SENATE BILL 312

P3, G2 4lr1008 SB 753/23 - EEE

By: Senator Folden

Introduced and read first time: January 11, 2024 Assigned to: Education, Energy, and the Environment

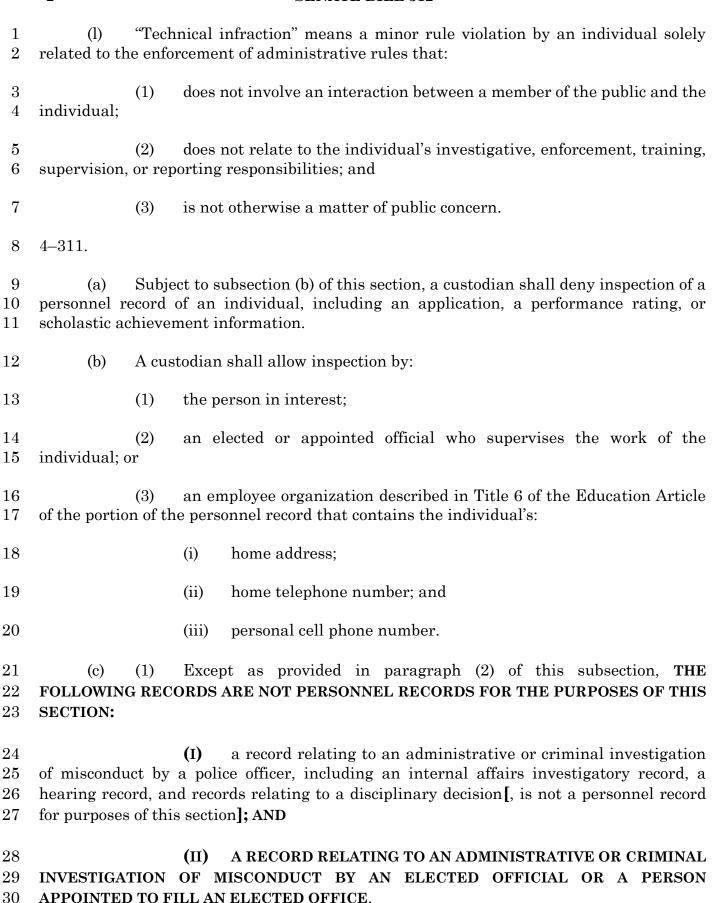
A BILL ENTITLED

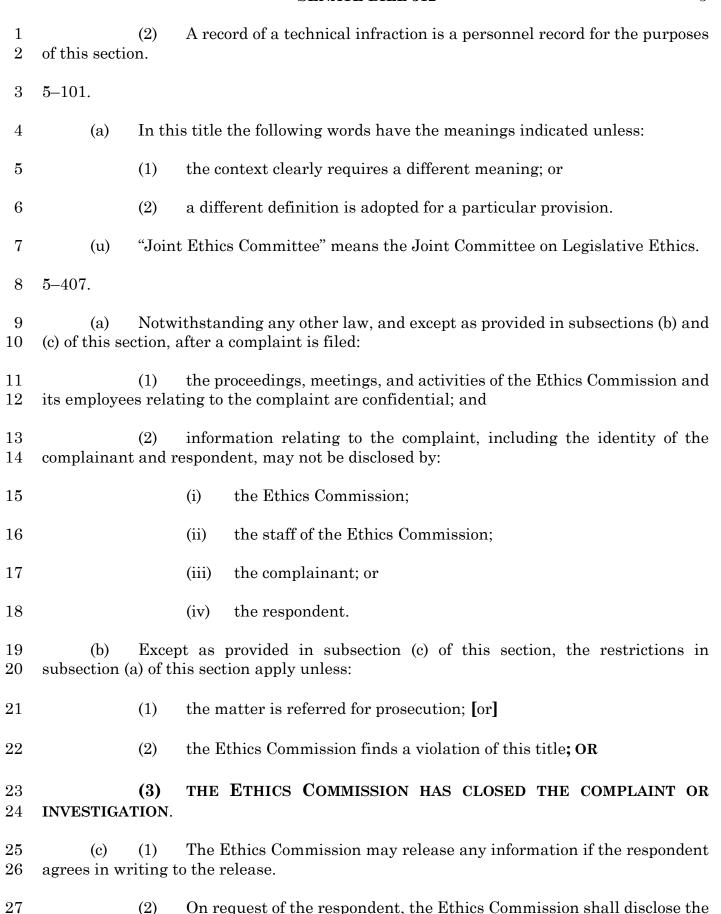
1	AN ACT concerning	
2 3	Public Information Act – Personnel Records of Elected Officials and Joint Ethics Committee Records	
4	FOR the purpose of establishing that certain records of elected officials are not personnel	
5	records for the purposes of inspection under the Public Information Act; establishing	
6	that certain records of the State Ethics Commission and Joint Committee on	
7	Legislative Ethics are available for public inspection under certain circumstances;	
8	and generally relating to inspection of records of elected officials.	
9	BY repealing and reenacting, without amendments,	
10	Article – General Provisions	
11	Section 4–101(a) and (l) and 5–101(a) and (u)	
12	Annotated Code of Maryland	
13	(2019 Replacement Volume and 2023 Supplement)	
14	BY repealing and reenacting, with amendments,	
15	1 0	
16	6 Section 4–311, 5–407, and 5–517	
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18	(2019 Replacement Volume and 2023 Supplement)	
19	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,	
20	That the Laws of Maryland read as follows:	
21	Article – General Provisions	
22	4–101.	
23	(a) In this title the following words have the meanings indicated.	

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.







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identity of the complainant to the respondent.

- 2 (a) Except as provided in subsections (b) and (c) of this section, any matter before 3 the Joint Ethics Committee, including information relating to any complaint, proceeding,
- 4 or record of the Joint Ethics Committee, shall remain confidential.
- 5 (b) Public access and inspection of an activity or a record of the Joint Ethics 6 Committee shall be available for:
- 7 (1) a disclosure or disclaimer of a conflict of interest form filed with the 8 Joint Ethics Committee;
- 9 (2) a portion of a meeting in which a disclosure or disclaimer form is 10 reviewed by the Joint Ethics Committee;
- 11 (3) information relating to a complaint, proceeding, or record of the Joint 12 Ethics Committee involving a member of the General Assembly:
- 13 (I) if consent to public access and inspection is granted by:
- 14 [(i)] 1. the member involved in the matter; or
- 15 **[**(ii)**] 2.** a three–fourths vote of the full membership of the Joint 16 Ethics Committee, based on criteria established by rule; **OR**
- 17 (II) IF THE JOINT ETHICS COMMITTEE HAS CLOSED THE 18 COMPLAINT OR INVESTIGATION THAT IS THE SUBJECT OF THE RECORD;
- 19 (4) a rule or broadly applicable opinion issued by the Joint Ethics 20 Committee; or
- 21 (5) any matter or record that is otherwise available for public access or 22 inspection as specifically authorized under this subtitle.
- (c) (1) The Joint Ethics Committee shall provide a copy of a complaint alleging a violation of the antiharassment policy and procedures and a notice of the Joint Ethics Committee's action to the Human Resources Manager of the Department of Legislative Services.
- 27 (2) For information received under paragraph (1) of this subsection, the 28 Human Resources Manager shall be subject to the confidentiality restrictions of subsections 29 (a) and (b) of this section.
- 30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 31 October 1, 2024.