

HOUSE BILL 159

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By: **Chair, Environment and Transportation Committee (By Request –
Departmental – State Ethics Commission)**

Introduced and read first time: January 15, 2020

Assigned to: Environment and Transportation

Committee Report: Favorable

House action: Adopted

Read second time: February 18, 2020

CHAPTER _____

1 AN ACT concerning

2 **State Ethics Commission – Determination of Public Official in an Executive**
3 **Unit – Information From Units of State Government**

4 FOR the purpose of requiring certain entities to provide certain information to the State
5 Ethics Commission in a certain manner for the Ethics Commission to make a certain
6 determination; and generally relating to public ethics and public official
7 determinations.

8 BY repealing and reenacting, with amendments,
9 Article – General Provisions
10 Section 5–208
11 Annotated Code of Maryland
12 (2014 Volume and 2019 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article – General Provisions**

16 5–208.

17 (a) With advice from the Secretary of Budget and Management and in accordance
18 with § 5–103 of this title, the Ethics Commission shall determine whether an individual in
19 an executive unit is a public official for the purposes of this title.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (b) The Secretary of Budget and Management shall provide advice under
2 subsection (a) of this section to the Ethics Commission:

3 (1) annually; and

4 (2) at any other time on request of the Ethics Commission.

5 (c) **ON REQUEST OF THE ETHICS COMMISSION, THE FOLLOWING ENTITIES**
6 **SHALL PROVIDE TO THE ETHICS COMMISSION IN A TIMELY MANNER ANY**
7 **INFORMATION NECESSARY FOR THE ETHICS COMMISSION TO MAKE A**
8 **DETERMINATION UNDER SUBSECTION (A) OF THIS SECTION:**

9 (1) **THE SECRETARY OF A PRINCIPAL DEPARTMENT IN THE**
10 **EXECUTIVE BRANCH;**

11 (2) **THE PRESIDENT OF A PUBLIC SENIOR HIGHER EDUCATION**
12 **INSTITUTION, AS DEFINED IN § 10-101 OF THE EDUCATION ARTICLE; AND**

13 (3) **A UNIT OF STATE GOVERNMENT.**

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2020.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.