G2 5lr1235 CF SB 723

By: Delegates Korman and Boyce, Boyce, Allen, Behler, Foley, Guyton, Holmes, Lehman, R. Lewis, J. Long, Ruth, Stein, Stewart, Terrasa, and Ziegler

Introduced and read first time: January 31, 2025 Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 27, 2025

CHAPTER	

1 AN ACT concerning

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Public Ethics - Conflicts of Interest and Blind Trust - Governor

- FOR the purpose of requiring the Governor within a certain period of time to place certain interests into a certain certified blind trust or divest of certain interests; requiring the Governor to enter into a nonparticipation agreement with the State Ethics Commission for any interests not included in a blind trust; requiring a business entity that seeks to obtain a State grant, competitive award, or contract to report to the Ethics Commission any interest held in the business entity by the Governor or a restricted individual; requiring the Governor—elect to consult with the Ethics Commission to begin the process of establishing a certified blind trust or divest of certain interests; and generally relating to conflicts of interest and blind trusts.
- 12 BY repealing and reenacting, without amendments,
- 13 Article General Provisions
- 14 Section 5–101(a), 5–501, and 5–502(b) and (c)
- 15 Annotated Code of Maryland
- 16 (2019 Replacement Volume and 2024 Supplement)
- 17 BY repealing and reenacting, with amendments,
- 18 Article General Provisions
- 19 Section 5–101(t), 5–301, 5–303, and 5–903
- 20 Annotated Code of Maryland
- 21 (2019 Replacement Volume and 2024 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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



1 2 3 4 5	BY adding to Article – General Provisions Section 5–501.1 Annotated Code of Maryland (2019 Replacement Volume and 2024 Supplement)
6 7 8 9 10	BY repealing and reenacting, without amendments, Article – State Finance and Procurement Section 13–101(a) and (c) and 17–501 Annotated Code of Maryland (2021 Replacement Volume and 2024 Supplement)
11 12 13 14 15 16	BY repealing and reenacting, with amendments, Article – State Finance and Procurement The subtitle designation "Subtitle 5. eMaryland Marketplace" immediately preceding Section 17–501 Annotated Code of Maryland (2021 Replacement Volume and 2024 Supplement)
17 18 19 20 21	BY adding to Article – State Finance and Procurement Section 17–503 Annotated Code of Maryland (2021 Replacement Volume and 2024 Supplement)
22 23 24 25 26	BY repealing and reenacting, with amendments, Article – State Government Section 3–204 Annotated Code of Maryland (2021 Replacement Volume and 2024 Supplement) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
28	That the Laws of Maryland read as follows: Article – General Provisions
2930	5–101.
31	(a) In this title the following words have the meanings indicated unless:
32	(1) the context clearly requires a different meaning; or
33	(2) a different definition is adopted for a particular provision.
34 35 36	(t) (1) "Interest" means a legal or equitable economic interest that is owned or held wholly or partly, jointly or severally, or directly or indirectly, whether or not the economic interest is subject to an encumbrance or condition.

