

# HOUSE BILL 159

G2

01r0001

---

By: **Chair, Environment and Transportation Committee (By Request –  
Departmental – State Ethics Commission)**

Introduced and read first time: January 15, 2020

Assigned to: Environment and Transportation

---

## A BILL ENTITLED

1 AN ACT concerning

2 **State Ethics Commission – Determination of Public Official in an Executive**  
3 **Unit – Information From Units of State Government**

4 FOR the purpose of requiring certain entities to provide certain information to the State  
5 Ethics Commission in a certain manner for the Ethics Commission to make a certain  
6 determination; and generally relating to public ethics and public official  
7 determinations.

8 BY repealing and reenacting, with amendments,  
9 Article – General Provisions  
10 Section 5–208  
11 Annotated Code of Maryland  
12 (2014 Volume and 2019 Supplement)

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

15 **Article – General Provisions**

16 5–208.

17 (a) With advice from the Secretary of Budget and Management and in accordance  
18 with § 5–103 of this title, the Ethics Commission shall determine whether an individual in  
19 an executive unit is a public official for the purposes of this title.

20 (b) The Secretary of Budget and Management shall provide advice under  
21 subsection (a) of this section to the Ethics Commission:

22 (1) annually; and

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)     at any other time on request of the Ethics Commission.

2           **(C) ON REQUEST OF THE ETHICS COMMISSION, THE FOLLOWING ENTITIES**  
3 **SHALL PROVIDE TO THE ETHICS COMMISSION IN A TIMELY MANNER ANY**  
4 **INFORMATION NECESSARY FOR THE ETHICS COMMISSION TO MAKE A**  
5 **DETERMINATION UNDER SUBSECTION (A) OF THIS SECTION:**

6           **(1) THE SECRETARY OF A PRINCIPAL DEPARTMENT IN THE**  
7 **EXECUTIVE BRANCH;**

8           **(2) THE PRESIDENT OF A PUBLIC SENIOR HIGHER EDUCATION**  
9 **INSTITUTION, AS DEFINED IN § 10-101 OF THE EDUCATION ARTICLE; AND**

10           **(3) A UNIT OF STATE GOVERNMENT.**

11           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2020.