

Chapter 87

(House Bill 159)

AN ACT concerning

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

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

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

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

Article – General Provisions

5–208.

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

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

- (1) annually; and
- (2) at any other time on request of the Ethics Commission.

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

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

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

(3) A UNIT OF STATE GOVERNMENT.

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.