

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 438 (Senators Brinkley and Young)
Education, Health, and Environmental Affairs

Ethics - Former Local Government Officials and Employees

This bill requires that county and municipal corporation ethics laws concerning conflicts of interest allow a former official or former employee, after one year from the date of leaving government office or employment, to assist or represent a party, for compensation, in a case, contract, or any other specific matter in which the individual participated significantly as an official or employee.

Fiscal Summary

State Effect: None.

Local Effect: None. The bill does not directly affect local government finances.

Small Business Effect: None.

Analysis

Current Law: Under the Maryland Public Ethics Law, counties and municipal corporations are required to enact ethics laws relating to conflicts of interest, financial disclosure, and lobbying. Conflict of interest provisions enacted by a county or municipal corporation must be similar to State provisions, though provisions applicable to local elected officials must be equivalent to or exceed State requirements. In both cases, the provisions may be modified to the extent necessary to make the provisions relevant to the prevention of conflicts of interest in the jurisdiction.

Under State provisions concerning conflicts of interest, a former official or employee, other than a former member of the General Assembly, may not assist or represent a party,

other than the State, in a case, contract, or other specific matter for compensation if the matter involves State government and the former official or employee participated significantly in the matter as an official or employee. A former member of the General Assembly may not assist or represent another party other than a municipal corporation, county, or State governmental entity, for compensation in a matter that is the subject of legislative action until the conclusion of the next regular session that begins after the member leaves office.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Ethics Commission; Baltimore, Garrett, Howard, and Montgomery counties; Town of Bladensburg; Department of Legislative Services

Fiscal Note History: First Reader - March 6, 2012
mlm/kdm

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