

HOUSE BILL 1550

P4, G2

9lr3391

By: **Delegate Vallario**

Introduced and read first time: March 9, 2009

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Ethics - Sheriffs - Educational Activity Outside of Employment Authorized**

3 FOR the purpose of providing that certain prohibitions on employment that apply to
4 officials under the conflicts of interest provisions of the Public Ethics Law do not
5 apply to elected sheriffs who engage in certain educational activities; and
6 generally relating to exceptions for sheriffs from certain employment
7 restrictions on officials under the Public Ethics Law.

8 BY repealing and reenacting, without amendments,
9 Article - State Government
10 Section 15-502(b)
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2008 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article - State Government
15 Section 15-502(c)
16 Annotated Code of Maryland
17 (2004 Replacement Volume and 2008 Supplement)

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

20 **Article - State Government**

21 15-502.

22 (b) Except as provided in subsections (c) and (d) of this section, an official or
23 employee may not:

24 (1) be employed by or have a financial interest in:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) an entity subject to the authority of that official or employee
2 or of the governmental unit with which the official or employee is affiliated; or

3 (ii) an entity that is negotiating or has entered a contract with
4 that governmental unit or an entity that is a subcontractor on a contract with that
5 governmental unit; or

6 (2) hold any other employment relationship if that employment
7 relationship would impair the impartiality and independent judgment of the official or
8 employee.

9 (c) The prohibitions of subsection (b) of this section do not apply:

10 (1) to employment or a financial interest allowed by regulation of the
11 Ethics Commission if:

12 (i) the employment does not create a conflict of interest or the
13 appearance of a conflict of interest; or

14 (ii) the financial interest is disclosed;

15 (2) to a public official who is appointed to a regulatory or licensing
16 unit pursuant to a statutory requirement that entities subject to the jurisdiction of the
17 unit be represented in appointments to it;

18 (3) as allowed by regulations adopted by the Commission, to an
19 employee whose government duties are ministerial, if the private employment or
20 financial interest does not create a conflict of interest or the appearance of a conflict of
21 interest; [or]

22 (4) to a member of a board who holds the employment or financial
23 interest when appointed if the employment or financial interest is publicly disclosed to
24 the appointing authority, the Ethics Commission, and, if applicable, the Senate of
25 Maryland before Senate confirmation; **OR**

26 **(5) TO A SHERIFF, ELECTED UNDER ARTICLE IV, § 44 OF THE**
27 **MARYLAND CONSTITUTION, WHO GIVES A LECTURE, SPEAKS, TEACHES, WRITES,**
28 **OR OTHERWISE PARTICIPATES IN AN EDUCATIONAL ACTIVITY.**

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2009.