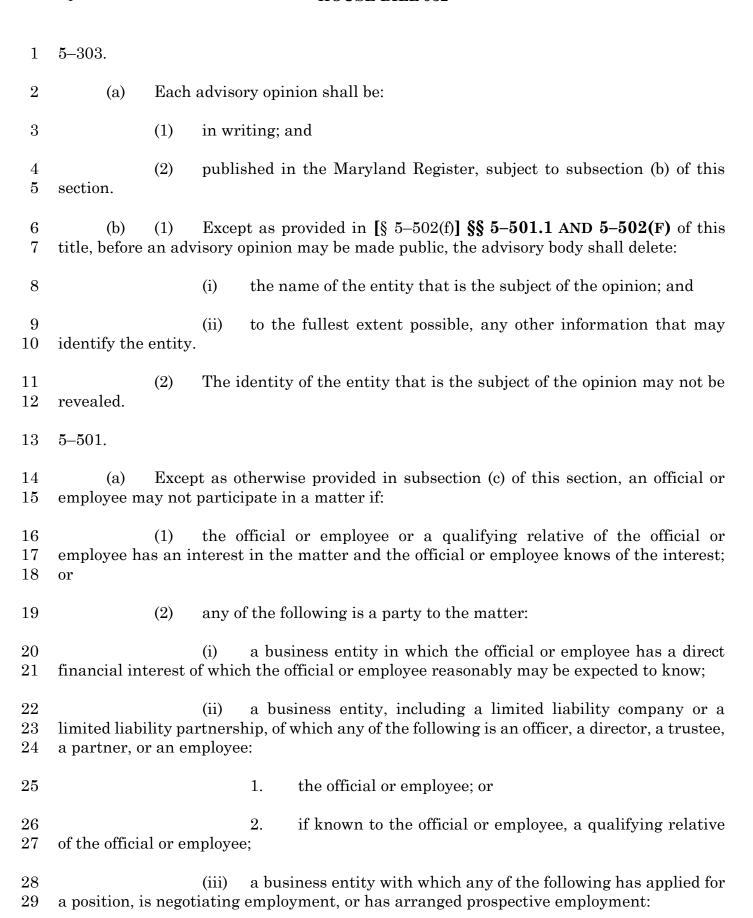
1	(2) "Interest" does not include:
2 3 4	(i) an interest held in the capacity of agent, custodian, fiduciary, personal representative, or trustee, unless the holder has an equitable interest in the subject matter;
5	(ii) an interest in a time or demand deposit in a financial institution;
6 7 8	(iii) an interest in an insurance policy, endowment policy, or annuity contract under which an insurer promises to pay a fixed amount of money in a lump sum or periodically for life or a specified period;
9 10	(iv) a common trust fund or a trust that forms part of a pension or a profit—sharing plan that:
11	1. has more than 25 participants; and
12 13 14	2. is determined by the Internal Revenue Service to be a qualified trust under the Internal Revenue Code or a qualified tuition plan established pursuant to Section 529 of the Internal Revenue Code; [or]
15 16 17 18	(v) a mutual fund or exchange—traded fund that is publicly traded on a national scale unless the mutual fund or exchange—traded fund is composed primarily of holdings of stocks and interests in a specific sector or area that is regulated by the individual's governmental unit; OR
19 20 21	(VI) FOR § 5–501.1 OF THIS TITLE, ANY RESIDENCE OF THE GOVERNOR FROM WHICH NO INCOME WAS DERIVED IN THE IMMEDIATELY PRECEDING YEAR.
22	5–301.
23 24 25	(a) (1) Subject to subsection (b) of this section, on written request of an entity subject to this title, the appropriate advisory body shall issue an advisory opinion regarding the application of this title.
26 27	(2) On written request of any other entity, the appropriate advisory body may issue an advisory opinion.
28 29	(b) (1) The appropriate advisory body may issue informal advice instead of an advisory opinion.
30	(2) Except as provided in [§ 5–502(f)] §§ 5–501.1 AND 5–502(F) of this

title, information related to informal advice provided under this subsection shall remain

confidential and is not subject to the requirements of § 5–303 of this subtitle.

