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By: **Delegates Campbell and Stocksdale** Introduced and read first time: February 9, 2001 Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 3	Ethics - Prohibition on Acceptance of Gifts by Legislators - Repeal of Exception					
4 H 5 6 7 8 9	FOR the purpose of repealing an exception to the general gift acceptance prohibition that allows legislators to accept food or beverages received at the time and geographic location of a meeting of a legislative organization for which the member's presiding officer has approved the member's attendance at State expense; and generally relating to acceptance of gifts by members of the General Assembly.					
 BY repealing and reenacting, with amendments, Article - State Government Section 15-505(c) Annotated Code of Maryland (1999 Replacement Volume and 2000 Supplement) 						
SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OFMARYLAND, That the Laws of Maryland read as follows:						
17	Article - State Government					
18	15-505.					
19 20	(c) (1) Notwithstanding subsection (b) of this section, an official or employee may accept a gift specified in paragraph (2) of this subsection unless:					
21 22	(i) the gift would tend to impair the impartiality and independent judgment of the official or employee; or					
23	(ii) as to a gift of significant value:					
24	1. the gift would give the appearance of impairing the					

the gift would give the appearance of impairing theimpartiality and independent judgment of the official or employee; or

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	2. the official or employee believes or has reason to believe that the gift is designed to impair the impartiality and independent judgment of the official or employee.					
4 5	(2) Subject to paragraph (1) of this subsection, subsection (b) of this section does not apply to:					
	(i) 1. except for officials of the Legislative Branch, meals or beverages received and consumed by the official or employee in the presence of the donor or sponsoring entity;					
11	 for officials of the Legislative Branch, food or beverages received and consumed by the official in the presence of the donor or sponsoring entity as part of a meal or reception, to which were invited all members of a legislative unit; OR 					
15 16 17	3. for a member of the General Assembly, food or beverages 4 received from a donor or sponsoring entity, other than an individual regulated 5 lobbyist described in § 15-701(a)(1) of this title, during a period when the General 6 Assembly is not in session, at a location that is within a county that contains the 7 member's district, provided that the donor or sponsoring entity is located within a 8 county that contains the member's district; [or					
21	4. for a member of the General Assembly, food or beverages received at the time and geographic location of a meeting of a legislative organization for which the member's presiding officer has approved the member's attendance at State expense;]					
23	(ii) ceremonial gifts or awards of insignificant monetary value;					
24 25	(iii) except for a State official of the Executive or Legislative Branch, unsolicited gifts of nominal value;					
	6 (iv) as to a State official of the Executive or Legislative Branch, 7 unsolicited gifts that are not meals or alcoholic beverages and that do not exceed \$20 8 in cost, from a regulated lobbyist;					
29	(v) trivial gifts of informational value;					
32 33 34 35	(vi) in return for participation on a panel or a speaking engagement at a meeting, reasonable expenses for food, travel, lodging, or scheduled entertainment of the official or employee if the expenses are associated with the meeting, except that, if such expenses for a State official of the Legislative or Executive Branch are to be paid by a regulated lobbyist and are anticipated to exceed \$500, the official shall notify the appropriate advisory body before attending the meeting;					
	(vii) as to a member of the General Assembly, reasonable expenses for food, travel, lodging, or scheduled entertainment to attend a legislative conference that has been approved by the member's presiding officer;					

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		tickets or free admission extended to an elected constitutional oring or conducting the event, as a courtesy or ceremony table, cultural, or political event;				
4 5	(ix) this section by the Ethics Com	a specific gift or class of gifts exempted from subsection (b) of mission upon a written finding that:				
6 7						
8		2.	the gift is purely personal and private in nature;			
9	(x)	a gift fi	rom:			
10 11	marriage; or	1.	an individual related to the official or employee by blood or			
12 13	the official or employee; or	2.	any other individual who is a member of the household of			
14 15	(xi) honoraria.	to the e	xtent provided in subsection (d) of this section,			
16	16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect					

17 October 1, 2001.

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