

HOUSE BILL 1
EMERGENCY BILL

Unofficial Copy
G2

1999 Regular Session
(91r0237)

ENROLLED BILL

-- Commerce and Government Matters/Economic and Environmental Affairs --

Introduced by **The Speaker and Delegates Hurson, Kittleman, and Montague (Special Study Commission on the Maryland Public Ethics Law) and Delegates Arnick, Busch, Dewberry, Doory, Guns, Harrison, Hixson, Howard, Kopp, Menes, Owings, Rawlings, Rosenberg, Vallario, and ~~Wood~~ Wood, McIntosh, Benson, Bobo, Brinkley, Bronrott, Clagett, DeCarlo, Dobson, Dypski, Glassman, Malone, Mandel, Paige, Parrott, Riley, Shank, Snodgrass, Sophocleus, and ~~Swain~~ Swain, and Carlson**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Ethics Law - Reform of Legislative Ethics Process**

3 FOR the purpose of altering provisions of the Maryland Public Ethics Law relating to
4 members of the General Assembly and, under certain circumstances, to other
5 officials and employees of the State; altering provisions of law relating to the
6 employment of relatives of members of the General Assembly; stating a certain
7 requirement as to the use of public resources by members of the General
8 Assembly; ~~authorizing the Joint Committee on Legislative Ethics to adopt~~
9 ~~certain Rules of Legislative Ethics~~; providing for the appointment of a Counsel
10 to the Joint Committee; specifying the duties of the Counsel; altering certain
11 employment restrictions relating to members of the General Assembly; altering

1 certain provisions relating to the solicitation, acceptance, and reporting of gifts
2 under the Maryland Public Ethics Law; including members of the General
3 Assembly under a provision prohibiting certain use of the prestige of office;
4 altering provisions relating to the presumption of a conflict of interests;
5 prohibiting a member of the General Assembly from participating in certain
6 legislative action under certain circumstances; requiring the disclosure of
7 certain information by members of the General Assembly under certain
8 circumstances; ~~requiring the Joint Committee to make certain information and~~
9 ~~documents publicly available on the Internet;~~ requiring the Joint Committee
10 and the State Ethics Commission to develop certain procedures for the electronic
11 filing of certain documents; altering procedures under which the Joint
12 Committee issues advisory opinions; altering procedures for the investigation of
13 complaints concerning the ethical conduct of members of the General Assembly;
14 ~~altering the deadline for members of the General Assembly to file annual~~
15 ~~financial disclosure statements;~~ requiring a member of the General Assembly to
16 file a certain preliminary financial disclosure under certain circumstances;
17 requiring the filing by a member of the General Assembly of a duplicate
18 financial disclosure statement with the Joint Committee; providing for access to
19 financial disclosure statements filed with the Joint Committee; providing for the
20 application of this Act; ~~making this Act an emergency measure;~~ and generally
21 relating to the Maryland Public Ethics Law.

22 BY renumbering

23 Article - State Government
24 Section 15-102(w) through (ll), respectively
25 to be Section 15-102(x) through (mm), respectively
26 Annotated Code of Maryland
27 (1995 Replacement Volume and 1998 Supplement)

28 BY adding to

29 Article - State Government
30 Section 2-107, 2-108, 2-709, 15-102(w), 15-514, 15-515, 15-516, 15-519,
31 15-520, and 15-521
32 Annotated Code of Maryland
33 (1995 Replacement Volume and 1998 Supplement)

34 BY repealing and reenacting, with amendments,

35 Article - State Government
36 Section 2-703, 2-707, 15-504, 15-505, 15-506, 15-511, 15-512, 15-513, 15-517,
37 15-518, 15-602, 15-606, 15-607, and 15-704(b), (e), (f), and (g)
38 Annotated Code of Maryland
39 (1995 Replacement Volume and 1998 Supplement)

40 BY repealing

41 Article - State Government
42 Section 15-514, 15-515, 15-516, 15-519, 15-520, 15-521, 15-522, and

1 15-704(d)
2 Annotated Code of Maryland
3 (1995 Replacement Volume and 1998 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That Section(s) 15-102(w) through (ll), respectively, of Article - State
6 Government of the Annotated Code of Maryland be renumbered to be Section(s)
7 15-102(x) through (mm), respectively.

8 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
9 read as follows:

10 **Article - State Government**

11 2-107. GENERAL ASSEMBLY - EMPLOYMENT OF RELATIVES.

12 (A) IN THIS SECTION, "RELATIVE" MEANS:

- 13 (1) A SPOUSE;
- 14 (2) A PARENT OR STEPPARENT;
- 15 (3) A SIBLING OR STEP SIBLING;
- 16 (4) A CHILD, STEPCHILD, FOSTER CHILD, OR WARD;
- 17 (5) A MOTHER-IN-LAW OR FATHER-IN-LAW;
- 18 (6) A SON-IN-LAW OR DAUGHTER-IN-LAW;
- 19 (7) A GRANDPARENT; OR
- 20 (8) A GRANDCHILD.

21 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
22 MEMBER OF THE GENERAL ASSEMBLY MAY NOT EMPLOY FOR LEGISLATIVE
23 BUSINESS THE MEMBER'S OWN RELATIVE, OR THE RELATIVE OF ANOTHER MEMBER
24 *FROM THE SAME LEGISLATIVE DISTRICT*, USING PUBLIC FUNDS OVER WHICH THE
25 MEMBER HAS DIRECT CONTROL.

26 (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO A
27 MEMBER OF THE GENERAL ASSEMBLY WHO:

- 28 (I) HAS A PHYSICAL IMPAIRMENT THAT NECESSITATES THE
29 EMPLOYMENT OF A PARTICULAR RELATIVE; AND
- 30 (II) DISCLOSES THE EMPLOYMENT TO THE JOINT COMMITTEE ON
31 LEGISLATIVE ETHICS.

1 2-108. USE OF PUBLIC FUNDS BY LEGISLATORS.

2 (A) PUBLIC RESOURCES MAY BE USED BY MEMBERS OF THE GENERAL
3 ASSEMBLY ONLY FOR PUBLIC PURPOSES.

4 (B) THIS SECTION DOES NOT PROHIBIT INCIDENTAL USE OF PUBLIC
5 RESOURCES FOR NONPUBLIC PURPOSES.

6 2-703. Membership.

7 (a) (1) The Committee consists of the following 12 REGULAR members:

8 [(i) from the Senate:

9 1. the President ex officio; and

10 2. 5 other senators appointed by the President; and]

11 (I) SIX SENATORS APPOINTED BY THE PRESIDENT; AND

12 [(ii) from the House:

13 1. the Speaker ex officio; and

14 2. 5 other delegates appointed by the Speaker.]

15 (II) SIX DELEGATES APPOINTED BY THE SPEAKER.

16 (2) (I) [At least 1 member from the Senate and 1 member from the
17 House shall be from the party of the Minority Leader.] THE SENATORS APPOINTED
18 BY THE PRESIDENT SHALL BE CHOSEN SO THAT EACH POLITICAL PARTY IS
19 REPRESENTED IN APPROXIMATELY THE SAME PROPORTION AS THE PARTY IS
20 REPRESENTED IN THE SENATE. MINORITY PARTY MEMBERS SHALL BE APPOINTED
21 UPON THE RECOMMENDATION OF THE MINORITY LEADER OF THE SENATE.

22 (II) THE DELEGATES APPOINTED BY THE SPEAKER SHALL BE
23 CHOSEN SO THAT EACH POLITICAL PARTY IS REPRESENTED IN APPROXIMATELY THE
24 SAME PROPORTION AS THE PARTY IS REPRESENTED IN THE HOUSE. MINORITY
25 PARTY MEMBERS SHALL BE APPOINTED UPON THE RECOMMENDATION OF THE
26 MINORITY LEADER OF THE HOUSE.

27 (b) (1) A member appointed by the President serves at the pleasure of the
28 President.

29 (2) A member appointed by the Speaker serves at the pleasure of the
30 Speaker.

31 (C) THE PRESIDENT AND THE SPEAKER SHALL BE NONVOTING EX OFFICIO
32 MEMBERS OF THE COMMITTEE.

1 2-707. Rules.

2 [(a) Proposed amendments to the rules of legislative ethics shall be presented
3 by a joint resolution and become effective after adoption of the resolution by
4 constitutional majority of each house voting separately.]

5 (A) ~~(1) THE COMMITTEE MAY ADOPT RULES OF LEGISLATIVE ETHICS.~~

6 ~~(2) RULES MAY BE ADOPTED, MODIFIED, AMENDED, OR REPEALED~~
7 ~~ONLY:~~

8 ~~(I) AFTER A PUBLIC HEARING, WHICH MAY BE WAIVED BY THE~~
9 ~~COMMITTEE IF THE INTEREST OF JUSTICE SO REQUIRES; AND~~

10 ~~(II) BY A VOTE OF A MAJORITY OF THE COMMITTEE.~~

11 (A) (1) THE COMMITTEE MAY PROPOSE THE ADOPTION, AMENDMENT, OR
12 REPEAL OF RULES OF LEGISLATIVE ETHICS.

13 (2) CHANGES TO THE RULES SHALL BE PRESENTED IN THE FORM OF A
14 JOINT RESOLUTION AND SHALL BECOME EFFECTIVE AFTER ADOPTION OF THE
15 JOINT RESOLUTION BY A CONSTITUTIONAL MAJORITY OF EACH HOUSE VOTING
16 SEPARATELY.

17 (3) BEFORE PRESENTING A CHANGE TO THE RULES, THE COMMITTEE
18 SHALL CONDUCT A PUBLIC HEARING.

19 (b) ~~(1)~~ The rules may supplement but may not be inconsistent with the
20 provisions of the Maryland Public Ethics Law that relate to members of the General
21 Assembly.

22 ~~(2) A RULE ADOPTED UNDER THIS SECTION SHALL BE VOID IF~~
23 ~~REJECTED BY A SIMPLE RESOLUTION OF EITHER THE HOUSE OR SENATE.~~

24 (c) The rules are effective whether or not the General Assembly is in session
25 AND SHALL BE BINDING ON EACH MEMBER OF THE GENERAL ASSEMBLY.

26 2-709. COUNSEL TO THE ETHICS COMMITTEE.

27 (A) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LEGISLATIVE
28 SERVICES, SUBJECT TO THE APPROVAL OF THE PRESIDENT AND SPEAKER, SHALL
29 APPOINT AN ATTORNEY TO SERVE AS COUNSEL TO THE COMMITTEE.

30 (B) THE COUNSEL:

31 (1) SHALL DEVOTE FULL TIME TO THE DUTIES OF THE COMMITTEE, BUT
32 MAY NOT PARTICIPATE IN ANY INVESTIGATORY OR PROSECUTORIAL FUNCTION;

33 (2) MAY PROVIDE INFORMATION TO ANY PERSON REGARDING LAWS,
34 RULES, AND OTHER STANDARDS OF ETHICAL CONDUCT APPLICABLE TO MEMBERS
35 OF THE GENERAL ASSEMBLY;

1 (3) SHALL CARRY OUT ANY DUTIES PRESCRIBED UNDER TITLE 15,
2 SUBTITLE 5 OF THIS ARTICLE;

3 (4) SHALL MEET INDIVIDUALLY WITH EACH MEMBER OF THE GENERAL
4 ASSEMBLY EACH YEAR TO:

5 (I) ADVISE THE MEMBER REGARDING THE REQUIREMENTS OF
6 ANY APPLICABLE ETHICS LAW, RULE, OR STANDARD OF CONDUCT; AND

7 (II) ASSIST THE MEMBER IN PREPARING STATEMENTS AND
8 REPORTS REQUIRED TO BE FILED WITH THE COMMITTEE UNDER TITLE 15, SUBTITLE
9 5, PART II OF THIS ARTICLE; AND

10 (5) SHALL CONDUCT SEMINARS, WORKSHOPS, AND BRIEFINGS FOR THE
11 BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, AS DIRECTED BY THE
12 COMMITTEE, THE PRESIDENT, OR THE SPEAKER.

13 (C) THE ASSISTANCE OF THE COUNSEL TO MEMBERS OF THE GENERAL
14 ASSEMBLY:

15 (1) IS SUBJECT TO THE ATTORNEY CLIENT PRIVILEGE, AS SET FORTH IN
16 § 9-108 OF THE COURTS ARTICLE;

17 ~~(1)~~ (2) IS SUBJECT TO CONFIDENTIALITY UNDER § 15-516 OF THIS
18 ARTICLE; AND

19 ~~(2)~~ (3) IS INTENDED AS A SERVICE TO THE MEMBERS AND MAY NOT BE
20 DEEMED TO DIMINISH A MEMBER'S PERSONAL RESPONSIBILITY FOR ADHERENCE TO
21 APPLICABLE LAWS, RULES, AND STANDARDS OF ETHICAL CONDUCT.