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1		1.	the official or employee; or
2	of the official or employee	2. e;	if known to the official or employee, a qualifying relative
4 5 6	(iv) between the private into business entity that is a p	erest a	contract reasonably could be expected to result in a conflict nd the official State duties of the official or employee, a o a contract with:
7		1.	the official or employee; or
8 9	of the official or employee	2. e;	if known to the official or employee, a qualifying relative
10 11 12		y the c	iness entity, either engaged in a transaction with the State official's or employee's governmental unit, in which a direct nother business entity if the official or employee:
13 14	and	1.	has a direct financial interest in the other business entity;
15 16	interests; or	2.	reasonably may be expected to know of both financial
17	(vi)	a bus	iness entity that:
18 19 20	the official or employee, or to a thing of economic val		the official or employee knows is a creditor or an obligee of qualifying relative of the official or employee, with respect d
21 22	and substantially the inte	2. erest o	as a creditor or an obligee, is in a position to affect directly f the official, employee, or qualifying relative.
23 24 25	only as a member of a bo	ard an	tion does not apply to an individual who is a public official d who receives annual compensation that is less than 25% ion at State grade level 16.
26 27 28 29 30	under this title as a publ other specific matter as a registration of the forme	ic offic public r regu	egulated lobbyist who is or becomes subject to regulation rial or employee may not participate in a case, contract, or cofficial or employee for 1 year after the termination of the lated lobbyist if the former regulated lobbyist previously party for compensation in the matter.
31 32	(b) (1) The participation is allowed:	prohib	itions of subsection (a) of this section do not apply if

$\frac{1}{2}$	Commission, by re	(i) gulatio	as to officials and employees subject to the authority of the Ethics on of the Ethics Commission;
3		(ii)	by the opinion of an advisory body; or
4		(iii)	by another provision of this subtitle.
5 6 7		he exe	section does not prohibit participation by an official or employee rcise of an administrative or ministerial duty that does not affect n with respect to the matter.
8 9 10		er su	fficial or employee who otherwise would be disqualified from bsection (a) of this section shall disclose the nature and lict, and may participate or act, if:
11 12	capable of acting;	(i)	the disqualification would leave a body with less than a quorum
13		(ii)	the disqualified official or employee is required by law to act; or
14 15	authorized to act.	(iii)	the disqualified official or employee is the only individual
16 17 18 19 20	Governor, Lieuter	uired nant send	Governor, Lieutenant Governor, Attorney General, Treasurer, or to make a disclosure under paragraph (1) of this subsection, the Governor, Attorney General, Treasurer, or Comptroller, as a copy of the disclosure to the presiding officers of the General ics Commission.
21	(d) (1)	This	subsection applies only to:
22		(i)	the Governor;
23		(ii)	the Lieutenant Governor;
24		(iii)	the Attorney General;
25		(iv)	the Treasurer;
26		(v)	the Comptroller; and
27		(vi)	a secretary of a principal department in the Executive Branch.
28 29 30	•		An official who takes executive action that the official knows or would have a material financial impact on the official or a person butable to the official under § 5–608 of this title shall provide the

Ethics Commission and the Joint Ethics Committee a description of the executive action 1 2and the circumstances of the potential impact. 3 (ii) An official is not required to make a disclosure under this paragraph if the impact is common to all members of: 4 5 the general public or a large class of the general public; or 6 2. a profession or occupation of which the official is a 7 member. 8 5-501.1. IN THIS SECTION, "RESTRICTED INDIVIDUAL" MEANS: 9 (A) 10 **(1)** A SPOUSE OF THE GOVERNOR; 11 **(2)** A PARENT OR STEPPARENT OF THE GOVERNOR; 12 **(3)** A SIBLING OR STEPSIBLING OF THE GOVERNOR; 13 **(4)** A CHILD, STEPCHILD, FOSTER CHILD, OR WARD OF THE GOVERNOR: 14 15 **(5)** A MOTHER-IN-LAW OR FATHER-IN-LAW OF THE GOVERNOR; 16 **(6)** A SON-IN-LAW OR DAUGHTER-IN-LAW OF THE GOVERNOR; A GRANDPARENT OF THE GOVERNOR OR THE GOVERNOR'S 17 **(7)** 18 SPOUSE; A GRANDCHILD OF THE GOVERNOR; OR 19 **(8)** 20 **(9)** EXCEPT FOR AN EMPLOYEE OF THE GOVERNOR, ANY INDIVIDUAL WHO RESIDES IN THE GOVERNOR'S PRIMARY RESIDENCE. 2122WITHIN 6 MONTHS AFTER TAKING THE OATH OF OFFICE THE (B) **(1)** 23 GOVERNOR SHALL: 24**(I)** EXCEPT AS PROVIDED IN REGULATIONS ADOPTED BY THE ETHICS COMMISSION, PLACE ALL OF THE GOVERNOR'S INTERESTS INTO A 25CERTIFIED BLIND TRUST APPROVED BY THE ETHICS COMMISSION AND OPERATED 26IN ACCORDANCE WITH REGULATIONS ADOPTED BY THE ETHICS COMMISSION; OR 27

