

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 684

(Delegate Hubbard, *et al.*)

Environmental Matters

Ethics - Members of School Boards and County Superintendents of Education -
Application of Provisions

This bill provides that a member of a county board of education is a State official and a county superintendent of education is a public official for purposes of placing these individuals under the jurisdiction of the State Ethics Commission pursuant to the Public Ethics Law. The bill repeals provisions in the Public Ethics Law that apply the conflict of interest standards, financial disclosure requirements, and lobbying regulations of a school system to a school board member or county superintendent.

Fiscal Summary

State Effect: None. The State Ethics Commission could handle the additional financial disclosure filers within existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The State Ethics Commission administers the Public Ethics Law, which generally provides rules regarding conflicts of interest, lobbying, and public disclosure applicable to State officials and employees. A school board member and a superintendent of a school system are governed under the local government provisions of the Public Ethics Law, which allow a school board to adopt regulations governing

conflict of interest, financial disclosure, and lobbying of school board members, county superintendents, and officials and employees of a school system.

Each county and each municipal corporation must enact provisions to govern the public ethics of local officials relating to conflicts of interest, financial disclosure, and lobbying. School board members and superintendents are covered under these local provisions unless a school board adopts separate regulations.

Background: The State Ethics Commission has jurisdiction over approximately 11,000 individuals who file periodic financial disclosures and solicit advice regarding conflicts and lobbying involvement. There are 153 school board members (excluding 24 student members) and 24 superintendents.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Prince George's County, Garrett County, State Ethics Commission, Maryland Association of Boards of Education, Department of Legislative Services

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