

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 397 (Delegate D. Barnes, *et al.*)
Environment and Transportation

Public Ethics - Legislative Unit - Definition

This bill expands the definition of “legislative unit” as it applies to the Maryland Public Ethics Law to include a caucus of members of the General Assembly that is officially recognized by a Presiding Officer of the General Assembly. Accordingly, the expanded definition applies to an existing provision authorizing the acceptance of food and beverages at meals and receptions to which an entire legislative unit has been invited.

Fiscal Summary

State Effect: The bill’s changes can be handled with existing budgeted resources. No effect on revenues.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: “Legislative unit,” as defined under the Maryland Public Ethics Law, means (1) the General Assembly; (2) either house of the General Assembly; (3) a standing committee; or (4) a county or regional delegation that is recognized by a presiding officer.

With specified exceptions, a member of the General Assembly may not knowingly accept a gift if the member knows or has reason to know that the gift is from:

- a regulated lobbyist;

- a person doing business or seeking to do business with the General Assembly; or
- a person who has a specific financial interest that may be affected, in a manner distinguishable from the general public, by an action of the General Assembly.

A legislator may accept food or beverages received and consumed in the presence of the donor or sponsoring entity as part of a meal or reception to which all members of a legislative unit have been invited. A legislator need not disclose such gifts in annual financial disclosure statements, and the sponsor of the event need not name individual attendees in lobbying activity reports.

Officially recognized caucuses include the Legislative Black Caucus of Maryland, Women Legislators of Maryland, Maryland Legislative Latino Caucus, and Maryland Legislative Asian American and Pacific Islander Caucus. Caucus membership is voluntary and is not an assignment or otherwise required.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 803 (Senator Ellis, *et al.*) - Education, Health, and Environmental Affairs.

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

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