- 1 (II) DIVEST ANY INTEREST THE ETHICS COMMISSION
- $2\,$ DETERMINES IS NECESSARY TO RESOLVE LIKELY OR POTENTIAL CONFLICTS OF
- 3 INTEREST WITH THE GOVERNOR'S PUBLIC DUTIES.
- 4 (2) FOR GOOD CAUSE SHOWN, THE ETHICS COMMISSION MAY
- 5 EXTEND THE DEADLINE TO COMPLETE THE ESTABLISHMENT OF THE CERTIFIED
- 6 BLIND TRUST OR DIVESTITURE BY A REASONABLE AMOUNT OF TIME.
- 7 (3) THE ETHICS COMMISSION SHALL POST ANY APPROVED 8 CERTIFIED BLIND TRUST AND SUPPORTING DOCUMENTS ON ITS WEBSITE.
- 9 (C) (1) THE GOVERNOR SHALL APPOINT AS THE TRUSTEE OF THE BLIND 10 TRUST A FINANCIAL INSTITUTION OR AN ORGANIZATION THAT HAS A MINIMUM OF 2 YEARS OF EXPERIENCE IN TRUST MANAGEMENT ACTIVITIES.
- 12 (2) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
- 13 PARAGRAPH, THE GOVERNOR MAY NOT RECEIVE FROM A TRUSTEE APPOINTED
- 14 UNDER PARAGRAPH (1) OF THIS SUBSECTION COMMUNICATIONS REGARDING
- 15 MANAGEMENT OF OR INCOME FROM THE BLIND TRUST AS A TRUSTOR OR
- 16 BENEFICIARY OF THE BLIND TRUST AT ANY TIME DURING THE GOVERNOR'S TERM
- 17 OF OFFICE.
- 18 (II) THE GOVERNOR MAY RECEIVE FROM A TRUSTEE
- 19 APPOINTED UNDER PARAGRAPH (1) OF THIS SUBSECTION COMMUNICATIONS
- 20 NECESSARY TO PREPARE AND FILE THE GOVERNOR'S PERSONAL INCOME TAX
- 21 RETURNS.
- 22 (D) (1) THE GOVERNOR MAY NOT FAIL TO INCLUDE ANY INTEREST IN A 23 BLIND TRUST WITHOUT THE WRITTEN APPROVAL OF THE ETHICS COMMISSION.
- 24 (2) FOR ANY INTEREST NOT INCLUDED IN A BLIND TRUST UNDER
- 25 PARAGRAPH (1) OF THIS SUBSECTION, INCLUDING AN INTEREST EXEMPTED UNDER
- 26 REGULATIONS ADOPTED BY THE ETHICS COMMISSION UNDER THIS SECTION, THE
- 27 GOVERNOR SHALL ENTER INTO A NONPARTICIPATION AGREEMENT WITH THE
- 28 ETHICS COMMISSION THAT PROHIBITS THE GOVERNOR FROM PARTICIPATING IN
- 29 ANY WAY IN A MATTER THAT INVOLVES THE INTEREST, INCLUDING A MATTER
- 30 BEFORE THE BOARD OF PUBLIC WORKS.
- 31 (3) NOTWITHSTANDING §§ 5–301 AND 5–303 OF THIS TITLE, THE
- 32 ETHICS COMMISSION SHALL:
- 33 (I) POST ON ITS WEBSITE ANY NONPARTICIPATION
- 34 AGREEMENT ENTERED INTO WITH THE GOVERNOR; AND

