 except that:

4 (i) references to “business with the State” are deemed to refer to
5 “business with the State, the appropriate bicounty commission, Montgomery County, or
6 Prince George’s County”; and

7 (ii) references to “employed by the State” are deemed to refer to
8 “employed by the State, the appropriate bicounty commission, Montgomery County, or
9 Prince George’s County”.

10 (2) Except as otherwise provided in this section, the statement shall be
11 filed as required in § 5–602 of this title.

12 [(c) The executive director of a bicounty commission shall:

13 (1) provide forms for the statements required by this section;

14 (2) make the forms available in the office of the executive director; and

15 (3) provide enough forms to the chief administrative officers of
16 Montgomery County and Prince George’s County for use by applicants and commissioners.]

17 [(d)] **(C)** (1) Each commissioner shall file [the] **A FINANCIAL DISCLOSURE**
18 statement **ELECTRONICALLY** with the [chief administrative officer of the county from
19 which the commissioner is appointed] **ETHICS COMMISSION**.

20 [(2) Commissioners of the Washington Suburban Transit Commission also
21 shall file a financial disclosure statement with the Ethics Commission.]

22 **(2) EACH COMMISSIONER SHALL ALSO PRINT A PAPER COPY OF THE**
23 **ELECTRONICALLY FILED FINANCIAL DISCLOSURE STATEMENT AND SUBMIT IT TO**
24 **THE CHIEF ADMINISTRATIVE OFFICER OF THE COUNTY FROM WHICH THE**
25 **COMMISSIONER IS APPOINTED.**

26 [(e) (1) If a commissioner of the Washington Suburban Transit Commission
27 holds another public office and is required to file a financial disclosure statement under
28 another State or local law, the commissioner may comply with subsection (b) of this section
29 by submitting a copy of the statement filed in accordance with the other law.

30 (2) The statement shall be supplemented to include any additional
31 information required by this section.]

1 (a) An applicant for appointment as commissioner shall file the financial
2 disclosure statement required by this part [in accordance with this section]
3 **ELECTRONICALLY WITH THE ETHICS COMMISSION.**

4 (b) [The statement shall be filed with] **AN APPLICANT SHALL ALSO PRINT A**
5 **PAPER COPY OF THE ELECTRONICALLY FILED STATEMENT AND SUBMIT IT TO** the
6 county council and the chief administrative officer of the county from which the applicant
7 seeks appointment.

8 (c) (1) (i) In Montgomery County, an applicant for appointment or
9 reappointment to the Maryland–National Capital Park and Planning Commission shall
10 [file] **SUBMIT** the statement **TO THE COUNTY COUNCIL AND THE CHIEF**
11 **ADMINISTRATIVE OFFICER** at least 5 days before the interview conducted under § 15–104
12 of the Land Use Article.

13 (ii) The statement shall cover the 12–month period ending 60 days
14 before the day the statement is filed.

15 (2) (i) In Prince George’s County, an applicant for appointment to the
16 Maryland–National Capital Park and Planning Commission shall [file] **SUBMIT** the
17 statement **TO THE COUNTY COUNCIL AND THE CHIEF ADMINISTRATIVE OFFICER** at
18 least 5 days before the confirmation hearing conducted under § 15–103 of the Land Use
19 Article.

20 (ii) The statement shall cover the 12–month period ending 60 days
21 before the initial date set for the confirmation hearing.

22 (d) (1) An applicant for appointment to the Washington Suburban Sanitary
23 Commission shall [file] **SUBMIT** the statement **TO THE COUNTY COUNCIL AND THE**
24 **CHIEF ADMINISTRATIVE OFFICER** at least 5 days before the interview conducted under
25 § 17–103 of the Public Utilities Article.

26 (2) The statement shall cover the 12–month period ending 60 days before
27 the day the statement is filed.

28 (e) (1) An applicant for appointment to the Washington Suburban Transit
29 Commission shall [file] **SUBMIT** the statement **REQUIRED BY THIS SECTION TO THE**
30 **COUNTY COUNCIL AND THE CHIEF ADMINISTRATIVE OFFICER** at least 10 days before
31 the appointment becomes effective.

32 (2) The statement shall cover the 12–month period ending not more than
33 60 days before the day the statement is filed.

34 5–826.

1 (a) The chief administrative officer of a county shall transmit each financial
2 disclosure statement of a commissioner or appointed applicant to[:

3 (1) the Ethics Commission; and

4 (2)] the executive director of the appropriate bicounty commission.

5 (b) The executive director and the chief administrative officer shall retain the
6 statement for the entire term of office of the commissioner.

7 (c) (1) Within 15 days after an appointment to a bicounty commission has
8 become final, the county council and the chief administrative officer of the county involved
9 shall return to each applicant who is not appointed the original and all copies of the
10 statement submitted by that applicant.

11 (2) **ON NOTIFICATION BY THE CHIEF ADMINISTRATIVE OFFICER OF**
12 **THE COUNTY INVOLVED THAT AN APPLICANT WAS NOT APPOINTED, THE ETHICS**
13 **COMMISSION SHALL PROMPTLY DELETE THE STATEMENT ELECTRONICALLY FILED**
14 **BY THE APPLICANT.**

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2017.