

SENATE BILL 82

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HB 816/01 - CGM

2004 Regular Session  
4r0360

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By: **Senators Brochin, Della, Grosfeld, and Pinsky**  
Introduced and read first time: January 16, 2004  
Assigned to: Education, Health, and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Ethics - Prohibition on Acceptance of Gifts by Legislators - Repeal of**  
3                                   **Exception**

4 FOR the purpose of repealing an exception to the general gift acceptance prohibition  
5 that allows legislators to accept food or beverages received at the time and  
6 geographic location of a meeting of a legislative organization for which the  
7 member's presiding officer has approved the member's attendance at State  
8 expense; and generally relating to acceptance of gifts by members of the General  
9 Assembly.

10 BY repealing and reenacting, with amendments,  
11 Article - State Government  
12 Section 15-505(c)  
13 Annotated Code of Maryland  
14 (1999 Replacement Volume and 2003 Supplement)

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

17                                   **Article - State Government**

18 15-505.

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

21 (i) the gift would tend to impair the impartiality and independent  
22 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  
25 impartiality and independent judgment of the official or employee; or



1 (viii) tickets or free admission extended to an elected constitutional  
2 officer from the person sponsoring or conducting the event, as a courtesy or ceremony  
3 to the office, to attend a charitable, cultural, or political event;

4 (ix) a specific gift or class of gifts exempted from subsection (b) of  
5 this section by the Ethics Commission upon a written finding that:

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

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

9 (x) a gift from:

10 1. an individual related to the official or employee by blood or  
11 marriage; or

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

14 (xi) to the extent provided in subsection (d) of this section,  
15 honoraria.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2004.