

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 1059

(Prince George's County Delegation and Montgomery
County Delegation)

Environment and Transportation

Education, Health, and Environmental Affairs

Bicounty Commissions - Ethics - Certification of Compliance
PG/MC 103-22

This bill requires each bicounty commission to annually certify with the State Ethics Commission (SEC) that it is in compliance with specified requirements of the Maryland Public Ethics Law relating to the regulation of conflicts of interest of employees, financial disclosure by employees, and lobbying of the bicounty commission. The bill also specifies that a bicounty commission may modify its lobbying regulations to the extent necessary to make the regulations relevant to the bicounty commission.

Fiscal Summary

State Effect: SEC can administer the bill's changes with existing budgeted resources. Revenues are not affected.

Local Effect: Bicounty commissions can comply with the bill's requirements with existing budgeted resources. Revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: The Maryland Public Ethics Law requires each bicounty commission (the Maryland-National Capital Park and Planning Commission, the Washington Suburban Sanitary Commission, and the Washington Suburban Transit Commission) to adopt, in accordance with specified standards, regulations relating to conflicts of interest of its

employees, financial disclosure by its employees, and lobbying of the bicounty commission. Each bicounty commission must submit a copy of these regulations to SEC.

The lobbying regulations adopted by a bicounty commission must, at minimum, be similar to Title 5, Subtitle 7 of the General Provisions Article (“Lobbying”), which governs the regulation of lobbying at the State level. (*Under the bill*, these regulations may be modified to the extent necessary to make the regulations relevant to the bicounty commission.) Regulations governing financial disclosure by employees of a bicounty commission must be “substantially similar” to State financial disclosure provisions. With respect to regulations governing conflicts of interest, the law specifies that, at minimum, the conflict of interest standards applicable to State public officials must apply to the employees of each bicounty commission.

Each bicounty commission must prepare and submit to the governing body of each county in which the bicounty commission operates specified annual reports relating to the regulation of conflicts of interest and lobbying. These annual reports must also be posted on the bicounty commission’s website.

(*Under the bill*, each bicounty commission must certify with SEC its compliance with the requirements discussed above.)

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Montgomery and Prince George’s counties; Maryland-National Capital Park and Planning Commission; Washington Suburban Sanitary Commission; Washington Suburban Transit Commission; State Ethics Commission; Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2022
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Analysis by: Elizabeth J. Allison

Direct Inquiries to:
(410) 946-5510
(301) 970-5510