SENATE BILL 82

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By: Senators Brochin, Della, Grosfeld, and Pinsky

Introduced and read first time: January 16, 2004 Assigned to: Education, Health, and Environment

ASSI	Assigned to: Education, Health, and Environmental Affairs								
	A BILL ENTITLED								
1	AN ACT concerning								
2 3	Ethics - Prohibition on Acceptance of Gifts by Legislators - Repeal of Exception								
4 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.								
10 11 12 13 14	Annotated Code of Maryland								
15 16	5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 6 MARYLAND, 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 25	1. the gift would give the appearance of impairing the impartiality and independent judgment of the official or employee; or								

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	that the gift is designe official or employee.	ed to impa	2. air the im	the official or employee believes or has reason to believe apartiality and independent judgment of the			
4 5	(2) section does not apply		to paragi	aph (1) of this subsection, subsection (b) of this			
	beverages received an donor or sponsoring e		1. ned by th	except for officials of the Legislative Branch, meals or e official or employee in the presence of the			
11				for officials of the Legislative Branch, food or beverages in the presence of the donor or sponsoring which were invited all members of a			
15 16 17	3. for a member of the General Assembly, food or beverages received from a donor or sponsoring entity, other than an individual regulated lobbyist described in § 15-701(a)(1) of this title, during a period when the General Assembly is not in session, at a location that is within a county that contains the member's district, provided that the donor or sponsoring entity is located within a 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)	ceremon	nial gifts or awards of insignificant monetary value;			
24 25	unsolicited gifts of no	(iii) ominal va		or a State official of the Executive or Legislative Branch,			
	unsolicited gifts that in cost, from a regula		eals or a	State official of the Executive or Legislative Branch, lcoholic beverages and that do not exceed \$20			
29		(v)	trivial g	ifts of informational value;			
32 33 34 35	entertainment of the omeeting, except that, Executive Branch are	official or if such extended to be part	nses for for employ xpenses it is to be a re-	ood, travel, lodging, or scheduled ee if the expenses are associated with the for a State official of the Legislative or egulated lobbyist and are anticipated to exceed priate advisory body before attending the			
	for food, travel, lodgi that has been approve		heduled	nember of the General Assembly, reasonable expenses entertainment to attend a legislative conference s presiding officer;			

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			ring or co	or free admission extended to an elected constitutional conducting the event, as a courtesy or ceremony ural, or political event;
4 5	this section by the Eth	(ix) ics Com		ic gift or class of gifts exempted from subsection (b) of upon a written finding that:
6 7	detrimental to the imp	artial cor	1. iduct of a	acceptance of the gift or class of gifts would not be government; and
8			2.	the gift is purely personal and private in nature;
9		(x)	a gift fro	om:
10 11	marriage; or		1.	an individual related to the official or employee by blood or
12 13	the official or employ	ree; or	2.	any other individual who is a member of the household of
14 15	honoraria.	(xi)	to the ex	stent provided in subsection (d) of this section,
16 17	SECTION 2. AN October 1, 2004.	D BE IT	FURTH	ER ENACTED, That this Act shall take effect