

**SB0920/230819/1**

BY: Environmental Matters Committee

AMENDMENTS TO SENATE BILL 920  
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, after “Internet” insert “through an online registration program”; strike beginning with “altering” in line 6 down through “Act;” in line 18 and substitute “providing that a legislator is not required to report certain information under certain circumstances if reporting the information would violate standards of client confidentiality or professional conduct; requiring a legislator to report to the Joint Ethics Committee certain information related to employment and business interests, under certain circumstances; prohibiting the Department of Legislative Services from posting on the Internet certain information reported to the Joint Ethics Committee; requiring the President of the Senate and the Speaker of the House of Delegates to jointly establish a workgroup to perform a certain review of the disclosure requirements of the Maryland Public Ethics Law; providing for the appointment of the workgroup; establishing the duties of the workgroup and requiring the workgroup to submit any recommended legislation to certain committees of the General Assembly on or before a certain date; making certain stylistic changes; providing for the termination of certain provisions of this Act;”; and in line 22, strike “, 15-513(c), 15-602, 15-606, 15-805, and 15-813” and substitute “and 15-513(b) and (c)”.

On page 2, strike in their entirety lines 3 through 7, inclusive; and strike in their entirety lines 13 through 17, inclusive, and substitute:

“Preamble

WHEREAS, The Maryland General Assembly is a part-time legislature and many of its members have outside employment and investments; and

(Over)

WHEREAS, As a result, real or perceived conflicts of interest will inevitably arise for members of the General Assembly; and

WHEREAS, For these reasons, the General Assembly is committed to maximum transparency in dealing with conflicts of interest by establishing for its members stringent requirements for annual financial disclosure and disclosure of conflicts of interest; and

WHEREAS, These important disclosure requirements must be balanced with the vital duty to safeguard personal information that could lead to identity theft or other criminal activity; now, therefore,.”.

AMENDMENT NO. 2

On pages 2 and 3, strike the lines beginning with line 31 on page 2 through line 21 on page 3, inclusive, and substitute:

“(2) As to any other conflict, the disqualification arising under § 15–511 of this subtitle is suspended if a legislator with an apparent or presumed conflict files with the Joint Ethics Committee a sworn statement that describes the circumstances of the apparent or presumed conflict and the legislation or class of legislation to which it relates and asserts the legislator is able to vote and otherwise participate in action relating to the legislation, fairly, objectively, and in the public interest.

(b) (1) Whenever a legislator files a statement for the suspension of the disqualification, the Joint Ethics Committee on its own motion may issue a statement concerning the propriety of the legislator’s participation in the particular legislative action, with reference to the applicable ethical standards of this matter.

(2) The suspension of the disqualification by the filing of the statement is subject to further action by the Joint Ethics Committee if the question of conflict comes before it as to the same circumstances and the same legislator.”.

AMENDMENT NO. 3

On page 4, in lines 7 and 8, strike “BY PROMPTLY POSTING THE INFORMATION”; in line 8, after “INTERNET” insert “THROUGH AN ONLINE REGISTRATION PROGRAM”; in line 17, after “(b)” insert “**(1)**”; in line 20, strike “(1)” and substitute “**(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION,**”; and in lines 26, 28, and 31, strike “(2)”, “(3)”, and “(i)”, respectively, and substitute “**(II)**”, “**(III)**”, and “**1.**”, respectively.

On page 5, in lines 1, 3, 5, 7, and 10, strike “1.”, “2.”, “(ii)”, “(4)”, and “(5)”, respectively, and substitute “**A.**”, “**B.**”, “**2.**”, “**(IV)**”, “**(V)**”, respectively.

AMENDMENT NO. 4

On page 5, after line 11, insert:

**“(VI) ANY PRIMARY EMPLOYMENT OR BUSINESS INTEREST AND THE EMPLOYER OF THE LEGISLATOR OR THE SPOUSE OF THE LEGISLATOR, EXCEPT FOR EMPLOYMENT AS A LEGISLATOR.**

**(2) A LEGISLATOR, ON THE WRITTEN ADVICE OF THE COUNSEL TO THE JOINT ETHICS COMMITTEE, IS NOT REQUIRED TO REPORT ANY INFORMATION UNDER THIS PARAGRAPH IF REPORTING THE INFORMATION WOULD VIOLATE STANDARDS OF CLIENT CONFIDENTIALITY OR PROFESSIONAL CONDUCT.**

in line 20, after “(D)” insert “**(1)**”; in lines 21, 22, and 24, strike “(1)”, “(2)”, and “(3)”, respectively, and substitute “**(I)**”, “**(II)**”, and “**(III)**”, respectively; in line 24, after “2013,” insert “**AND EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**”; in lines 25 and 26, strike “BY PROMPTLY POSTING THE INFORMATION”; in line 26, after “INTERNET” insert “THROUGH AN ONLINE REGISTRATION PROGRAM”; and after line 26, insert:

(Over)

**“(2) THE DEPARTMENT OF LEGISLATIVE SERVICES MAY NOT POST ON THE INTERNET INFORMATION RELATED TO CONSIDERATION RECEIVED THAT IS REPORTED UNDER SUBSECTION (B) OF THIS SECTION.”**

AMENDMENT NO. 5

On pages 5 through 12, strike in their entirety the lines beginning with line 27 on page 5 through line 2 on page 12, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The President of the Senate of Maryland and the Speaker of the Maryland House of Delegates jointly shall establish a workgroup during the 2012 interim to perform a comprehensive and coordinated review of the disclosure requirements of the Maryland Public Ethics Law as it applies to State and local governments.

(b) The President and the Speaker may appoint to the workgroup in their discretion:

- (1) members of the General Assembly;
- (2) representatives of the Maryland State Ethics Commission;
- (3) representatives of State, county, and municipal governments;
- (4) representatives of private sector agencies that promote and encourage government accountability;
- (5) representatives of public sector employees’ unions; and
- (6) any other interested party.

(c) The workgroup shall:

(1) review current methods used to provide access to public ethics disclosures and consider any alternative methods that could be made available to citizens and interested parties to more easily access public ethics disclosures;

(2) consider options for verifiable notification of electronic or postal access into a public ethics disclosure to be made to the person who is the subject of the inquiry;

(3) consider the feasibility and desirability of requiring different levels of public ethics disclosure for different categories of persons based on the person's position of authority and policy making duties;

(4) review the information that is currently required to be disclosed and determine:

(i) additional information that should be required to be disclosed; and

(ii) information that is currently disclosed that no longer needs to be disclosed;

(5) consider the implications of current and any proposed disclosure requirements under the Maryland Public Ethics Law on counties and municipal corporations;

(6) review the composition, duties, and procedures of the Joint Ethics Committee;

(Over)

(7) review any other aspect of the disclosure requirements under the Maryland Public Ethics Law; and

(8) on or before December 31, 2012, submit, in accordance with § 2-1246 of the State Government Article, any recommended legislation for the 2013 regular session to the Senate Education, Health, and Environmental Affairs Committee and the House Environmental Matters Committee.”.

AMENDMENT NO. 6

On page 12, in line 3, strike “2.” and substitute “3.”; and in line 4, strike “October 1, 2012” and substitute “June 1, 2012. Section 2 of this Act shall remain effective for a period of 1 year and, at the end of May 31, 2013, with no further action required by the General Assembly, Section 2 of this Act shall be abrogated and of no further force and effect”.