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By: **Delegate Sophocleus**

Introduced and read first time: February 20, 2003

Assigned to: Rules and Executive Nominations

Re-referred to: Environmental Matters, February 27, 2003

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Committee Report: Favorable

House action: Adopted

Read second time: March 21, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Ethics Law - Executive Units - Offices of Sheriff and State's Attorney**

3 FOR the purpose of altering the definition of "executive unit" in the Ethics Law to  
4 include employees of the office of sheriff or State's Attorney in a county or  
5 Baltimore City; providing an exception to the required filing of a financial  
6 disclosure statement for certain employees of those offices; and generally  
7 relating to the application of public ethics laws to the offices of sheriffs and  
8 State's Attorneys.

9 BY repealing and reenacting, without amendments,  
10 Article - State Government  
11 Section 15-102(g)  
12 Annotated Code of Maryland  
13 (1999 Replacement Volume and 2002 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article - State Government  
16 Section 15-102(m) and 15-601  
17 Annotated Code of Maryland  
18 (1999 Replacement Volume and 2002 Supplement)

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

**Article - State Government**

15-102.

(g) (1) "Employee" means an individual who is employed:

(i) by an executive unit;

(ii) by the Legislative Branch; or

(iii) in the Judicial Branch.

(2) "Employee" does not include:

(i) a public official; or

(ii) a State official.

(m) (1) "Executive unit" means a department, agency, commission, board, council, or other body of State government that:

(i) is established by law; and

(ii) is not in the Legislative Branch or the Judicial Branch of State government.

(2) "Executive unit" includes:

(I) a county health department unless the officials and employees of the department are expressly designated as "local officials" in § 15-807 of this title;

(II) THE OFFICE OF THE SHERIFF IN EACH COUNTY; AND

(III) THE OFFICE OF THE STATE'S ATTORNEY IN EACH COUNTY.

15-601.

(a) Except as provided in [subsection (b)] SUBSECTIONS (B) AND (C) of this section, and subject to subsections [(c) and (d)] (D) AND (E) of this section, each official and candidate for office as a State official shall file a statement as specified in §§ 15-602 through 15-608 of this subtitle.

(b) Financial disclosure by a judge of a court under Article IV, § 1 of the Constitution, a candidate for elective office as a judge, or a judicial appointee as defined in Maryland Rule 16-814 is governed by § 15-610 of this subtitle.

(C) THE REQUIREMENT TO FILE A FINANCIAL DISCLOSURE STATEMENT UNDER SUBSECTION (A) OF THIS SECTION DOES NOT APPLY TO:

(1) A DEPUTY SHERIFF AND ALL OTHER EMPLOYEES IN THE OFFICE OF THE SHERIFF IN A COUNTY; AND

1           (2)     A DEPUTY OR ASSISTANT STATE'S ATTORNEY AND ALL OTHER  
2 EMPLOYEES IN THE OFFICE OF THE STATE'S ATTORNEY IN A COUNTY.

3     [(c)]   (D)    (1)     An individual who is a public official only as a member of a  
4 board or who is a member of the Board of Trustees of the Maryland Health Care  
5 Foundation established under § 20-501 of the Health - General Article and who  
6 receives annual compensation that is less than 25% of the lowest annual  
7 compensation at State grade level 16 shall file the statement required by subsection  
8 (a) of this section in accordance with § 15-609 of this subtitle.

9           (2)     A member of the Harford County Liquor Control Board shall file the  
10 statement required by subsection (a) of this section in accordance with § 15-609 of  
11 this subtitle.

12     [(d)]   (E)     A commissioner or an applicant for appointment as commissioner of a  
13 bicounty commission shall file the statement required by subsection (a) of this section  
14 in accordance with Subtitle 8, Part III of this title.

15     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2003.