

SENATE BILL 570

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2lr1897

By: **Senator Lam**

Introduced and read first time: February 2, 2022

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Ethics – Former Secretary, Deputy Secretary, or Assistant Secretary of a**
3 **Principal Department – Employment Restrictions**

4 FOR the purpose of prohibiting a certain former official of a principal department in the
5 Executive Branch from representing or assisting certain entities on certain matters
6 after leaving State service; and generally relating to public ethics and restrictions on
7 former officials.

8 BY repealing and reenacting, with amendments,
9 Article – General Provisions
10 Section 5–504(d)
11 Annotated Code of Maryland
12 (2019 Replacement Volume and 2021 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 5–504.

17 (d) (1) Except for a former member of the General Assembly, who shall be
18 subject to the restrictions provided under paragraph (2) of this subsection, a former official
19 or employee may not assist or represent a party, other than the State, in a case, a contract,
20 or any other specific matter for compensation if:

21 (i) the matter involves State government; and

22 (ii) the former official or employee participated significantly in the
23 matter as an official or employee.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) (i) In this paragraph, “legislative action” does not include testimony
2 or other advocacy in an official capacity as a member of the General Assembly before a unit
3 of State or local government.

4 (ii) Except as provided in subparagraph (iii) of this paragraph:

5 1. [a former member of the General Assembly may not assist
6 or represent another party for compensation in a matter that is the subject of legislative
7 action for 1 calendar year from the date the member leaves office; and

8 2. a former Governor, Lieutenant Governor, Attorney
9 General, Comptroller, State Treasurer, or secretary of a principal department of the
10 Executive Branch] **THE FOLLOWING FORMER OFFICIALS** may not assist or represent
11 another party for compensation in a matter that is the subject of legislative action for 1
12 calendar year from the date the official leaves State office:

13 **A. A MEMBER OF THE GENERAL ASSEMBLY;**

14 **B. A GOVERNOR;**

15 **C. A LIEUTENANT GOVERNOR;**

16 **D. AN ATTORNEY GENERAL;**

17 **E. A STATE TREASURER;**

18 **F. A SECRETARY, A DEPUTY SECRETARY, OR AN**
19 **ASSISTANT SECRETARY OF A PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH;**
20 **OR**

21 **G. A COMPTROLLER; AND**

22 **2. A FORMER SECRETARY, DEPUTY SECRETARY, OR**
23 **ASSISTANT SECRETARY OF A PRINCIPAL DEPARTMENT OF THE EXECUTIVE BRANCH**
24 **MAY NOT ASSIST OR REPRESENT ANOTHER PERSON FOR COMPENSATION IF, WITHIN**
25 **1 YEAR BEFORE THE OFFICIAL LEAVES OFFICE, THE PERSON WAS A PARTY TO ONE**
26 **OR A COMBINATION OF SALES, PURCHASES, LEASES, OR CONTRACTS TO, FROM, OR**
27 **WITH THE STATE, OR ANY UNIT OF THE STATE, INVOLVING CONSIDERATION OF**
28 **\$5,000 OR MORE ON A CUMULATIVE BASIS DURING THE CALENDAR YEAR,**
29 **REGARDLESS OF WHEN THE CONSIDERATION IS TO BE PAID.**

30 (iii) The limitation under subparagraph (ii) of this paragraph on
31 representation by a former member of the General Assembly, Governor, Lieutenant
32 Governor, Attorney General, Comptroller, State Treasurer, or secretary of a principal

1 department of the Executive Branch does not apply to representation of a municipal
2 corporation, county, or State governmental entity.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2022.