22 (D) THE COMMITTEE SHALL HAVE OTHER STAFF ASSISTANCE AS REQUESTED
23 BY THE COMMITTEE AND AS PROVIDED IN THE BUDGET OF THE GENERAL ASSEMBLY.
24 15-102. Definitions.

25 (W) "LEGISLATIVE UNIT" MEANS:

26 (1) THE GENERAL ASSEMBLY;

27 (2) EITHER HOUSE OF THE GENERAL ASSEMBLY;

28 (3) A STANDING COMMITTEE OF THE GENERAL ASSEMBLY, PROVIDED
29 THAT THE PRESIDING OFFICER OF THE HOUSE OF DELEGATES OR SENATE SHALL BE
30 DEEMED AN EX OFFICIO MEMBER OF ANY STANDING COMMITTEE OF THE PRESIDING
31 OFFICER'S CHAMBER; OR

32 (4) A COUNTY OR REGIONAL DELEGATION OF MEMBERS OF THE
33 GENERAL ASSEMBLY THAT IS RECOGNIZED BY A PRESIDING OFFICER OF THE
34 GENERAL ASSEMBLY.

1 15-504. Employment restriction - Representation or assistance.

2 (a) (1) THIS SUBSECTION DOES NOT APPLY TO MEMBERS OF THE GENERAL
3 ASSEMBLY.

4 (2) Except as provided in paragraph [(2)] (3) of this subsection, an
5 official or employee may not, for contingent compensation, assist or represent a party
6 in any matter before or involving any unit of the State or a political subdivision OF
7 THE STATE.

8 [(2)] (3) Paragraph [(1)] (2) of this subsection does not apply to
9 assistance to or representation of a party:

10 (i) in a judicial or quasi-judicial proceeding, INCLUDING A
11 PROCEEDING BEFORE AN ADMINISTRATIVE LAW JUDGE IN THE OFFICE OF
12 ADMINISTRATIVE HEARINGS, OR A MATTER PRELIMINARY, INCIDENTAL, OR
13 COLLATERAL TO A JUDICIAL OR QUASI-JUDICIAL PROCEEDING; or

14 (ii) in a matter before or involving the Workers' Compensation
15 Commission, the Maryland Automobile Insurance Fund, or the Criminal Injuries
16 Compensation Board.

17 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A
18 MEMBER OF THE GENERAL ASSEMBLY MAY NOT, FOR COMPENSATION, ASSIST OR
19 REPRESENT A PARTY IN ANY MATTER BEFORE OR INVOLVING ANY UNIT OF THE
20 STATE OR A POLITICAL SUBDIVISION OF THE STATE.

21 (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO
22 ASSISTANCE TO OR REPRESENTATION OF A PARTY:

23 (I) IN MATTERS RELATING TO THE PERFORMANCE OF
24 MINISTERIAL ACTS BY A GOVERNMENTAL UNIT;

25 (II) IN MATTERS INVOLVING THE MEMBER'S REGULAR BUSINESS,
26 EMPLOYMENT, OR PROFESSION, IN WHICH CONTACT WITH A GOVERNMENTAL UNIT:

27 1. IS AN INCIDENTAL PART OF THE BUSINESS,
28 EMPLOYMENT, OR PROFESSION;

29 2. IS MADE IN THE MANNER THAT IS CUSTOMARY FOR
30 PERSONS IN THAT BUSINESS, EMPLOYMENT, OR PROFESSION; AND

31 3. IS NOT FOR CONTINGENT COMPENSATION;

32 ~~(H)~~ (III) IN A JUDICIAL OR QUASI-JUDICIAL PROCEEDING,
33 INCLUDING A PROCEEDING BEFORE AN ADMINISTRATIVE LAW JUDGE IN THE
34 OFFICE OF ADMINISTRATIVE HEARINGS, OR A MATTER PRELIMINARY, INCIDENTAL,
35 OR COLLATERAL TO A JUDICIAL OR QUASI-JUDICIAL PROCEEDING;

1 ~~(III)~~ (IV) IN A MATTER BEFORE OR INVOLVING THE WORKERS'
2 COMPENSATION COMMISSION, THE MARYLAND AUTOMOBILE INSURANCE FUND, OR
3 THE CRIMINAL INJURIES COMPENSATION BOARD; OR

4 ~~(IV)~~ (V) IN A MATTER IN WHICH THE ASSISTANCE OR
5 REPRESENTATION, OTHER THAN FOR CONTINGENT COMPENSATION, WAS
6 COMMENCED BY THE MEMBER OF THE GENERAL ASSEMBLY BEFORE:

7 1. THE MEMBER FILED A CERTIFICATE OF CANDIDACY FOR
8 ELECTION TO THE GENERAL ASSEMBLY AT A TIME WHEN THE MEMBER WAS NOT AN
9 INCUMBENT; OR

10 2. IF THE MEMBER WAS APPOINTED TO FILL A VACANCY,
11 THE DATE OF APPOINTMENT.

12 (C) (1) A MEMBER OF THE GENERAL ASSEMBLY MAY NOT ASSIST OR
13 REPRESENT A PERSON, INCLUDING HIMSELF OR HERSELF, FOR COMPENSATION
14 BEFORE A STATE OR LOCAL GOVERNMENTAL AGENCY IN ANY MATTER INVOLVING:

15 (I) PROCUREMENT; OR

16 (II) THE ADOPTION OF REGULATIONS.

17 (2) PARAGRAPH (1) OF THIS SUBSECTION DOES NOT APPLY TO AN
18 ADMINISTRATIVE PROCEEDING CONDUCTED IN ACCORDANCE WITH TITLE 10,
19 SUBTITLE 2 (ADMINISTRATIVE PROCEDURE ACT -- CONTESTED CASES) OF THIS
20 ARTICLE.

21 [(b)] (D) (1) Except for a former member of the General Assembly, who shall
22 be subject to the restrictions provided under paragraph (2) of this subsection, a former
23 official or employee may not assist or represent a party, other than the State, in a
24 case, contract, or other specific matter for compensation if:

25 (i) the matter involves State government; and

26 (ii) the former official or employee participated significantly in the
27 matter as an official or employee.

28 (2) (i) Except as provided in subparagraph (ii) of this paragraph, until
29 the conclusion of the next regular session that begins after the member leaves office,
30 a former member of the General Assembly may not assist or represent another party
31 for compensation in a matter that is the subject of legislative action.

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

36 [(c)] (E) Notwithstanding subsection (a)[(2)] (3) of this section or § 15-502 of
37 this subtitle, a full-time official or employee in the Judicial Branch may not represent

1 a party before a court or unit of the Judicial Branch except in the discharge of official
2 duties.

3 15-505. Solicitation or acceptance of gifts or honoraria.

4 (a) (1) An official or employee may not solicit any gift.

5 (2) A regulated lobbyist described in subsection (b) (4) of this section may
6 not knowingly make a gift, directly or indirectly, to an official or employee that the
7 regulated lobbyist knows or has reason to know is in violation of this section.

8 (3) ~~AN OFFICIAL MAY NOT DIRECTLY SOLICIT OR FACILITATE THE~~
9 ~~SOLICITATION OF A GIFT, ON BEHALF OF ANOTHER PERSON, FROM A PERSON~~
10 ~~REQUIRED TO BE REGULATED UNDER § 15-701 OF THIS ARTICLE.~~

11 ~~(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS~~
12 ~~PARAGRAPH, A MEMBER OF THE GENERAL ASSEMBLY MAY SOLICIT OR FACILITATE~~
13 ~~THE SOLICITATION OF A GIFT FROM A REGULATED LOBBYIST ON BEHALF OF A~~
14 ~~CHARITABLE, CIVIC, OR EDUCATIONAL ENTITY.~~

15 ~~(II) A MEMBER OF THE GENERAL ASSEMBLY MAY NOT:~~
16 ~~1. RECEIVE REMUNERATION FROM THE ENTITY ON BEHALF~~
17 ~~OF WHICH THE SOLICITATION IS MADE;~~

18 ~~2. SOLICIT OR FACILITATE THE SOLICITATION OF A GIFT~~
19 ~~UNDER THIS PARAGRAPH WHILE THE GENERAL ASSEMBLY IS IN SESSION, OTHER~~
20 ~~THAN THROUGH A BROAD-BASED SOLICITATION THAT IS NOT DIRECTED SOLELY OR~~
21 ~~PRIMARILY AT REGULATED LOBBYISTS; OR~~

22 ~~3. SOLICIT OR FACILITATE THE SOLICITATION OF A GIFT~~
23 ~~FROM AN INDIVIDUAL REGULATED LOBBYIST DESCRIBED IN § 15-701(A)(1) OF THIS~~
24 ~~TITLE.~~

25 ~~(III) A MEMBER OF THE GENERAL ASSEMBLY WHO SOLICITS OR~~
26 ~~FACILITATES THE SOLICITATION OF A GIFT UNDER THIS PARAGRAPH FROM A~~
27 ~~REGULATED LOBBYIST SHALL DISCLOSE THE ACTIVITY TO THE JOINT ETHICS~~
28 ~~COMMITTEE.~~

29 (3) ~~AN OFFICIAL MAY NOT DIRECTLY SOLICIT OR FACILITATE THE~~
30 ~~SOLICITATION OF A GIFT, ON BEHALF OF ANOTHER PERSON, FROM A PERSON~~
31 ~~REQUIRED TO BE REGULATED UNDER § 15-701 AN INDIVIDUAL REGULATED~~
32 ~~LOBBYIST DESCRIBED IN § 15-701(A)(1) OF THIS ARTICLE.~~

33 (b) Except as provided in subsection (c) of this section, an official or employee
34 may not knowingly accept a gift, directly or indirectly, from an entity that the official
35 or employee knows or has reason to know:

36 (1) does or seeks to do any business of any kind, regardless of amount,
37 with the official's or employee's governmental unit;

1 (2) engages in an activity that is regulated or controlled by the official's
2 or employee's governmental unit;

3 (3) has a financial interest that may be affected substantially and
4 materially, in a manner distinguishable from the public generally, by the performance
5 or nonperformance of the official's or employee's official duties; or

6 (4) is a regulated lobbyist with respect to matters within the jurisdiction
7 of the official or employee.

8 (c) (1) Notwithstanding subsection (b) of this section, an official or employee
9 may accept a gift specified in paragraph (2) of this subsection unless:

10 (i) the gift would tend to impair the impartiality and independent
11 judgment of the official or employee; or

12 (ii) as to a gift of significant value:

13 1. the gift would give the appearance of impairing the
14 impartiality and independent judgment of the official or employee; or

15 2. the official or employee believes or has reason to believe
16 that the gift is designed to impair the impartiality and independent judgment of the
17 official or employee.