- 1 (II) PROVIDE A COPY OF ANY NONPARTICIPATION AGREEMENT 2 ENTERED INTO WITH THE GOVERNOR TO:
- 1. THE PRESIDING OFFICERS OF THE GENERAL
- 4 ASSEMBLY;
- 5 2. THE JOINT ETHICS COMMITTEE; AND
- 3. THE EXECUTIVE SECRETARY AND THE GENERAL COUNSEL OF THE BOARD OF PUBLIC WORKS.
- 8 (4) By January 31 Each year, the Governor shall certify to 9 The Ethics Commission in a form required by the Ethics Commission that
- 10 THE GOVERNOR HAS:
- 11 (I) OBTAINED NO NEW INTERESTS IN THE IMMEDIATELY
- 12 PRECEDING YEAR THAT ARE NOT INCLUDED IN THE BLIND TRUST; OR
- 13 (II) ENTERED INTO A NONPARTICIPATION AGREEMENT WITH
- 14 THE ETHICS COMMISSION FOR ANY NEW INTEREST OBTAINED IN THE IMMEDIATELY
- 15 PRECEDING YEAR THAT WAS NOT INCLUDED IN THE BLIND TRUST.
- 16 (E) (1) THIS SUBSECTION APPLIES TO A BUSINESS ENTITY THAT THE
- 17 GOVERNOR OR RESTRICTED INDIVIDUAL, TOGETHER OR SEPARATELY, HAS:
- 18 (I) FOR A CORPORATION, 10% OR MORE OF THE CAPITAL
- 19 STOCK; OR
- 20 (II) FOR A PARTNERSHIP, LIMITED LIABILITY PARTNERSHIP, OR
- 21 LIMITED LIABILITY CORPORATION, ANY INTEREST.
- 22 (2) A BUSINESS ENTITY THAT SEEKS TO OBTAIN A STATE GRANT.
- 23 COMPETITIVE AWARD, OR CONTRACT, INCLUDING A CONTRACT FOR THE SALE OR
- 24 PURCHASE OF REAL OR PERSONAL PROPERTY, SHALL REPORT TO THE ETHICS
- 25 COMMISSION IN A FORM REQUIRED BY THE ETHICS COMMISSION ANY INTEREST
- 26 HELD IN THE BUSINESS ENTITY BY THE GOVERNOR OR A RESTRICTED INDIVIDUAL.
- 27 (3) THE ETHICS COMMISSION SHALL POST ANY REPORT IT RECEIVES
- 28 UNDER PARAGRAPH (2) OF THIS SUBSECTION ON ITS WEBSITE.
- 29 (F) (1) THE ETHICS COMMISSION MAY GRANT AN EXEMPTION TO THE
- 30 REQUIREMENT TO PLACE AN INTEREST IN A BLIND TRUST UNDER SUBSECTION (B)
- 31 OF THIS SECTION.

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(1)

Ethics Commission if:

