

**Department of Legislative Services**  
Maryland General Assembly  
2016 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

Senate Bill 395

(Senator Conway)

Education, Health, and Environmental Affairs

Environment and Transportation

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**Ethics - Local Government - Conflict of Interest and Financial Disclosure**

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This bill clarifies that specified public ethics requirements adopted or modified by a county, municipality, or local school board must be made in accordance with regulations adopted by the State Ethics Commission and consistent with the intent of the Public Ethics Law.

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**Fiscal Summary**

**State Effect:** None. The bill clarifies existing practice.

**Local Effect:** None. The bill clarifies existing practice.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** The Maryland Public Ethics Law requires each county, municipality, and local school board to enact provisions governing the public ethics of local officials related to conflicts of interest, financial disclosure, and lobbying. Chapter 277 of 2010 requires that the ethics laws of a county, municipality, or school board must be similar to or substantively similar to the State Public Ethics Law, but may be more stringent based on local circumstances where more stringent provisions are necessary to prevent conflicts of interest. Chapter 277 also specifies that the financial disclosure laws of a county, municipality, or school board must equal or exceed the requirements of the State Public Ethics Law and may be modified if necessary to make the provisions relevant to the prevention of conflicts of interest in the jurisdiction.

To assist local governments in developing ethics regulations, the State Ethics Commission is required to adopt, by regulation, model provisions for local governments that relate to conflicts of interest, financial disclosure, and regulation of lobbying. These model provisions may be adopted by or imposed upon a local jurisdiction. If the State Ethics Commission determines that a local jurisdiction has not complied with the requirements of the State Public Ethics Law, the commission may petition a circuit court to compel compliance.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Association of Counties, Montgomery and Prince George's counties, Baltimore City, cities of Bowie and Takoma Park, State Ethics Commission, Maryland State Department of Education, Department of Legislative Services

**Fiscal Note History:** First Reader - February 24, 2016  
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