18 (2) Subject to paragraph (1) of this subsection, subsection (b) of this
19 section does not apply to:

20 (i) 1. EXCEPT FOR OFFICIALS OF THE LEGISLATIVE BRANCH,
21 meals or beverages received AND CONSUMED by the official or employee in the
22 presence of the donor or sponsoring entity;

23 2. FOR OFFICIALS OF THE LEGISLATIVE BRANCH, FOOD OR
24 BEVERAGES RECEIVED AND CONSUMED BY THE OFFICIAL ~~OR EMPLOYEE~~ IN THE
25 PRESENCE OF THE DONOR OR SPONSORING ENTITY AS PART OF A ~~RECEPTION~~ MEAL
26 OR RECEPTION, TO WHICH WERE INVITED ALL MEMBERS OF A LEGISLATIVE UNIT;

27 3. FOR A MEMBER OF THE GENERAL ASSEMBLY, FOOD OR
28 BEVERAGES RECEIVED FROM A DONOR OR SPONSORING ENTITY, OTHER THAN AN
29 INDIVIDUAL REGULATED LOBBYIST DESCRIBED IN § 15-701(A)(1) OF THIS TITLE,
30 DURING A PERIOD WHEN THE GENERAL ASSEMBLY IS NOT IN SESSION, AT A
31 LOCATION THAT IS WITHIN A COUNTY THAT CONTAINS THE MEMBER'S DISTRICT,
32 PROVIDED THAT THE DONOR OR SPONSORING ENTITY IS LOCATED WITHIN A
33 COUNTY THAT CONTAINS THE MEMBER'S DISTRICT; OR

34 4. FOR A MEMBER OF THE GENERAL ASSEMBLY, FOOD OR
35 BEVERAGES RECEIVED AT THE TIME AND GEOGRAPHIC LOCATION OF A MEETING OF
36 A LEGISLATIVE ORGANIZATION FOR WHICH THE MEMBER'S PRESIDING OFFICER HAS
37 APPROVED THE MEMBER'S ATTENDANCE AT STATE EXPENSE;

1 (ii) ceremonial gifts or awards of insignificant monetary value;
 2 (iii) except for a State official of the Executive or Legislative Branch,
 3 unsolicited gifts of nominal value;

4 (iv) as to a State official of the Executive or Legislative Branch,
 5 unsolicited gifts[, not exceeding] THAT ARE NOT MEALS OR ALCOHOLIC BEVERAGES
 6 AND THAT DO NOT EXCEED [\$15] \$20 in cost, from a regulated lobbyist;

7 (v) trivial gifts of informational value;

8 (vi) in return for participation on a panel or a speaking engagement
 9 at a meeting, reasonable expenses for food, travel, lodging, or scheduled
 10 entertainment of the official or employee if the expenses are associated with the
 11 meeting, except that, if such expenses for a State official of the Legislative or
 12 Executive Branch are to be paid by a regulated lobbyist and are anticipated to exceed
 13 \$500, the official shall notify the appropriate advisory body before attending the
 14 meeting;

15 ~~(vii) [subject to paragraph (3) of this subsection,] tickets or free~~
 16 ~~admission extended to an elected constitutional officer FROM THE PERSON A PERSON,~~
 17 ~~OTHER THAN A REGULATED LOBBYIST, SPONSORING OR CONDUCTING THE EVENT,~~
 18 ~~as a courtesy or ceremony to the office, to attend a professional or intercollegiate~~
 19 ~~sporting event, or a charitable, cultural, or political event;~~

20 (VII) AS TO A MEMBER OF THE GENERAL ASSEMBLY, REASONABLE
 21 EXPENSES FOR FOOD, TRAVEL, LODGING, OR SCHEDULED ENTERTAINMENT TO
 22 ATTEND A LEGISLATIVE CONFERENCE THAT HAS BEEN APPROVED BY THE
 23 MEMBER'S PRESIDING OFFICER;

24 (VIII) TICKETS OR FREE ADMISSION EXTENDED TO AN ELECTED
 25 CONSTITUTIONAL OFFICER FROM THE PERSON SPONSORING OR CONDUCTING THE
 26 EVENT, AS A COURTESY OR CEREMONY TO THE OFFICE, TO ATTEND A CHARITABLE,
 27 CULTURAL, OR POLITICAL EVENT;

28 ~~(viii)~~ (IX) a specific gift or class of gifts exempted from subsection (b)
 29 of this section by the Ethics Commission upon a written finding that:

30 1. acceptance of the gift or class of gifts would not be
 31 detrimental to the impartial conduct of government; and

32 2. the gift is purely personal and private in nature;

33 ~~(ix)~~ (X) a gift from:

34 1. an individual related to the official or employee by blood or
 35 marriage; or

36 2. any other individual who is a member of the household of
 37 the official or employee; or

1 (↔) ~~(XI)~~ to the extent provided in subsection (d) of this section,
2 honoraria.

3 [(3) Paragraph (2)(vii) of this subsection may not be construed to restrict
4 the ability of a member of the General Assembly to accept as a gift admission to any
5 event as part of a personal interaction with an individual who is a regulated lobbyist
6 with whom the member socializes, for purposes unrelated to the legislature, if:

7 (i) the purpose of the interaction is not related to previous or
8 subsequent business before the legislature; and

9 (ii) during the interaction, no previous or subsequent business
10 related to the legislature is discussed.]

11 (d) (1) EXCEPT AS PROVIDED IN SUBSECTION (C)(2)(VI) OF THIS SECTION, A
12 STATE OFFICIAL OF THE LEGISLATIVE BRANCH MAY NOT ACCEPT AN HONORARIUM.

13 (2) [Subject] EXCEPT AS PROVIDED IN PARAGRAPH (1) OF THIS
14 SUBSECTION AND SUBJECT to subsection (c)(1) of this section, an official or employee
15 may accept an honorarium if:

16 (i) the honorarium is limited to reasonable expenses for the
17 official's meals, travel, and lodging, and reasonable and verifiable expenses for care of
18 a child or dependent adult, that are actually incurred;

19 (ii) the honorarium consists of gifts described in subsection (c)(2)(ii)
20 through (iv) of this section; or

21 (iii) the official or employee is a faculty member of a State
22 institution of higher education who does not hold another position as an official that
23 precludes receiving the honorarium.

24 [(2)] (3) Other than as allowed by paragraph [(1)] (2) of this subsection,
25 an honorarium may not be accepted, even if permitted by subsection (c)(1) of this
26 section, if:

27 (i) the payor of the honorarium has an interest that may be
28 affected substantially and materially, in a manner distinguishable from the public
29 generally, by the performance or nonperformance of the official's or employee's official
30 duties; and

31 (ii) the offering of the honorarium is related in any way to the
32 official's or employee's official position.

33 (e) By regulation, the Ethics Commission may define further exemptions from
34 this section as may be necessary.

1 15-506. Use of prestige of office.

2 (a) A MEMBER OF THE GENERAL ASSEMBLY, A public official [or], OR AN
3 employee may not intentionally use the prestige of office or public position for that
4 [public] official's or employee's private gain or that of another.

5 (b) The performance of usual and customary constituent services, without
6 additional compensation, is not prohibited under subsection (a) of this section.

7 15-511. Disqualification - Presumption of conflict.

8 (A) (1) IN THIS SECTION, "CLOSE ECONOMIC ASSOCIATION" ~~INCLUDES~~
9 MEANS:

10 (I) A LEGISLATOR'S:

11 1. EMPLOYER;

12 2. EMPLOYEE; OR

13 3. PARTNER IN A BUSINESS OR PROFESSIONAL ENTERPRISE;

14 (II) A PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, OR
15 LIMITED LIABILITY COMPANY IN WHICH A LEGISLATOR HAS INVESTED CAPITAL OR
16 OWNS AN INTEREST;

17 (III) A CORPORATION IN WHICH A LEGISLATOR OWNS THE LESSER
18 OF:

19 1. 10% OR MORE OF THE OUTSTANDING CAPITAL STOCK; OR

20 2. CAPITAL STOCK WITH A CUMULATIVE VALUE OF \$25,000
21 OR MORE; AND

22 (IV) A CORPORATION IN WHICH THE LEGISLATOR IS AN OFFICER,
23 DIRECTOR, OR AGENT.

24 (2) "CLOSE ECONOMIC ASSOCIATION" DOES NOT ~~INCLUDE~~ MEAN STOCK
25 OWNED DIRECTLY THROUGH A MUTUAL FUND, RETIREMENT PLAN, OR OTHER
26 SIMILAR COMMINGLED INVESTMENT VEHICLE THE INDIVIDUAL INVESTMENTS OF
27 WHICH THE LEGISLATOR DOES NOT CONTROL OR MANAGE.

28 [(a)] (B) (1) [A personal] AN interest of a member of the General Assembly
29 conflicts with the public interest if [it] THE LEGISLATOR'S INTEREST tends to impair
30 the legislator's independence of judgment.

31 (2) The conflict disqualifies the legislator from [voting upon any
32 question or attempting to influence any legislation to which it relates]
33 PARTICIPATING IN ANY LEGISLATIVE ACTION, OR OTHERWISE ATTEMPTING TO
34 INFLUENCE ANY LEGISLATION, TO WHICH THE CONFLICT RELATES.

1 [(b)] (C) It is presumed that [personal interest tends to impair a legislator's
2 independence of judgment] AN INTEREST DISQUALIFIES A LEGISLATOR FROM
3 PARTICIPATING IN LEGISLATIVE ACTION in any of the following circumstances:

4 (1) having or acquiring a direct interest[, distinct from that of the
5 general public,] in an enterprise which would be affected by the legislator's vote on
6 proposed legislation, UNLESS THE INTEREST IS COMMON TO ALL MEMBERS OF:

7 (I) A PROFESSION OR OCCUPATION OF WHICH THE LEGISLATOR IS
8 A MEMBER; OR

9 (II) THE GENERAL PUBLIC OR A LARGE CLASS OF THE GENERAL
10 PUBLIC[.];

11 (2) benefiting financially from a close economic association with a person
12 whom the legislator knows, ~~or from the facts is presumed to know~~, has a direct
13 interest in an enterprise or interest which would be affected by the legislator's [vote
14 on proposed legislation] PARTICIPATION IN LEGISLATIVE ACTION, differently from
15 other like enterprises or interests; [or]

16 (3) benefiting financially from a close economic association with a person
17 who is lobbying [or who has employed a lobbyist to propose legislation or to influence
18 legislator's votes] FOR THE PURPOSE OF INFLUENCING LEGISLATIVE ACTION.
19 ["Close economic association" includes and refers to the legislator's employer,
20 employees, and partners in business and professional enterprises; partnerships,
21 limited liability partnerships, or limited liability companies in which the legislator
22 has invested capital or owns any interest; corporations in which the legislator owns
23 (not including any stock owned directly through a mutual fund, retirement plan, or
24 other similar commingled investment vehicle the individual investments of which the
25 legislator does not control or manage) the lesser of 10 percent or more of the
26 outstanding capital stock or capital stock of any corporation with a cumulative value
27 of \$10,000 or more; and corporations in which the legislator is an officer, director, or
28 agent.]; OR

29 [(3)] (4) soliciting, accepting, or agreeing to accept [any gift, loan, or
30 payment of a significant value] A LOAN, OTHER THAN A LOAN FROM A COMMERCIAL
31 LENDER IN THE NORMAL COURSE OF BUSINESS, from a person who would be affected
32 by or has an interest in an enterprise which would be affected by the legislator's [vote
33 on proposed legislation] PARTICIPATION IN LEGISLATIVE ACTION.

34 15-512. Suspension of disqualification.

35 (a) (1) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
36 PARAGRAPH, THE DISQUALIFICATION ARISING UNDER § 15-511 OF THIS SUBTITLE
37 MAY NOT BE SUSPENDED IF THE CONFLICT IS DIRECT AND PERSONAL TO:

38 ~~(A)~~ 1. THE LEGISLATOR;

39 ~~(B)~~ 2. A MEMBER OF THE LEGISLATOR'S IMMEDIATE FAMILY; OR

1 ~~(III)~~ 3. THE LEGISLATOR'S EMPLOYER.

2 (II) THIS PARAGRAPH DOES NOT APPLY TO A VOTE ON:

3 1. THE ANNUAL OPERATING BUDGET BILL, IN ITS ENTIRETY;

4 OR

5 2. THE ANNUAL CAPITAL BUDGET BILL, IN ITS ENTIRETY.

6 (2) [The] AS TO ANY OTHER CONFLICT, THE disqualification arising
7 under § 15-511 of this subtitle is suspended if a legislator with an apparent OR
8 PRESUMED conflict files with the Joint Ethics Committee a sworn statement [which]
9 THAT describes the circumstances of the apparent OR PRESUMED conflict and the
10 legislation OR CLASS OF LEGISLATION to which it relates and asserts the legislator is
11 able to vote and otherwise participate in [legislative] action relating [thereto] TO
12 THE LEGISLATION, fairly, objectively, and in the public interest.

13 (B) (1) Whenever a legislator files a statement for the suspension of the
14 disqualification, the Joint Ethics Committee on its own motion may issue a statement
15 concerning the propriety of the legislator's participation in the particular legislative
16 action, with reference to the applicable ethical standards of this matter.

17 [(b)] (2) The suspension of the disqualification by the filing of the statement
18 is subject to further action by the Joint Ethics Committee if the question of conflict
19 comes before it as to the same circumstances and the same legislator.

20 (C) A MEMBER WHO IS DISQUALIFIED FROM PARTICIPATING IN LEGISLATIVE
21 ACTION UNDER SUBSECTION (A)(1) OF THIS SECTION, OR WHO CHOOSES TO BE
22 EXCUSED FROM PARTICIPATING IN LEGISLATIVE ACTION ON A BILL OR CLASS OF
23 BILLS BECAUSE OF THE APPEARANCE OR PRESUMPTION OF A CONFLICT, SHALL FILE
24 IN A TIMELY MANNER A STATEMENT WITH THE JOINT ETHICS COMMITTEE THAT
25 DESCRIBES THE CIRCUMSTANCES OF THE APPARENT OR PRESUMED CONFLICT.