SUBSECTION, THE ETHICS COMMISSION MAY CONSIDER ISSUES IT DETERM APPROPRIATE TO PREVENT CONFLICTS OF INTEREST, INCLUDING WHETHER INTEREST: (I) INVOLVES A CLOSELY HELD CORPORATION OR A FA BUSINESS; (II) IS READILY MARKETABLE; (III) HAS AN IMPACT UNIQUE TO THE GOVERNOR; OR (IV) IS SUBJECT TO ANY RESTRICTIONS OR ENCUMBRANCE (IV) IS SUBJECT TO ANY RESTRICTIONS OR (IV) IS SUBJECT TO ANY RESTRICTIONS OR (IV) IS SUBJECT TO ANY RESTRICTOON OR (IV) IS SUBJECT TO ANY RESTRICTOON OR (IV) IS SUBJECT TO THE GOVERNOR (IV) IS SUBJECT TO ANY RESTRICTOON OR (IV) IS SUBJECT TO A		
6 BUSINESS; 7 (II) IS READILY MARKETABLE; 8 (III) HAS AN IMPACT UNIQUE TO THE GOVERNOR; OR 9 (IV) IS SUBJECT TO ANY RESTRICTIONS OR ENCUMBRANCE: 10 (G) IF THE ETHICS COMMISSION DETERMINES THAT THE GOVERNOR 11 VIOLATED A PROVISION OF THIS SECTION, THE ETHICS COMMISSION MAY IMPOUNDED TO THIS SECTION, THE ETHICS COMMISSION MAY IMPOUNDED TO THE EXCEEDING \$5,000 FOR EACH VIOLATION. 13 (H) THE ETHICS COMMISSION SHALL ADOPT REGULATIONS TO CARRY 14 THIS SECTION, INCLUDING REGULATIONS THAT ESTABLISH STANDARDS 15 REQUIREMENTS FOR THE TYPES OF INTERESTS THAT MAY BE EXEMPTED FROM REQUIREMENT TO PLACE AN INTEREST IN A BLIND TRUST UNDER SUBSECTION 16 OF THIS SECTION. 18 5–502. 19 (b) Except as provided in subsections (c) and (d) of this section, an officient of the governmental unit with which the official or employee is affiliated; or 24 (i) an entity subject to the authority of that official or employ of the governmental unit with which the official or employee is affiliated; or 25 (ii) an entity that is negotiating or has entered a contract with governmental unit or an entity that is a subcontractor on a contract with that governmental unit; or 26 (2) hold any other employment relationship that would impain impartiality and independent judgment of the official or employee.	2 3	SUBSECTION, THE ETHICS COMMISSION MAY CONSIDER ISSUES IT DETERMINES APPROPRIATE TO PREVENT CONFLICTS OF INTEREST, INCLUDING WHETHER THE
(III) HAS AN IMPACT UNIQUE TO THE GOVERNOR; OR (IV) IS SUBJECT TO ANY RESTRICTIONS OR ENCUMBRANCES (G) IF THE ETHICS COMMISSION DETERMINES THAT THE GOVERNOR VIOLATED A PROVISION OF THIS SECTION, THE ETHICS COMMISSION MAY IMPOSED FINE NOT EXCEEDING \$5,000 FOR EACH VIOLATION. (H) THE ETHICS COMMISSION SHALL ADOPT REGULATIONS TO CARRY THIS SECTION, INCLUDING REGULATIONS THAT ESTABLISH STANDARDS REQUIREMENTS FOR THE TYPES OF INTERESTS THAT MAY BE EXEMPTED FROM REQUIREMENT TO PLACE AN INTEREST IN A BLIND TRUST UNDER SUBSECTION OF THIS SECTION. (b) Except as provided in subsections (c) and (d) of this section, an office employee may not: (1) be employed by or have a financial interest in: (1) an entity subject to the authority of that official or employ of the governmental unit with which the official or employee is affiliated; or (ii) an entity that is negotiating or has entered a contract with governmental unit or an entity that is a subcontractor on a contract with that governmental unit; or (2) hold any other employment relationship that would impain impartiality and independent judgment of the official or employee.		
(IV) IS SUBJECT TO ANY RESTRICTIONS OR ENCUMBRANCES (G) IF THE ETHICS COMMISSION DETERMINES THAT THE GOVERNOR VIOLATED A PROVISION OF THIS SECTION, THE ETHICS COMMISSION MAY IMPORTED FINE NOT EXCEEDING \$5,000 FOR EACH VIOLATION. (H) THE ETHICS COMMISSION SHALL ADOPT REGULATIONS TO CARRY THIS SECTION, INCLUDING REGULATIONS THAT ESTABLISH STANDARDS REQUIREMENTS FOR THE TYPES OF INTERESTS THAT MAY BE EXEMPTED FROM REQUIREMENT TO PLACE AN INTEREST IN A BLIND TRUST UNDER SUBSECTION OF THIS SECTION. 5–502. (b) Except as provided in subsections (c) and (d) of this section, an office employee may not: (1) be employed by or have a financial interest in: (i) an entity subject to the authority of that official or employ of the governmental unit with which the official or employee is affiliated; or (ii) an entity that is negotiating or has entered a contract with governmental unit or an entity that is a subcontractor on a contract with that governmental unit; or (2) hold any other employment relationship that would impain impartiality and independent judgment of the official or employee.	7	(II) IS READILY MARKETABLE;
