

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 993

(Anne Arundel County Delegation)(By Request - County Executive)

Environment and Transportation

Education, Health, and Environmental Affairs

Anne Arundel County – Ethics – Contributions and Participation in
Development Applications

This bill authorizes the County Council of Anne Arundel County to enact specified laws relating to (1) campaign contributions made to, or for the benefit of, a member of the county council, the county executive, or a candidate for those offices, by an individual or business entity involved with a specified zoning- or land use-related legislative action and (2) participation by a member of the county council or the county executive in such a legislative action if the member or county executive accepts or has accepted (including as a candidate) such a contribution. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: None.

Local Effect: None. To the extent a local law (or laws) is enacted, implementation is expected to be handled with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: The bill authorizes the County Council of Anne Arundel County to enact a local law to regulate the participation of a member of the county council or the county executive in any legislative action relevant to a zoning change or amendment, or to a land use application that is before the Office of Planning and Zoning or the Department of Inspections and Permits, if the member of the county council or the county executive

accepts or has accepted, or as a candidate accepted, a campaign contribution from an individual or a business entity involved with the action or application.

The county council may also enact a local law to prohibit or otherwise regulate campaign contributions made to, or for the benefit of, a member of the county council, the county executive, or a candidate for election to the county council or county executive by an individual or business entity involved with a legislative action relevant to a zoning change or amendment, or to a land use application that is before the Office of Planning and Zoning or the Department of Inspections and Permits.

If the county council enacts such a local law (or laws), the Anne Arundel County Ethics Commission must administer and implement the provisions of the law (or laws).

The bill specifies in the Election Law Article that the bill's provisions may apply to contributions to the County Executive of Anne Arundel County, a member of the Anne Arundel County Council, or a candidate for election to those offices.

Current Law: Provisions under the Maryland Public Ethics Law (to which the bill's provisions are added) address political contributions in relation to certain land use decisions or approvals in Prince George's, Frederick, Howard, and Montgomery counties, to varying extents. Subject to variation in the detail and breadth of the laws, in general, (1) the Prince George's County provisions prohibit contributions during the pendency of an application and prohibit a county council member from participating in a proceeding on an application if contributions were received prior to or during the pendency of the application; (2) the Frederick County provisions prohibit contributions during the pendency of an application and prohibit a member of the county governing body from participating in the proceedings on an application if a contribution was received during the pendency of the application; and (3) the Howard and Montgomery County provisions require disclosure of contributions made prior to and during the pendency of an application.

Additional Information

Prior Introductions: None.

Cross File: SB 710 (Anne Arundel County Senators)(By Request - County Executive) - Education, Health, and Environmental Affairs.

Information Source(s): Anne Arundel County; State Ethics Commission; Department of Legislative Services

Fiscal Note History: First Reader - February 20, 2019
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