26 [(c)] (D) (1) All [sworn] statements filed under this section shall be a
27 matter of public record.

28 (2) THE JOINT ETHICS COMMITTEE SHALL DEVELOP PROCEDURES
29 UNDER WHICH A STATEMENT FILED UNDER THIS SECTION MAY BE FILED
30 ELECTRONICALLY WITHOUT ANY ADDITIONAL COST TO THE LEGISLATOR.

31 ~~(3) THE JOINT ETHICS COMMITTEE SHALL MAKE AVAILABLE AS A~~
32 ~~PUBLICLY AVAILABLE INTERNET DOCUMENT EACH STATEMENT FILED UNDER THIS~~
33 ~~SECTION.~~

34 15-513. Relationships with nonlegislative agencies.

35 [(a)] (1) Subject to the provisions of subsection (b) of this section, a legislator
36 may not represent a person for compensation before a State agency in any matter
37 involving:

1 (i) procurement; or

2 (ii) the adoption of regulations.

3 (2) Paragraph (1) of this subsection does not apply to an administrative
4 proceeding conducted in accordance with Title 10, Subtitle 2 (Administrative
5 Procedure Act -- Contested Cases) of this article.]

6 (A) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OR (3) OF THIS SUBSECTION,
7 A MEMBER OF THE GENERAL ASSEMBLY, A FILED CANDIDATE FOR ELECTION TO THE
8 GENERAL ASSEMBLY, OR A MEMBER-ELECT OF THE GENERAL ASSEMBLY MAY NOT
9 RECEIVE EARNED INCOME FROM:

10 (I) AN EXECUTIVE UNIT; OR

11 (II) A POLITICAL SUBDIVISION OF THE STATE.

12 ~~(2) THE JOINT ETHICS COMMITTEE MAY EXEMPT AN INDIVIDUAL FROM~~
13 ~~THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION IF THE EARNED INCOME IS~~
14 ~~FOR:~~

15 (2) THE JOINT ETHICS COMMITTEE MAY EXEMPT AN INDIVIDUAL FROM
16 THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION IF THE EARNED INCOME
17 IS FOR:

18 (I) EDUCATIONAL INSTRUCTION PROVIDED BY THE MEMBER,
19 CANDIDATE, OR MEMBER-ELECT;

20 (II) A POSITION THAT IS SUBJECT TO A MERIT SYSTEM HIRING
21 PROCESS;

22 (III) A HUMAN SERVICES POSITION; OR

23 (IV) A CAREER PROMOTION, CHANGE, OR PROGRESSION THAT IS A
24 LOGICAL TRANSITION FROM A PRE-EXISTING RELATIONSHIP AS DESCRIBED IN
25 PARAGRAPH (3)(II) OF THIS SUBSECTION.

26 ~~(I) EDUCATIONAL INSTRUCTION PROVIDED BY THE MEMBER,~~
27 ~~CANDIDATE, OR MEMBER-ELECT; OR~~

28 ~~(II) A CAREER PROMOTION, CHANGE, OR PROGRESSION THAT IS A~~
29 ~~LOGICAL TRANSITION FROM A PRE-EXISTING RELATIONSHIP AS DESCRIBED IN~~
30 ~~PARAGRAPH (3)(II) OF THIS SUBSECTION.~~

31 (3) ~~PARAGRAPH (1) OF~~ THIS SUBSECTION DOES NOT APPLY TO
32 COMPENSATION TO A MEMBER, CANDIDATE, OR MEMBER-ELECT PURSUANT TO:

33 (I) EMPLOYMENT AS A NONELECTED LAW ENFORCEMENT
34 OFFICER OR A FIRE OR RESCUE SQUAD WORKER; OR

35 (II) A TRANSACTION OR RELATIONSHIP THAT EXISTED PRIOR TO:

1 1. THE FILING OF A CERTIFICATE OF CANDIDACY FOR
2 ELECTION TO THE GENERAL ASSEMBLY AT A TIME WHEN THE INDIVIDUAL WAS NOT
3 AN INCUMBENT MEMBER OF THE GENERAL ASSEMBLY; OR

4 2. IN THE CASE OF A MEMBER WHO WAS APPOINTED TO FILL
5 A VACANCY, THE DATE OF THE APPOINTMENT.

6 (b) A legislator [who enters into any of the listed transactions] shall report
7 THE FOLLOWING INFORMATION in writing to the Joint Ethics Committee [and the
8 presiding officer of his branch of the legislature for recordation with the Clerk of the
9 House of Delegates or Secretary of the Senate,] at the times and in the manner
10 required by the Joint Ethics Committee:

11 (1) [unless the representation is prohibited under subsection (a) of this
12 section,] if representing a person for compensation before a State OR LOCAL
13 GOVERNMENT agency, except in a judicial proceeding or in a quasi-judicial
14 proceeding, the name of the person represented, the services performed, and the
15 consideration. The Joint Ethics Committee may adopt procedures to keep confidential
16 the name of the person represented if that information is privileged or confidential
17 pursuant to any provision of law governing proceedings before that State agency.

18 (2) if representing a State OR LOCAL GOVERNMENT agency for
19 compensation, the name of the agency, the services performed, and the consideration.

20 (3) the name of any business enterprise subject to regulation by a State
21 agency in which the legislator and a member of the legislator's immediate family
22 (spouse and children living with the legislator), together or separately, have:

23 (i) the lesser of:

24 1. 10 percent or more of the capital stock of any corporation;
25 or

26 2. capital stock of any corporation with a cumulative value of
27 [\$10,000] \$25,000 or more; and

28 (ii) any interest in a partnership, limited liability partnership, or
29 limited liability company.

30 (4) details of any contractual relationship with the State or a State
31 agency, OR A LOCAL GOVERNMENT IN THE STATE, including the subject matter and
32 the consideration.

33 (5) details of any transaction with the State, OR A LOCAL GOVERNMENT
34 IN THE STATE, involving a monetary consideration[, excluding those enumerated by
35 the Joint Ethics Committee in the guidelines established pursuant to § 2-706 of this
36 article].

37 (6) ~~TO THE EXTENT NOT REPORTED UNDER ITEMS (1) THROUGH (5) OF~~
38 ~~THIS SUBSECTION, EACH SOURCE OF EARNED INCOME OF \$500 OR MORE.~~

1 (c) (1) All reports filed under this section shall be a matter of public record.

2 (2) THE JOINT ETHICS COMMITTEE SHALL DEVELOP PROCEDURES
3 UNDER WHICH A REPORT REQUIRED UNDER THIS SECTION MAY BE FILED
4 ELECTRONICALLY WITHOUT ANY ADDITIONAL COST TO THE LEGISLATOR.

5 ~~(3) THE JOINT ETHICS COMMITTEE SHALL MAKE AVAILABLE AS A
6 PUBLICLY AVAILABLE INTERNET DOCUMENT:~~

7 ~~(4) EACH REPORT FILED UNDER THIS SECTION; AND~~

8 ~~(H) THE PORTIONS OF A MEMBER'S FINANCIAL DISCLOSURE
9 STATEMENT FILED UNDER § 15-607 (E), (F), (H), (I), AND (K) OF THIS TITLE.~~

10 [15-514.

11 (a) A legislator in doubt as to the propriety of any action proposed to be taken
12 by the legislator and involving a possible violation of applicable standards of ethical
13 conduct for legislators established by law or rule may request in writing that the
14 Joint Ethics Committee render an advisory opinion on the facts. The advisory opinion,
15 with deletions and changes necessary to protect the legislator's identity, shall be filed
16 with the presiding officer of the legislator's branch of the legislature for recordation
17 with the Clerk of the House of Delegates or Secretary of the Senate. In addition, the
18 Joint Ethics Committee on its own motion may render advisory opinions as it deems
19 necessary. Each advisory opinion shall be kept and indexed in relation to the subject
20 matter for the purpose of building a body of case law.

21 (b) Either presiding officer may refer any question of propriety relating to the
22 use of expense funds governed by duly adopted guidelines to the Joint Ethics
23 Committee for recommendation.]

24 15-514. JOINT ETHICS COMMITTEE - WRITTEN OPINIONS.

25 (A) (1) A LEGISLATOR MAY REQUEST A WRITTEN OPINION FROM THE JOINT
26 ETHICS COMMITTEE WITH RESPECT TO THE PROPRIETY OF ANY CURRENT OR
27 PROPOSED CONDUCT OF THE LEGISLATOR AND INVOLVING THE APPLICABLE
28 STANDARDS OF ETHICAL CONDUCT FOR LEGISLATORS ESTABLISHED BY LAW, RULE,
29 OR OTHER STANDARD OF ETHICAL CONDUCT.

30 (2) A REQUEST FOR AN OPINION SHALL:

31 (I) BE IN WRITING AND SIGNED BY THE LEGISLATOR;

32 (II) BE ADDRESSED TO THE JOINT ETHICS COMMITTEE OR EITHER
33 CO-CHAIRMAN;

34 (III) BE SUBMITTED IN A TIMELY MANNER; AND

35 (IV) INCLUDE A COMPLETE AND ACCURATE STATEMENT OF THE
36 RELEVANT FACTS.

1 (3) IF A REQUEST IS UNCLEAR OR INCOMPLETE, THE JOINT ETHICS
2 COMMITTEE MAY SEEK ADDITIONAL INFORMATION FROM THE LEGISLATOR.

3 (4) (I) THE COUNSEL TO THE JOINT ETHICS COMMITTEE SHALL
4 PREPARE FOR THE COMMITTEE A RESPONSE TO EACH WRITTEN REQUEST FOR AN
5 OPINION UNDER THIS SUBSECTION.

6 (II) EACH RESPONSE SHALL DISCUSS ALL APPLICABLE LAWS,
7 RULES, OR OTHER STANDARDS.

8 (5) EXCEPT AS PROVIDED IN PARAGRAPH (6)(I) OF THIS SUBSECTION, AN
9 OPINION MUST BE APPROVED BY A MAJORITY OF THE MEMBERS OF THE JOINT
10 ETHICS COMMITTEE.

11 (6) (I) THE CO-CHAIRMEN OF THE JOINT ETHICS COMMITTEE MAY
12 APPROVE AN OPINION ON BEHALF OF THE COMMITTEE IF THEY DETERMINE THAT
13 THE OPINION IS CONSISTENT WITH PRIOR PRECEDENT AND THEREFORE DOES NOT
14 REQUIRE CONSIDERATION BY THE FULL COMMITTEE.

15 (II) AN OPINION FOR WHICH APPROVAL BY THE CO-CHAIRMEN
16 UNDER THIS PARAGRAPH IS ANTICIPATED SHALL BE DISTRIBUTED TO EACH
17 MEMBER OF THE JOINT ETHICS COMMITTEE NOT LATER THAN THE NEXT MEETING
18 OF THE JOINT ETHICS COMMITTEE.

19 (III) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH,
20 IF A CO-CHAIRMAN OF THE JOINT ETHICS COMMITTEE IS THE LEGISLATOR
21 REQUESTING THE OPINION, THE OPINION MUST BE APPROVED BY A MAJORITY OF
22 THE COMMITTEE.

23 (B) THE JOINT ETHICS COMMITTEE IS NOT REQUIRED TO ISSUE AN OPINION
24 IF THE REQUEST IS NOT MADE IN A TIMELY MANNER.

25 (C) THE JOINT ETHICS COMMITTEE ON ITS OWN MOTION MAY RENDER
26 OPINIONS AS IT CONSIDERS APPROPRIATE.

27 (D) (1) THE CO-CHAIRMEN SHALL DETERMINE WHETHER AN OPINION
28 SHALL BE MADE PUBLIC, WITH DELETIONS AND CHANGES NECESSARY TO PROTECT
29 THE LEGISLATOR'S IDENTITY.

30 (2) (I) THE COUNSEL TO THE JOINT ETHICS COMMITTEE SHALL
31 COMPILE AND INDEX EACH OPINION THAT WILL BE MADE PUBLIC.

32 (II) THE COMPILATION OF OPINIONS SHALL BE DISTRIBUTED TO
33 EACH MEMBER OF THE GENERAL ASSEMBLY AND SHALL BE AVAILABLE TO THE
34 PUBLIC.

35 (E) THE JOINT ETHICS COMMITTEE MAY TAKE NO ADVERSE ACTION WITH
36 REGARD TO CONDUCT THAT HAS BEEN UNDERTAKEN IN RELIANCE ON A WRITTEN
37 OPINION IF THE CONDUCT CONFORMS TO THE SPECIFIC FACTS ADDRESSED IN THE
38 OPINION.

