

Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 681 (Delegate Burns, *et al.*)
Environmental Matters

General Assembly - Ethics Law - Unethical Political Campaign Practices

This bill provides that the Joint Ethics Committee has jurisdiction to act upon a complaint brought against a member of the General Assembly who during the course of a political campaign is alleged to have: (1) made intentionally false statements; or (2) otherwise engaged in unethical political conduct that brings disrepute to the member or to the General Assembly as a whole. If the committee finds that the legislator against whom a complaint has been filed acted unethically in the course of a political campaign, the committee shall make a recommendation to discipline the legislator as provided in State law.

Fiscal Summary

State Effect: The bill would not directly affect State operations or finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The Joint Committee on Legislative Ethics is required to: (1) perform all duties assigned to it by law or by legislative rules; (2) recommend changes or amendments to the rules of legislative ethics; (3) issue advisory opinions; (4) issue guidelines and procedures for implementing ethics rules; and (5) maintain conflict of interest statements filed by members of the General Assembly and other public records. Any rules established or modified by the committee may supplement, but not be

inconsistent with, the provisions of the Public Ethics Law that relate to members of the General Assembly.

The Public Ethics Law generally provides rules regarding conflicts of interest, lobbying, and public disclosure applicable to State officials and employees. The Joint Ethics Committee reviews a complaint that a member has violated the public ethics law, and after a finding may recommend that the General Assembly impose appropriate sanctions. The State Government Article does not specify what sanctions the General Assembly can impose. The Public Ethics Law does not specifically address unethical practices in political campaigns.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Ethics Commission, Department of Legislative Services

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