

# SENATE BILL 951

P5, G2

2lr3192

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By: **Senator Dyson**

Introduced and read first time: February 13, 2012

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly – Ethics Counseling**

3 FOR the purpose of requiring the Counsel to the Joint Committee on Legislative  
4 Ethics to provide to each presiding officer of the General Assembly, at the end of  
5 each calendar year, a certain list of legislators with whom the Counsel has met  
6 for certain advisory purposes; and generally relating to the duties of the  
7 Counsel to the Joint Committee on Legislative Ethics.

8 BY repealing and reenacting, with amendments,  
9 Article – State Government  
10 Section 2–709  
11 Annotated Code of Maryland  
12 (2009 Replacement Volume and 2011 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 2–709.

17 (a) The Executive Director of the Department of Legislative Services, subject  
18 to the approval of the President and Speaker, shall appoint an attorney to serve as  
19 Counsel to the Committee.

20 (b) The Counsel:

21 (1) shall devote full time to the duties of the Committee, but may not  
22 participate in any investigatory or prosecutorial function;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2)     may provide information to any person regarding laws, rules, and  
2 other standards of ethical conduct applicable to members of the General Assembly;

3           (3)     shall carry out any duties prescribed under Title 15, Subtitle 5 of  
4 this article;

5           (4)     shall meet individually with each member of the General Assembly  
6 each year to:

7                   (i)     advise the member regarding the requirements of any  
8 applicable ethics law, rule, or standard of conduct; and

9                   (ii)    assist the member in preparing statements and reports  
10 required to be filed with the Committee under Title 15, Subtitle 5, Part II of this  
11 article; [and]

12                   **(5)     AT THE END OF EACH CALENDAR YEAR, SHALL PROVIDE TO**  
13 **THE PRESIDENT AND THE SPEAKER A LIST OF THE NAMES OF MEMBERS FROM**  
14 **THE PRESIDING OFFICER'S RESPECTIVE CHAMBER WHO HAVE MET WITH THE**  
15 **COUNSEL IN ACCORDANCE WITH ITEM (4) OF THIS SUBSECTION DURING THE**  
16 **YEAR; AND**

17           **[(5)] (6)**     shall conduct seminars, workshops, and briefings for the  
18 benefit of members of the General Assembly, as directed by the Committee, the  
19 President, or the Speaker.

20           (c)     The assistance of the Counsel to members of the General Assembly:

21                   (1)     is subject to the attorney client privilege, as set forth in § 9–108 of  
22 the Courts Article;

23                   (2)     is subject to confidentiality under § 15–516 of this article; and

24                   (3)     is intended as a service to the members and may not be deemed to  
25 diminish a member's personal responsibility for adherence to applicable laws, rules,  
26 and standards of ethical conduct.

27           (d)     The Committee shall have other staff assistance as requested by the  
28 Committee and as provided in the budget of the General Assembly.

29           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2012.