1 (F) INFORMATION PROVIDED TO THE JOINT ETHICS COMMITTEE BY A
2 LEGISLATOR SEEKING ADVICE REGARDING PROSPECTIVE CONDUCT MAY NOT BE
3 USED AS THE BASIS FOR INITIATING AN INVESTIGATION UNDER § 15-515 OF THIS
4 SUBTITLE IF THE LEGISLATOR ACTS IN GOOD FAITH IN ACCORDANCE WITH THE
5 ADVICE OF THE COMMITTEE.

6 (G) (1) AN OPINION ISSUED UNDER THIS SECTION IS BINDING ON ANY
7 LEGISLATOR TO WHOM IT IS ADDRESSED.

8 (2) A PUBLISHED OPINION IS BINDING ON ALL MEMBERS OF THE
9 GENERAL ASSEMBLY.

10 [15-515.

11 Any person may file with the Joint Ethics Committee a written statement,
12 accompanied by an affidavit setting forth the facts upon which the statement is
13 based, or the Joint Ethics Committee on its own may prepare a statement, alleging
14 that a member may have violated standards of ethical conduct for legislators
15 established by law or rule.]

16 15-515. COMPLAINTS.

17 (A) A COMPLAINT ALLEGING THAT A MEMBER OF THE GENERAL ASSEMBLY
18 MAY HAVE VIOLATED STANDARDS OF ETHICAL CONDUCT, INCLUDING § 2-108 OF
19 THIS ARTICLE, MAY BE FILED WITH THE JOINT ETHICS COMMITTEE BY:

20 (1) A WRITTEN STATEMENT FROM ANY PERSON, ACCOMPANIED BY AN
21 AFFIDAVIT SETTING FORTH THE FACTS UPON WHICH THE STATEMENT IS BASED;

22 (2) MOTION OF A MAJORITY OF THE MEMBERSHIP OF THE JOINT ETHICS
23 COMMITTEE; OR

24 (3) REFERRAL OF A MATTER TO THE JOINT ETHICS COMMITTEE BY A
25 PRESIDING OFFICER OF THE GENERAL ASSEMBLY AS PROVIDED IN § 2-706(5) OF THIS
26 ARTICLE.

27 (B) (1) THE JOINT ETHICS COMMITTEE SHALL PROVIDE A COPY OF EACH
28 COMPLAINT FILED UNDER SUBSECTION (A) OF THIS SECTION TO THE PRESIDING
29 OFFICER OF THE HOUSE OF THE LEGISLATOR WHO IS THE SUBJECT OF THE
30 COMPLAINT.

31 (2) BASED ON THE INFORMATION CONTAINED IN A COMPLAINT
32 PROVIDED TO A PRESIDING OFFICER UNDER PARAGRAPH (1) OF THIS SUBSECTION, IF
33 A PRESIDING OFFICER DETERMINES THAT IT IS INAPPROPRIATE FOR A JOINT ETHICS
34 COMMITTEE MEMBER FROM THAT HOUSE TO CONSIDER A PARTICULAR MATTER, THE
35 PRESIDING OFFICER SHALL APPOINT A SUBSTITUTE MEMBER OF THE JOINT ETHICS
36 COMMITTEE FOR THE PURPOSES OF CONSIDERATION OF THE MATTER.

1 [15-516.

2 Each statement filed or prepared pursuant to § 15-515 of this subtitle and the
3 fact that it has been filed or prepared, any preliminary summary prepared pursuant
4 to § 15-517 of this subtitle, all information relating to any proceedings under this
5 Part II emanating from the statement including proceedings of an investigating
6 committee pursuant to § 15-521 of this subtitle, and any reports thereupon are
7 confidential and, except as permitted by this Part II or upon the written request of
8 the legislator involved, shall remain confidential.]

9 15-516. CONFIDENTIALITY.

10 (A) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, ANY MATTER
11 BEFORE THE JOINT ETHICS COMMITTEE, INCLUDING INFORMATION RELATING TO
12 ANY COMPLAINT, PROCEEDING, OR RECORD OF THE JOINT ETHICS COMMITTEE
13 SHALL REMAIN CONFIDENTIAL.

14 (B) PUBLIC ACCESS AND INSPECTION OF AN ACTIVITY OR RECORD OF THE
15 JOINT ETHICS COMMITTEE SHALL BE AVAILABLE FOR:

16 (1) A DISCLOSURE OR DISCLAIMER OF A CONFLICT OF INTEREST FORM
17 FILED WITH THE JOINT ETHICS COMMITTEE;

18 (2) A PORTION OF A MEETING IN WHICH A DISCLOSURE OR DISCLAIMER
19 FORM IS REVIEWED BY THE JOINT ETHICS COMMITTEE;

20 (3) INFORMATION RELATING TO ANY COMPLAINT, PROCEEDING, OR
21 RECORD OF THE JOINT ETHICS COMMITTEE INVOLVING AN INDIVIDUAL MEMBER OF
22 THE GENERAL ASSEMBLY, IF CONSENT TO PUBLIC ACCESS AND INSPECTION IS
23 GRANTED BY:

24 (I) THE MEMBER INVOLVED IN THE MATTER; OR

25 (II) THE JOINT COMMITTEE, UPON ~~TWO-THIRDS~~ THREE-FOURTHS
26 VOTE OF THE MEMBERSHIP OF THE JOINT COMMITTEE BASED ON CRITERIA
27 ESTABLISHED BY RULE;

28 (4) AN OPINION OR RULE ISSUED BY THE JOINT COMMITTEE; OR

29 (5) ANY MATTER OR RECORD THAT IS OTHERWISE AVAILABLE FOR
30 PUBLIC ACCESS OR INSPECTION AS SPECIFICALLY AUTHORIZED UNDER THIS
31 SUBTITLE.

32 15-517. Review of complaints.

33 (a) Following the filing or preparation of a [statement] COMPLAINT pursuant
34 to § 15-515 of this subtitle, the Joint Ethics Committee shall review the [statement]
35 COMPLAINT and proceed in accordance with § 15-518 of this subtitle unless, after
36 examination of the ~~statement~~ COMPLAINT and the issues raised thereby, it finds that
37 further proceedings are not justified because:

1 (1) the [statement] COMPLAINT is frivolous;

2 (2) the [statement and the accompanying affidavit do] COMPLAINT
3 DOES not allege actions on the part of the member which provide reason to believe
4 that a violation may have occurred;

5 (3) the matters alleged are not within the jurisdiction of the Joint Ethics
6 Committee;

7 (4) the violations alleged were inadvertent, technical, or minor, or have
8 been cured, and, after consideration of all of the circumstances then known, further
9 proceedings would not serve the purposes of this [section] SUBTITLE; or

10 (5) for other reasons, after consideration of all the circumstances, further
11 proceedings would not serve the purposes of this [section] SUBTITLE.

12 (b) (1) If a finding is made under subsection (a) of this section, the Joint
13 Ethics Committee shall:

14 (I) submit a report of its conclusions to the presiding officer OR TO
15 THE MEMBERSHIP of the branch of the legislature of which the legislator is a member,
16 and the proceedings shall be terminated;

17 (II) PROVIDE ADVICE OR GUIDANCE TO THE MEMBER; OR

18 (III) PROVIDE THE MEMBER WITH AN OPPORTUNITY TO CURE ANY
19 MINOR VIOLATION OF ETHICAL STANDARDS.

20 (2) (I) Subject to § 15-516 of this subtitle, notice of the Joint Ethics
21 Committee's action shall be provided to the member and to any person who filed the
22 [statement] COMPLAINT.

23 (II) Upon request, the legislator may see the [statement]
24 COMPLAINT and the report.

25 (c) If no finding is made under subsection (a) of this section, the Joint Ethics
26 Committee shall prepare [a preliminary] AN ALLEGATION summary, based upon its
27 examination under that subsection, setting forth the alleged facts and the issues then
28 known which merit further proceedings.

29 (D) AFTER REVIEW OF A COMPLAINT, THE JOINT ETHICS COMMITTEE SHALL
30 PROVIDE A STATEMENT OF ITS FINDINGS TO THE LEGISLATOR AGAINST WHOM THE
31 COMPLAINT HAS BEEN FILED.

32 15-518. Allegation summary.

33 (a) Except as to proceedings terminated in accordance with § 15-517(b) of this
34 subtitle, the legislator shall be notified and provided with a copy of the [statement]
35 COMPLAINT filed or prepared pursuant to § 15-515 of this subtitle and of the
36 [preliminary] ALLEGATION summary prepared pursuant to § 15-517(c) of this

1 subtitle and allowed [15 days] AN OPPORTUNITY to file a written answer to the
2 [preliminary] ALLEGATION summary.

3 (b) [(1)] Following notification of the legislator, the Joint Ethics Committee
4 [shall] MAY EITHER:

5 [(i)] (1) terminate the proceedings [if an answer from the
6 legislator is timely filed and the Joint Ethics Committee finds that, upon a basis set
7 forth in § 15-517(a) of this subtitle, further proceedings are not justified, in which
8 case § 15-517(b) of this subtitle shall govern.]; OR

9 [(ii)] (2) schedule a hearing AND NOTIFY THE LEGISLATOR OF THE
10 TIME, LOCATION, AND PROCEDURES OF THE HEARING [if:

11 1. an answer from the legislator is timely filed but the Joint
12 Ethics Committee finds no basis for terminating the proceedings pursuant to item 1
13 of this subparagraph; or

14 2. no answer is timely filed].

15 [(2)] No hearing shall be scheduled less than 20 days after written notice
16 thereof is provided to the legislator and to any person who filed the statement.

17 (3)] (C) (1) The Joint Ethics Committee may amend the
18 [preliminary] ALLEGATION summary at any time [prior to the hearing]. [If the
19 preliminary summary is amended, the process established in paragraphs (1) and (2)
20 of this subsection shall be repeated.]

21 (2) IF AN ALLEGATION SUMMARY IS AMENDED UNDER PARAGRAPH (1)
22 OF THIS SUBSECTION, THE LEGISLATOR SHALL BE ALLOWED AN OPPORTUNITY TO
23 FILE A WRITTEN ANSWER TO THE AMENDED ALLEGATION SUMMARY.

24 [(c)] At the hearing, the Joint Ethics Committee shall develop an evidentiary
25 record relating to the issues raised by the preliminary summary and any
26 amendments thereto. The legislator may present evidence, cross-examine witnesses,
27 face and examine any person who has filed a statement in the matter, and be
28 represented by counsel. The hearing shall be recorded.

29 (d) Based upon the record compiled at the hearing, the Joint Ethics
30 Committee shall make one of the following findings:

31 (1) there is no cause for further proceedings because there is no probable
32 cause to believe that a violation may have occurred;

33 (2) there is probable cause to believe that a violation may have occurred
34 but further proceedings are not justified because:

35 (i) any violation that may have occurred is not within the
36 jurisdiction of the Joint Ethics Committee;

1 (ii) any violation that may have occurred was inadvertent,
2 technical, or minor, or has been cured, and, after consideration of all of the
3 circumstances, further proceedings would not serve the purposes of this section; or

4 (iii) for other reasons, after consideration of all of the circumstances,
5 further proceedings would not serve the purposes of this Part II; or

6 (3) further proceedings are justified.]

7 [15-519.

8 Promptly upon making a finding pursuant to § 15-518(d) of this subtitle, the
9 Joint Ethics Committee shall submit a written report of its proceedings, including its
10 finding, to the presiding officer of the branch of the legislature of which the legislator
11 is a member.]

12 [15-520.

13 (a) The presiding officer shall review each report submitted pursuant to §
14 15-519 of this subtitle.

15 (b) If the report contains a finding under § 15-518(d)(1) of this subtitle, the
16 proceedings shall be terminated.

17 (c) If the report contains a finding under § 15-518(d)(2) of this subtitle and:

18 (1) if the presiding officer agrees with the finding contained in the report
19 of the Joint Ethics Committee, the proceedings shall be terminated.

20 (2) if the presiding officer disagrees with the report of the Joint Ethics
21 Committee, the reasons for disagreement shall be stated in writing and forwarded,
22 together with the report, to an investigating committee created pursuant to the
23 provisions of § 15-522 of this subtitle for further proceedings.

24 (d) If the report includes a finding under § 15-518(d)(2) of this subtitle, the
25 presiding officer shall promptly forward the report to an investigating committee
26 created pursuant to § 15-522 of this subtitle for further proceedings.]

27 [15-521.

28 (a) This section governs all matters referred to an investigating committee
29 pursuant to this Part II.

