
By: **Delegate C. Davis**

Introduced and read first time: February 4, 1998

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Ethics and Election Law - Candidates for Elective Office - Substance Abuse**
3 **Disclosure Statement**

4 FOR the purpose of requiring each candidate for election to public office who is
5 required to file a financial disclosure statement under the State ethics law to
6 file a substance abuse disclosure statement with the State Ethics Commission
7 by a certain date; requiring that the substance abuse disclosure statement
8 include certain information; requiring the Commission to adopt certain
9 regulations; and generally relating to a substance abuse disclosure statement
10 for certain candidates for elective office.

11 BY repealing and reenacting, with amendments,
12 Article - State Government
13 Section 15-601
14 Annotated Code of Maryland
15 (1995 Replacement Volume and 1997 Supplement)

16 BY adding to
17 Article - State Government
18 Section 15-6A-01 to be under the new subtitle "Subtitle 6A. Substance Abuse
19 Disclosure"
20 Annotated Code of Maryland
21 (1995 Replacement Volume and 1997 Supplement)

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

24 **Article - State Government**

25 15-601.

26 (a) Except as provided in subsection (b) of this section, and subject to
27 subsections (c) and (d) of this section[, each]:

1 (1) EACH official [and candidate for office as a State official] shall file a
2 statement as specified in §§ 15-602 through 15-608 of this subtitle; AND

3 (2) EACH CANDIDATE FOR OFFICE AS A STATE OFFICIAL SHALL FILE:

4 (I) THE STATEMENT SPECIFIED IN §§ 15-602 THROUGH 15-608 OF
5 THIS SUBTITLE; AND

6 (II) THE STATEMENT SPECIFIED UNDER § 15-6A-01 OF THIS TITLE.

7 (b) (1) Financial disclosure by a judge of a court under Article IV, § 1 of the
8 Constitution, a candidate for elective office as a judge, or a judicial appointee as
9 defined in Maryland Rule 1232 is governed by § 15-610 of this subtitle.

10 (2) A CANDIDATE FOR ELECTIVE OFFICE AS A JUDGE IS GOVERNED BY §
11 15-6A-01 OF THIS TITLE.

12 (c) An individual who is a public official only as a member of a board and who
13 receives annual compensation that is less than 25% of the lowest annual
14 compensation at State grade level 16 shall file the statement required by subsection
15 (a) of this section in accordance with § 15-609 of this subtitle.

16 (d) A commissioner or an applicant for appointment as commissioner of a
17 bicounty commission shall file the statement required by subsection (a) of this section
18 in accordance with Subtitle 8, Part III of this title.

19 SUBTITLE 6A. SUBSTANCE ABUSE DISCLOSURE.

20 15-6A-01.

21 (A) EVERY CANDIDATE WHO IS REQUIRED TO FILE A FINANCIAL DISCLOSURE
22 STATEMENT WITH THE COMMISSION UNDER § 15-601 OF THIS TITLE SHALL FILE A
23 SUBSTANCE ABUSE DISCLOSURE STATEMENT WITH THE COMMISSION.

24 (B) A PERSON WHO IS REQUIRED TO FILE A SUBSTANCE ABUSE STATEMENT
25 UNDER THIS SECTION SHALL FILE THE STATEMENT NO LATER THAN THE TIME THAT
26 THE PERSON IS REQUIRED TO FILE A FINANCIAL DISCLOSURE STATEMENT IN
27 CONNECTION WITH THAT CANDIDACY UNDER THIS TITLE.

28 (C) A SUBSTANCE ABUSE STATEMENT REQUIRED UNDER THIS SECTION
29 SHALL INCLUDE:

30 (1) THE RESULTS OF A TEST OF THE PERSON'S BLOOD OR URINE FOR
31 CONTROLLED DANGEROUS SUBSTANCES; AND

32 (2) ANY OTHER INFORMATION REQUIRED BY THE COMMISSION BY
33 REGULATION.

34 (D) (1) THE COMMISSION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS
35 SECTION.

1 (2) THE REGULATIONS SHALL INCLUDE:

2 (I) A LIST OF FACILITIES THAT ARE DEEMED QUALIFIED TO
3 CONDUCT SUBSTANCE TESTING REQUIRED UNDER THIS SECTION; AND

4 (II) A DESCRIPTION OF THE INFORMATION REQUIRED TO BE
5 INCLUDED ON A SUBSTANCE ABUSE DISCLOSURE UNDER THIS SECTION.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 1998.