

# HOUSE BILL 209

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HB 763/06 – ENV

71r0533

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By: **Delegates Howard, Benson, Braveboy, Holmes, Niemann, Ross, and Vaughn**

Introduced and read first time: January 26, 2007

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Ethics – Complaints – Copy to Legislator**

3 FOR the purpose of requiring the Joint Ethics Committee to provide a copy of a certain  
4 complaint to the legislator who is the subject of the complaint; requiring the  
5 Joint Ethics Committee to redact the name of the complainant and other  
6 identifying information from a certain complaint; and generally relating to  
7 complaints filed with the Joint Ethics Committee.

8 BY repealing and reenacting, with amendments,  
9 Article – State Government  
10 Section 15–515  
11 Annotated Code of Maryland  
12 (2004 Replacement Volume and 2006 Supplement)

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

15 **Article – State Government**

16 15–515.

17 (a) A complaint alleging that a member of the General Assembly may have  
18 violated standards of ethical conduct, including § 2–108 of this article, may be filed  
19 with the Joint Ethics Committee by:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (1) a written statement from any person, accompanied by an affidavit  
2 setting forth the facts upon which the statement is based;

3           (2) motion of a majority of the membership of the Joint Ethics  
4 Committee; or

5           (3) referral of a matter to the Joint Ethics Committee by a presiding  
6 officer of the General Assembly as provided in § 2-706(a)(5) of this article.

7           (b) (1) (I) The Joint Ethics Committee shall provide a copy of each  
8 complaint filed under subsection (a) of this section to the presiding officer of the house  
9 of the legislator who is the subject of the complaint.

10           [(2)] (II) Based on the information contained in a complaint provided  
11 to a presiding officer under [paragraph (1)] **SUBPARAGRAPH (I)** of this [subsection]  
12 **PARAGRAPH**, if a presiding officer determines that it is inappropriate for a Joint  
13 Ethics Committee member from that house to consider a particular matter, the  
14 presiding officer shall appoint a substitute member of the Joint Ethics Committee for  
15 the purposes of consideration of the matter.

16           (2) (I) **THE JOINT ETHICS COMMITTEE SHALL PROVIDE A**  
17 **COPY OF A COMPLAINT FILED UNDER SUBSECTION (A) OF THIS SECTION TO THE**  
18 **LEGISLATOR WHO IS THE SUBJECT OF THE COMPLAINT.**

19           (II) **PRIOR TO PROVIDING A COPY OF THE COMPLAINT TO**  
20 **THE LEGISLATOR UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE JOINT**  
21 **ETHICS COMMITTEE SHALL REDACT THE NAME OF THE COMPLAINANT AND ANY**  
22 **OTHER INFORMATION THAT IDENTIFIES THE COMPLAINANT.**

23           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
24 October 1, 2007.