30 (b) If the matter has been referred to the investigating committee pursuant to
31 § 15-520(c)(2) of this subtitle, the investigating committee shall review the report of
32 the Joint Ethics Committee and determine initially whether, based upon the reasons
33 of the presiding officer or otherwise, further proceedings are justified. If the
34 investigating committee determines that further proceedings are not justified, it shall
35 so report to the presiding officer, and the proceedings shall be terminated.

1 (c) Except as otherwise provided in subsection (b) of this section, the
2 investigating committee shall review the report of the Joint Ethics Committee and, in
3 such detail as it considers appropriate, conduct further proceedings until it is
4 prepared to make a report pursuant to subsection (d) of this section. The proceedings
5 shall be conducted pursuant to the provisions of Title 2, Subtitle 16 of this article to
6 the extent those provisions are not inconsistent with § 15-516 of this subtitle or other
7 provisions of this Part II.

8 (d) At the conclusion of its investigation pursuant to subsection (c) of this
9 section, the investigating committee shall make such findings of fact, conclusions of
10 law, and recommendations for further proceedings as it considers appropriate and
11 take one of the following actions:

12 (1) if the investigating committee concludes that there has been no
13 violation, the investigating committee shall report its findings, conclusions, and
14 recommendations to the presiding officer of that branch of the legislature, and the
15 proceedings shall be terminated.

16 (2) (i) if the investigating committee concludes that a violation has
17 occurred, the investigating committee shall submit a written report of its findings,
18 conclusions, and recommendations to the presiding officer of that branch.

19 (ii) the report and formal record of the investigating committee
20 shall be public records.

21 (iii) the presiding officer shall cause to be introduced a simple
22 resolution setting forth the findings and conclusions and implementing the
23 recommendations made by the investigating committee.

24 (e) In any matter concluded by a confidential report of the investigating
25 committee to the presiding officer, upon request of the member the presiding officer
26 shall introduce a simple resolution setting forth the findings, conclusions, and
27 recommendations of the investigating committee.]

28 [15-522.

29 (a) Each branch of the legislature by a simple resolution shall establish an
30 investigating committee, as provided in Title 2, Subtitle 16 of this article, promptly
31 upon the beginning of the first regular session after each gubernatorial election.
32 Subject to further action of that branch of the legislature, that investigating
33 committee shall function during and between sessions throughout each year of the
34 term and until a new investigating committee is created.

35 (b) At the beginning of each regular session, the presiding officer by order
36 shall appoint the members of the investigating committee from the members of that
37 branch of the legislature. If it is considered inappropriate by the presiding officer for
38 any member of the investigating committee to consider a particular matter, the
39 presiding officer shall appoint a substitute member for the purposes of that matter.

1 (c) The investigating committee thus created and constituted shall perform
 2 the functions assigned under this Part II and consider such other matters relating to
 3 that branch of the legislature as may be assigned to it by the presiding officers acting
 4 jointly or by the presiding officer of that branch with the approval of the minority
 5 leader of that branch. The investigating committee shall perform no other function.]
 6 15-519. HEARING PROCEDURES.

7 (A) THE JOINT ETHICS COMMITTEE SHALL ADOPT WRITTEN PROCEDURES
 8 FOR CONDUCTING A HEARING TO CONSIDER A COMPLAINT, ALLEGATION SUMMARY,
 9 AND WRITTEN ANSWER, IF ANY, AS PROVIDED IN § 15-518(B) OF THIS SUBTITLE.

10 (B) THE WRITTEN PROCEDURES ADOPTED BY THE JOINT ETHICS COMMITTEE
 11 UNDER SUBSECTION (A) OF THIS SECTION:

12 (1) SHALL BE AVAILABLE FOR PUBLIC INSPECTION;

13 (2) SHALL BE PROVIDED TO EACH LEGISLATOR WHO IS THE SUBJECT OF
 14 A HEARING;

15 (3) SHALL AUTHORIZE A LEGISLATOR TO:

16 (I) BE REPRESENTED BY COUNSEL;

17 (II) CROSS-EXAMINE WITNESSES; AND

18 (III) SUBJECT TO LIMITATIONS ESTABLISHED BY THE JOINT ETHICS
 19 COMMITTEE IN ITS WRITTEN PROCEDURES, BE PROVIDED AN OPPORTUNITY TO
 20 REASONABLY INSPECT ANY RECORDS THAT THE JOINT ETHICS COMMITTEE INTENDS
 21 TO USE DURING THE HEARING; AND

22 (4) SUBJECT TO PARAGRAPHS (1) AND (2) OF THIS SUBSECTION, MAY BE
 23 AMENDED BY THE JOINT ETHICS COMMITTEE AT ANY TIME.

24 (C) (1) (I) IF THE JOINT ETHICS COMMITTEE DETERMINES THAT A
 25 HEARING IS REQUIRED UNDER § 15-518(B) OF THIS SUBTITLE, THE JOINT ETHICS
 26 COMMITTEE, BY A TWO-THIRDS VOTE OF THE MEMBERS OF THE JOINT ETHICS
 27 COMMITTEE, MAY ISSUE ONE OR MORE SUBPOENAS THAT REQUIRE THE
 28 APPEARANCE OF A PERSON, THE PRODUCTION OF RELEVANT RECORDS, AND THE
 29 GIVING OF RELEVANT TESTIMONY.

30 (II) IF THE JOINT ETHICS COMMITTEE EXERCISES SUBPOENA
 31 POWERS UNDER THIS PARAGRAPH, THE LEGISLATOR WHO IS THE SUBJECT OF THE
 32 INVESTIGATION MAY REQUIRE THE JOINT ETHICS COMMITTEE TO ISSUE ONE OR
 33 MORE SUBPOENAS ON THAT LEGISLATOR'S BEHALF.

34 (2) A REQUEST TO APPEAR, APPEARANCE, OR SUBMISSION OF EVIDENCE
 35 DOES NOT LIMIT THE SUBPOENA POWER OF THE JOINT ETHICS COMMITTEE.

1 (3) A SUBPOENA ISSUED UNDER SUBSECTION (B) OF THIS SECTION
2 SHALL BE SERVED:

3 (I) IN THE MANNER PROVIDED BY LAW FOR SERVICE OF A
4 SUBPOENA IN A CIVIL ACTION;

5 (II) BEFORE THE TIME THAT THE SUBPOENA SETS FOR
6 APPEARANCE OR PRODUCTION OF RECORDS; AND

7 (III) WITH THE FOLLOWING DOCUMENTS:

8 1. A COPY OF THIS TITLE;

9 2. A COPY OF THE RULES OF THE JOINT ETHICS COMMITTEE;
10 AND

11 3. IF THE SUBPOENA REQUIRES THE APPEARANCE OF A
12 PERSON, NOTICE THAT COUNSEL MAY ACCOMPANY THE PERSON.

13 (4) A PERSON WHO IS SUBPOENAED TO APPEAR AT A HEARING IS
14 ENTITLED TO RECEIVE THE FEES AND ALLOWANCES THAT ARE PROVIDED FOR A
15 PERSON WHO IS SUBPOENAED BY A CIRCUIT COURT.

16 (5) A PERSON MAY BE HELD IN CONTEMPT IF THE PERSON
17 UNJUSTIFIABLY:

18 (I) FAILS OR REFUSES TO COMPLY WITH A SUBPOENA FOR
19 APPEARANCE;

20 (II) APPEARS BUT FAILS OR REFUSES TO TESTIFY UNDER OATH; OR

21 (III) UNLESS THE DIRECTIVE IS OVERRULED BY A MAJORITY VOTE
22 OF THE MEMBERS OF THE JOINT ETHICS COMMITTEE WHO ARE PRESENT AT THE
23 HEARING, DISOBEYS A DIRECTIVE OF THE PRESIDING CHAIRMAN AT THE HEARING
24 TO ANSWER A RELEVANT QUESTION OR TO PRODUCE A RECORD, INCLUDING
25 ELECTRONIC RECORD THAT HAS BEEN SUBPOENAED.

26 (6) BY A TWO-THIRDS VOTE OF ALL OF THE MEMBERS OF THE JOINT
27 ETHICS COMMITTEE, THE JOINT ETHICS COMMITTEE MAY APPLY FOR A CONTEMPT
28 CITATION TO A CIRCUIT COURT.

29 15-520. FINDING AND RECOMMENDATIONS.

30 (A) THE JOINT ETHICS COMMITTEE MAY MAKE A FINDING DEVELOPED FROM:

31 (1) INFORMATION PRESENTED DURING THE HEARING;

32 (2) THE ALLEGATION SUMMARY AND ANY AMENDMENTS THERETO;

33 (3) THE WRITTEN ANSWER OF THE LEGISLATOR TO THE ALLEGATION
34 SUMMARY, IF ANY; AND

1 (4) ANY OTHER INFORMATION PROVIDED TO THE JOINT ETHICS
2 COMMITTEE AND MADE AVAILABLE TO THE LEGISLATOR.

3 (B) CONSISTENT WITH THE PURPOSES OF THIS TITLE, THE JOINT ETHICS
4 COMMITTEE MAY ESTABLISH CRITERIA FOR MAKING A FINDING IN ITS WRITTEN
5 PROCEDURES ESTABLISHED UNDER § 15-519(A) OF THIS SUBTITLE.

6 (C) IF THE JOINT ETHICS COMMITTEE MAKES A FINDING UNDER THIS
7 SECTION, THE JOINT ETHICS COMMITTEE SHALL:

8 (1) TERMINATE THE PROCEEDING AGAINST A LEGISLATOR; OR

9 (2) ISSUE ANY RECOMMENDATIONS TO THE PRESIDING OFFICER OF
10 THE HOUSE OF THE LEGISLATOR OR TO THE FULL HOUSE OF THE LEGISLATOR,
11 INCLUDING ANY RECOMMENDATIONS FOR APPROPRIATE SANCTIONS.

12 15-521. REFERRAL TO PROSECUTING AUTHORITIES.

13 IF THE JOINT ETHICS COMMITTEE, AT ANY TIME DURING ITS CONSIDERATION
14 OF ANY COMPLAINT OR ALLEGATION SUMMARY OR DURING ANY PROCEEDING,
15 FINDS THAT THERE ARE REASONABLE GROUNDS TO BELIEVE THAT A LEGISLATOR
16 MAY HAVE COMMITTED A CRIMINAL OFFENSE, THE JOINT ETHICS COMMITTEE
17 SHALL:

18 (1) REFER THE MATTER TO AN APPROPRIATE PROSECUTING
19 AUTHORITY; AND

20 (2) PROVIDE ANY INFORMATION OR EVIDENCE TO THE PROSECUTING
21 AUTHORITY THAT THE JOINT ETHICS COMMITTEE DETERMINES IS APPROPRIATE.

22 15-602. Financial disclosure statement - Filing requirements.

23 (A) Except as otherwise provided in this subtitle, a statement filed under [this
24 section or §§ 15-603 through 15-605] § 15-601, § 15-603, § 15-604, OR § 15-605 of this
25 subtitle shall:

26 (1) be filed with the Ethics Commission;

27 (2) be filed under oath;

28 (3) be filed on or before April 30 of each year;

29 (4) cover the calendar year immediately preceding the year of filing; and

30 (5) contain the information required in § 15-607 of this subtitle.

31 (B) ~~(A)~~ NOTWITHSTANDING SUBSECTION (A)(1) OF THIS SECTION, A
32 STATEMENT FILED BY A MEMBER OF THE GENERAL ASSEMBLY SHALL BE FILED IN
33 DUPLICATE WITH THE JOINT ETHICS COMMITTEE.

1 ~~(2)~~ NOTWITHSTANDING SUBSECTION (A)(3) OF THIS SECTION, A
 2 STATEMENT FILED BY A MEMBER OF THE GENERAL ASSEMBLY SHALL BE FILED
 3 WITH THE ETHICS COMMISSION AND THE JOINT ETHICS COMMITTEE ON OR BEFORE
 4 FEBRUARY 1 ~~28~~ APRIL 30 OF EACH YEAR.

5 (C) (1) IN ADDITION TO THE STATEMENT FILED UNDER § 15-601 OF THIS
 6 SUBTITLE, A MEMBER OF THE GENERAL ASSEMBLY SHALL FILE A PRELIMINARY
 7 DISCLOSURE ON OR BEFORE THE SEVENTH DAY OF THE REGULAR LEGISLATIVE
 8 SESSION IF THERE WILL BE A SUBSTANTIAL CHANGE IN THE STATEMENT COVERING
 9 THE CALENDAR YEAR IMMEDIATELY PRECEDING THE YEAR OF FILING, AS
 10 COMPARED TO THE NEXT PRECEDING CALENDAR YEAR.

11 (2) A MEMBER OF THE GENERAL ASSEMBLY WHOSE STATEMENT UNDER
 12 § 15-601 OF THIS SUBTITLE WILL NOT CONTAIN A SUBSTANTIAL CHANGE IS NOT
 13 REQUIRED TO FILE A PRELIMINARY DISCLOSURE UNDER PARAGRAPH (1) OF THIS
 14 SUBSECTION.

15 (3) THE JOINT ETHICS COMMITTEE SHALL:

16 (I) PRESCRIBE THE FORM OF A PRELIMINARY DISCLOSURE UNDER
 17 THIS SUBSECTION; AND

18 (II) DETERMINE WHICH ASPECTS OF FINANCIAL DISCLOSURE ARE
 19 SUBJECT TO THIS SUBSECTION.

20 (4) A PRELIMINARY DISCLOSURE SHALL BE FILED AND MAINTAINED,
 21 AND MAY BE DISCLOSED, IN THE SAME MANNER PRESCRIBED FOR A STATEMENT
 22 FILED UNDER § 15-601 OF THIS SUBTITLE.

23 ~~(C)~~ (D) THE ETHICS COMMISSION SHALL DEVELOP PROCEDURES UNDER
 24 WHICH A STATEMENT UNDER THIS SUBTITLE MAY BE FILED ELECTRONICALLY AND
 25 WITHOUT ADDITIONAL COST TO THE INDIVIDUAL WHO FILES THE STATEMENT.

26 15-606. Public record.

27 (a) (1) The Ethics Commission AND THE JOINT ETHICS COMMITTEE shall
 28 maintain the statements submitted under this subtitle and, during normal office
 29 hours, make the statements available to the public for examination and copying.

30 (2) The Ethics Commission AND THE JOINT ETHICS COMMITTEE may
 31 charge a reasonable fee and adopt administrative procedures for the examination and
 32 copying of a statement.

33 (b) (1) The Ethics Commission AND THE JOINT ETHICS COMMITTEE shall
 34 maintain a record of:

35 (i) the name and home address of each individual who examines or
 36 copies a statement under this section; and

1 (ii) the name of the individual whose statement was examined or
2 copied.

3 (2) On the request of the individual whose statement was examined or
4 copied, the Ethics Commission OR THE JOINT ETHICS COMMITTEE shall forward a
5 copy of that record to that individual.

6 15-607. Content of statements.

7 (a) A statement that is required by § 15-601(a) of this subtitle shall contain
8 schedules disclosing the information and interests specified in this section, if known,
9 for the individual making the statement for the applicable period under this subtitle.

10 (b) (1) The statement shall include a schedule of each interest in real
11 property, wherever located, including each interest held in the name of a partnership,
12 limited liability partnership, or limited liability company in which the individual held
13 an interest.

14 (2) For each interest reported the schedule shall include:

15 (i) the nature of the property;

16 (ii) the street address, mailing address, or legal description of the
17 property;

18 (iii) the nature and extent of the interest in the property, including
19 any conditions to and encumbrances on the interest;

20 (iv) the date and manner in which the interest was acquired;

21 (v) the identity of the entity from which the interest was acquired;

22 (vi) if the interest was acquired by purchase, the nature and
23 amount of the consideration given for the interest;

24 (vii) if the interest was acquired in any other manner, the fair
25 market value of the interest when acquired;

26 (viii) if any interest was transferred, in whole or in part, during the
27 applicable period:

28 1. a description of the interest transferred;

29 2. the nature and amount of the consideration received for
30 the interest; and

31 3. the identity of the entity to which the interest was
32 transferred; and

33 (ix) the identity of any other entity with an interest in the property.

1 (c) (1) The statement shall include a schedule of each interest held by the
2 individual in a corporation, partnership, limited liability partnership, or limited
3 liability company, whether or not the corporation, partnership, limited liability
4 partnership, or limited liability company does business with the State.

5 (2) For each interest reported, the schedule shall include:

6 (i) the name and address of the principal office of the corporation,
7 partnership, limited liability partnership, or limited liability company;

8 (ii) subject to paragraph (3) of this subsection, the nature and
9 amount of the interest held, including any conditions to and encumbrances on the
10 interest;

11 (iii) except as provided in paragraph (4) of this subsection, if any
12 interest was acquired during the applicable period:

13 1. the date and manner in which the interest was acquired;

14 2. the identity of the entity from which the interest was
15 acquired;

16 3. if the interest was acquired by purchase, the nature and
17 amount of the consideration given for the interest; and

18 4. if the interest was acquired in any other manner, the fair
19 market value of the interest when it was acquired; and

20 (iv) if any interest was transferred, in whole or in part, during the
21 applicable period:

22 1. a description of the interest transferred;

23 2. the nature and amount of the consideration received for
24 the interest; and

25 3. if known, the identity of the entity to which the interest
26 was transferred.

27 (3) (i) As to an equity interest in a corporation, the individual may
28 satisfy paragraph (2)(ii) of this subsection by reporting, instead of a dollar amount:

29 1. the number of shares held; and

30 2. unless the corporation's stock is publicly traded, the
31 percentage of equity interest held.

32 (ii) As to an equity interest in a partnership, limited liability
33 partnership, or limited liability company, the individual may satisfy paragraph (2)(ii)
34 of this subsection by reporting, instead of a dollar amount, the percentage of equity
35 interest held.

1 (4) If an interest acquired during the applicable reporting period consists
2 of additions to existing publicly traded corporate interests acquired by dividend or
3 dividend reinvestment, and the total value of the acquisition is less than \$500, only
4 the manner of acquisition is required to be disclosed under paragraph (2)(iii) of this
5 subsection.

6 (d) (1) The statement shall include a schedule of each interest in a business
7 entity doing business with the State, other than interests reported under subsection
8 (c) of this section.

9 (2) For each interest reported, the schedule shall include:

10 (i) the name and address of the principal office of the business
11 entity;

12 (ii) the nature and amount of the interest held, including any
13 conditions to and encumbrances on the interest;

14 (iii) if any interest was acquired during the applicable period:

15 1. the date and manner in which the interest was acquired;

16 2. the identity of the entity from which the interest was
17 acquired;

18 3. if the interest was acquired by purchase, the nature and
19 amount of the consideration given for the interest; and

20 4. if the interest was acquired in any other manner, the fair
21 market value of the interest when it was acquired; and

22 (iv) if any interest was transferred, in whole or in part, during the
23 applicable period:

24 1. a description of the interest transferred;

25 2. the nature and amount of the consideration received for
26 the interest; and

27 3. the identity of the entity to which the interest was
28 transferred.

29 (e) (1) This subsection does not apply to a gift received from a member of
30 the immediate family, another child, or a parent of the individual.

31 (2) The statement shall include a schedule of each gift, specified in
32 paragraph (3) of this subsection, received during the applicable period:

33 (i) by the individual or by another entity at the direction of the
34 individual; and

1 (ii) directly or indirectly, from or on behalf of an entity that is:

- 2 1. a regulated lobbyist;
- 3 2. regulated by the State; or
- 4 3. otherwise an entity doing business with the State.

5 (3) (I) [The] EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
6 PARAGRAPH, THE schedule shall include[:

7 (i)] each gift with a value of more than [\$25] \$20[, except that the
8 statement need not include as a gift attendance at a special event that is reported by
9 a regulated lobbyist under § 15-704(b)(2)(vi) of this title; and

10 (ii)] AND each of two or more gifts with a cumulative value of \$100
11 or more received from one entity during the applicable period.

12 (II) THE STATEMENT NEED NOT INCLUDE AS A GIFT;:

13 ~~1.~~ 1. FOOD OR BEVERAGES RECEIVED AND CONSUMED BY
14 AN OFFICIAL OF THE LEGISLATIVE BRANCH IN THE PRESENCE OF THE DONOR OR
15 SPONSORING ENTITY AS PART OF A ~~RECEPTION~~ MEAL OR RECEPTION, TO WHICH
16 WERE INVITED ALL MEMBERS OF A LEGISLATIVE UNIT;

17 2. FOOD OR BEVERAGES RECEIVED BY A MEMBER OF THE
18 GENERAL ASSEMBLY AT THE TIME AND GEOGRAPHIC LOCATION OF A MEETING OF A
19 LEGISLATIVE ORGANIZATION FOR WHICH THE MEMBER'S PRESIDING OFFICER HAS
20 APPROVED THE MEMBER'S ATTENDANCE AT STATE EXPENSE; OR

21 3. A TICKET OR FREE ADMISSION EXTENDED TO A MEMBER
22 OF THE GENERAL ASSEMBLY BY THE PERSON SPONSORING OR CONDUCTING THE
23 EVENT AS A COURTESY OR CEREMONY TO THE OFFICE TO ATTEND A CHARITABLE,
24 CULTURAL, OR POLITICAL EVENT TO WHICH WERE INVITED ALL MEMBERS OF A
25 LEGISLATIVE UNIT.

26 (III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (II)
27 OF THIS PARAGRAPH, THE STATEMENT SHALL INCLUDE THE ACCEPTANCE OF EACH
28 OF TWO OR MORE TICKETS OR FREE ADMISSIONS, EXTENDED TO A MEMBER OF THE
29 GENERAL ASSEMBLY BY THE PERSON SPONSORING OR CONDUCTING THE EVENT,
30 WITH A CUMULATIVE VALUE OF \$100 OR MORE RECEIVED FROM ONE ENTITY DURING
31 THE APPLICABLE PERIOD; OR

32 ~~2. A TICKET OR FREE ADMISSION EXTENDED TO A STATE~~
33 ~~OFFICIAL OF THE LEGISLATIVE BRANCH AS A COURTESY OR CEREMONY TO THE~~
34 ~~OFFICE TO ATTEND A PROFESSIONAL OR INTERCOLLEGIATE SPORTING EVENT, OR A~~
35 ~~CHARITABLE, CULTURAL, OR POLITICAL EVENT TO WHICH WERE INVITED ALL~~
36 ~~MEMBERS OF A LEGISLATIVE UNIT.~~

1 ~~(III) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH (II)~~
2 ~~OF THIS PARAGRAPH, THE STATEMENT SHALL INCLUDE THE ACCEPTANCE OF EACH~~
3 ~~OF TWO OR MORE TICKETS OR FREE ADMISSIONS EXTENDED TO A STATE OFFICIAL~~
4 ~~OF THE LEGISLATIVE BRANCH WITH A CUMULATIVE VALUE OF \$100 OR MORE~~
5 ~~RECEIVED FROM ONE ENTITY DURING THE APPLICABLE PERIOD.~~

6 (4) For each gift subject to this subsection, the schedule shall include:

7 (i) the nature and value of the gift; and

8 (ii) the identity of the entity from which, directly or indirectly, the
9 gift was received.

10 (5) This subsection does not authorize any gift not otherwise allowed by
11 law.

12 (f) (1) The statement shall include, as specified in this subsection, a
13 schedule of all offices, directorships, and salaried employment, or any similar interest
14 not otherwise disclosed, in business entities doing business with the State.

15 (2) This subsection applies to positions and interests held at any time
16 during the applicable period by:

17 (i) the individual; or

18 (ii) any member of the individual's immediate family.

19 (3) For each position or interest reported, this schedule shall include:

20 (i) the name and address of the principal office of the business
21 entity;

22 (ii) the nature of the position or interest and the date it commenced;

23 (iii) the name of each governmental unit with which the entity is
24 doing business; and

25 (iv) the nature of the business with the State, which, at a minimum,
26 shall be specified by reference to the applicable criteria of doing business described in
27 § 15-102(j) of this title.

28 (g) (1) The statement shall include a schedule, to the extent the individual
29 may reasonably be expected to know, of each debt, excluding retail credit accounts,
30 owed at any time during the applicable period to entities doing business with the
31 State:

32 (i) by the individual; and

33 (ii) if the individual was involved in the transaction giving rise to
34 the debt, by any member of the immediate family of the individual.

- 1 (2) For each debt, the schedule shall include:
- 2 (i) the identity of the entity to which the debt was owed;
- 3 (ii) the date it was incurred;
- 4 (iii) the amount owed at the end of the applicable period;
- 5 (iv) the terms of payment;
- 6 (v) the extent to which the principal was increased or decreased
7 during the applicable period; and
- 8 (vi) any security given.

9 (h) The statement shall include a schedule listing the members of the
10 immediate family of the individual who were employed by the State in any capacity at
11 any time during the applicable period.

12 (i) The statement shall include a schedule listing the name and address of
13 each:

14 (1) place of salaried employment of the individual or a member of the
15 individual's immediate family at any time during the applicable period; and

16 (2) business entity of which the individual or a member of the
17 individual's immediate family was a sole or partial owner, and from which the
18 individual or family member received earned income, at any time during the
19 applicable period.

20 (j) The statement may include a schedule listing additional interests or
21 information that the individual chooses to disclose.

22 (K) TO THE EXTENT NOT REPORTED UNDER SUBSECTION (A) THROUGH (J) OF
23 THIS SECTION, A STATEMENT FILED BY A MEMBER OF THE GENERAL ASSEMBLY
24 SHALL INCLUDE:

25 (1) THE INFORMATION REQUIRED UNDER § 15-513(B) OF THIS TITLE;
26 AND

27 (2) AN ACKNOWLEDGMENT, SIGNED BY THE MEMBER, THAT ANY
28 INFORMATION, REQUIRED UNDER § 15-513(B) OF THIS TITLE, THAT BECOMES
29 REPORTABLE AFTER THE STATEMENT IS FILED SHALL BE REPORTED IMMEDIATELY
30 TO THE JOINT ETHICS COMMITTEE AS REQUIRED BY § 15-513(B).

31 15-704. Reports.

32 (b) Subject to subsection [(f)] (E) of this section, a report required by this
33 section shall include:

1 (1) a complete, current statement of the information required under §
2 15-703(b) of this subtitle;

3 (2) total expenditures in connection with influencing executive action or
4 legislative action in each of the following categories:

5 (i) total compensation paid to the regulated lobbyist, excluding:

6 1. expenses reported under this paragraph; and

7 2. salaries, compensation, and reimbursed expenses for the
8 regulated lobbyist's staff;

9 (ii) unless reported under subparagraph (i) of this paragraph:

10 1. office expenses of the regulated lobbyist; and

11 2. professional and technical research and assistance;

12 (iii) publications that expressly encourage communication with one
13 or more officials or employees;

14 (iv) witnesses, including the name of each and the fees and
15 expenses paid to each;

16 (v) ~~EXCEPT AS TO OFFICIALS OF THE LEGISLATIVE BRANCH,~~ meals
17 and beverages for officials, employees, or members of the immediate families of
18 officials or employees;

19 (vi) I. ~~+~~ [special events, including parties, meals, athletic
20 events, entertainment, or other functions] ~~FOR OFFICIALS OF THE LEGISLATIVE~~
21 ~~BRANCH, FOOD, BEVERAGES, AND INCIDENTAL EXPENSES FOR A RECEPTION~~ MEAL
22 OR RECEPTION, to which were invited all members of A LEGISLATIVE UNIT[:

23 1. the General Assembly;

24 2. either house of the General Assembly;

25 3. a standing committee of the General Assembly, provided
26 that the presiding officer of the House of Delegates or Senate shall be deemed an ex
27 officio member of any standing committee of the presiding officer's chamber; or

28 4. a county or regional delegation of members of the General
29 Assembly that is recognized by a presiding officer of the General Assembly]; ~~AND~~

30 ~~2. A TICKET OR FREE ADMISSION EXTENDED TO A STATE~~
31 ~~OFFICIAL OF THE LEGISLATIVE BRANCH AS A COURTESY OR CEREMONY TO THE~~
32 ~~OFFICE TO ATTEND A PROFESSIONAL OR INTERCOLLEGIATE SPORTING EVENT, OR A~~
33 ~~CHARITABLE, CULTURAL, OR POLITICAL EVENT TO WHICH WERE INVITED ALL~~
34 ~~MEMBERS OF A LEGISLATIVE UNIT;~~

1 2. *FOOD OR BEVERAGES RECEIVED BY MEMBERS OF THE*
 2 *GENERAL ASSEMBLY AT THE TIME AND GEOGRAPHIC LOCATION OF A MEETING OF A*
 3 *LEGISLATIVE ORGANIZATION FOR WHICH THE MEMBER'S PRESIDING OFFICER HAS*
 4 *APPROVED THE MEMBER'S ATTENDANCE AT STATE EXPENSE; AND*

5 3. *TICKETS OR FREE ADMISSION EXTENDED TO MEMBERS*
 6 *OF THE GENERAL ASSEMBLY BY THE PERSON SPONSORING OR CONDUCTING THE*
 7 *EVENT AS A COURTESY OR CEREMONY TO THE OFFICE TO ATTEND A CHARITABLE,*
 8 *CULTURAL, OR POLITICAL EVENT TO WHICH WERE INVITED ALL MEMBERS OF A*
 9 *LEGISLATIVE UNIT;*

10 (vii) 1. food, lodging, and scheduled entertainment of officials and
 11 employees for a meeting, if given in return for participation in a panel or speaking
 12 engagement at the meeting; and

13 2. if more than \$200 of the expenses reported in item 1 of this
 14 subparagraph are for any one official or employee at any meeting, the individual's
 15 name and the amount spent;

16 (viii) other gifts to or for officials, employees, or members of the
 17 immediate families of officials or employees; and

18 (ix) other expenses;

19 (3) as to expenditures reported in paragraph (2)(vi) and (vii) of this
 20 subsection, the date, location, and total expense of the regulated lobbyist for the event
 21 or meeting; and

22 (4) subject to [subsections (d) and (e)] SUBSECTION (D) of this section,
 23 the name of each official, employee, or member of the immediate family of an official
 24 or employee, to or for whom, during a reporting period, one or more gifts with a
 25 cumulative value of \$75 or more are given, regardless of whether a gift is attributable
 26 to more than one entity and whether or not in connection with lobbying activities, by
 27 the regulated lobbyist or any entity acting on behalf of the regulated lobbyist,
 28 however, except as provided in paragraph (2)(vii)² of this subsection ~~AND FOR EACH~~
 29 ~~OF TWO OR MORE TICKETS OR FREE ADMISSIONS EXTENDED TO A STATE OFFICIAL~~
 30 ~~OF THE LEGISLATIVE BRANCH WITH A CUMULATIVE VALUE OF \$100 OR MORE~~
 31 ~~RECEIVED FROM ONE ENTITY DURING THE APPLICABLE PERIOD AS PROVIDED IN~~
 32 ~~PARAGRAPH (2)(VI) OF THIS SUBSECTION AND FOR EACH OF TWO OR MORE TICKETS~~
 33 ~~OR FREE ADMISSIONS EXTENDED TO A MEMBER OF THE GENERAL ASSEMBLY WITH~~
 34 ~~A CUMULATIVE VALUE OF \$100 OR MORE RECEIVED FROM ONE ENTITY DURING THE~~
 35 ~~APPLICABLE PERIOD AS PROVIDED IN PARAGRAPH (2)(VI)² OF THIS SUBSECTION,~~
 36 expenses reported in paragraph (2)(vi) and (vii) of this subsection need not be
 37 allocated to an individual.

38 [(d) (1) Subject to subsection (f) of this section, in addition to any other report
 39 required under this section, a regulated lobbyist shall file, with the report required by
 40 subsection (a) of this section, a report disclosing the name of any member of the
 41 General Assembly or member of the immediate family of a member of the General
 42 Assembly who has benefited during the reporting period from a gift of a ticket or

1 admission to any event for which other persons are charged a fee exceeding \$15,
 2 whether or not in connection with lobbying activities, allowed under §
 3 15-505(c)(2)(vii) of this title from the regulated lobbyist.

4 (2) The disclosure required by this subsection shall be under oath or
 5 affirmation, on a form issued by the Ethics Commission, and shall include:

6 (i) the name and business address of the regulated lobbyist;

7 (ii) the name of each recipient of a ticket or admission;

8 (iii) the date and value of each gift of a ticket or admission, and the
 9 identity of the entity or entities to which the gift is attributable; and

10 (iv) the total cumulative value of gifts of tickets or admissions,
 11 calculated as to each recipient.

12 (3) The regulated lobbyist may:

13 (i) declare on the form required under this subsection that a gift of
 14 a ticket or admission was given for purposes not related to the regulated lobbyist's
 15 lobbying activities; and

16 (ii) explain the circumstances under which the gift was given.

17 (4) Gifts of tickets or admissions reported by a regulated lobbyist under
 18 this subsection need not be counted or reported by the regulated lobbyist for purposes
 19 of disclosure under subsection (b)(4) of this section.]

20 [(e)] (D) (1) [(i)] Subject to subsection [(f)] (E) of this section ~~and to the~~
 21 ~~provisions of subparagraph (ii) of this paragraph~~, in addition to any other report
 22 required under this section, a regulated lobbyist shall file, with the report required by
 23 subsection (a) of this section, a report disclosing the name of any State official of the
 24 Executive [or Legislative] Branch or member of the immediate family of a State
 25 official of the Executive [or Legislative] Branch } who has benefited during the
 26 reporting period from gifts of meals or beverages, whether or not in connection with
 27 lobbying activities, allowed under § 15-505(c)(2)(i) of this title from the regulated
 28 lobbyist.

29 [(ii)] The name of a member of the General Assembly or member of
 30 the immediate family of a member of the General Assembly shall be disclosed under
 31 subparagraph (i) of this paragraph only if the gift of a meal or beverage to the
 32 individual costs \$15 or more.]

33 (2) Gifts reported by name of recipient under subsection (b)(2)(vii) of this
 34 section and [special events] RECEPTIONS AND TICKETS OR FREE ADMISSION ~~AND~~
 35 ~~TICKETS OR FREE ADMISSION~~ listed under subsection (b)(2)(vi) of this section need
 36 not be allocated for the purposes of disclosure under paragraph (1) of this subsection.

1 (3) The disclosure required by this subsection shall be under oath or
2 affirmation, on a form issued by the Ethics Commission, and shall include:

3 (i) the name and business address of the regulated lobbyist;

4 (ii) the name of each recipient of a gift of a meal or beverages;

5 (iii) the date and value of each gift of a meal or beverages, and the
6 identity of the entity or entities to which the gift is attributable; and

7 (iv) the total cumulative value of gifts of meals or beverages,
8 calculated as to each recipient.

9 (4) The regulated lobbyist may[:

10 (i) declare on the form required under this subsection that a gift of
11 a meal or beverages was given for purposes not related to the regulated lobbyist's
12 lobbying activities; and

13 (ii) explain the circumstances under which the gift of a meal or
14 beverages was given.

15 (5) Gifts of meals or beverages reported by a regulated lobbyist under
16 this subsection need not be counted or reported by the regulated lobbyist for purposes
17 of disclosure under subsection (b)(4) of this section.

18 [(f)] (E) This section does not require the disclosure by a regulated lobbyist of
19 any gift to the regulated lobbyist's immediate family, if the gift is:

20 (1) purely personal and private in nature and not related to the
21 regulated lobbyist's lobbying activities; and

22 (2) from the regulated lobbyist's personal funds and not attributable to
23 any other entity or entities.

24 [(g)] (F) The Ethics Commission may require a regulated lobbyist to file any
25 additional report the Ethics Commission determines to be necessary.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act does not apply to:

27 (1) Employment of a relative of a member of the General Assembly that would
28 be prohibited under § 2-107 of the State Government Article as enacted by this Act, if
29 the employment:

30 (i) was entered into prior to the effective date of this Act; and

31 (ii) immediately prior to the effective date of this Act was in conformance
32 with Advisory Opinion #58 of the Joint Committee on Legislative Ethics.

1 (2) Employment, or other compensated relationship, that would be prohibited
2 under § 15-504 or 15-513 of the State Government Article as enacted by this Act, if
3 the employment or relationship:

4 (i) was entered into prior to the effective date of this Act; and

5 (ii) immediately prior to the effective date of this Act was in conformance
6 with all applicable laws, rules, and other standards of ethical conduct.

7 ~~SECTION 4. AND BE IT FURTHER ENACTED, That, notwithstanding §~~
8 ~~15-602(b)(2) of the State Government Article, as enacted by this Act, a member of the~~
9 ~~General Assembly shall file the financial disclosure statement covering calendar year~~
10 ~~1998 on or before April 30, 1999.~~

11 ~~SECTION 5. AND BE IT FURTHER ENACTED, That this Act is an emergency~~
12 ~~measure, is necessary for the immediate preservation of the public health and safety,~~
13 ~~has been passed by a yea and nay vote supported by three fifths of all the members~~
14 ~~elected to each of the two Houses of the General Assembly, and shall take effect from~~
15 ~~the date it is enacted.~~

16 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take
17 effect October 1, 1999.