(G) IF THE ETHICS COMMISSION DETERMINES THAT THE GOVERNOR VIOLATED A PROVISION OF THIS SECTION, THE ETHICS COMMISSION MAY IMPOSED FINE NOT EXCEEDING \$5,000 FOR EACH VIOLATION. (H) THE ETHICS COMMISSION SHALL ADOPT REGULATIONS TO CARRY THIS SECTION, INCLUDING REGULATIONS THAT ESTABLISH STANDARDS REQUIREMENTS FOR THE TYPES OF INTERESTS THAT MAY BE EXEMPTED FROM REQUIREMENT TO PLACE AN INTEREST IN A BLIND TRUST UNDER SUBSECTION OF THIS SECTION. 5–502. (b) Except as provided in subsections (c) and (d) of this section, an office employee may not: (i) an entity subject to the authority of that official or employ of the governmental unit with which the official or employee is affiliated; or (ii) an entity that is negotiating or has entered a contract with governmental unit or an entity that is a subcontractor on a contract with that governmental unit; or (2) hold any other employment relationship that would impair impartiality and independent judgment of the official or employee.	8	(III) HAS AN IMPACT UNIQUE TO THE GOVERNOR; OR
11 VIOLATED A PROVISION OF THIS SECTION, THE ETHICS COMMISSION MAY IMPOUNDED THE NOT EXCEEDING \$5,000 FOR EACH VIOLATION. 13 (H) THE ETHICS COMMISSION SHALL ADOPT REGULATIONS TO CARRY THIS SECTION, INCLUDING REGULATIONS THAT ESTABLISH STANDARDS REQUIREMENTS FOR THE TYPES OF INTERESTS THAT MAY BE EXEMPTED FROM REQUIREMENT TO PLACE AN INTEREST IN A BLIND TRUST UNDER SUBSECTION OF THIS SECTION. 18 5–502. 19 (b) Except as provided in subsections (c) and (d) of this section, an officient employee may not: 20 (i) an entity subject to the authority of that official or employe of the governmental unit with which the official or employee is affiliated; or 21 (ii) an entity that is negotiating or has entered a contract with governmental unit or an entity that is a subcontractor on a contract with that governmental unit; or 22 (2) hold any other employment relationship that would impain impartiality and independent judgment of the official or employee.	9	(IV) IS SUBJECT TO ANY RESTRICTIONS OR ENCUMBRANCES.
THIS SECTION, INCLUDING REGULATIONS THAT ESTABLISH STANDARDS REQUIREMENTS FOR THE TYPES OF INTERESTS THAT MAY BE EXEMPTED FROM REQUIREMENT TO PLACE AN INTEREST IN A BLIND TRUST UNDER SUBSECTION OF THIS SECTION. 5–502. (b) Except as provided in subsections (c) and (d) of this section, an office employee may not: (1) be employed by or have a financial interest in: (i) an entity subject to the authority of that official or employ of the governmental unit with which the official or employee is affiliated; or (ii) an entity that is negotiating or has entered a contract with governmental unit or an entity that is a subcontractor on a contract with that governmental unit; or (2) hold any other employment relationship that would impain impartiality and independent judgment of the official or employee.	11	VIOLATED A PROVISION OF THIS SECTION, THE ETHICS COMMISSION MAY IMPOSE A
(i) an entity subject to the authority of that official or employed of the governmental unit with which the official or employee is affiliated; or (ii) an entity subject to the authority of that official or employed of the governmental unit with which the official or employee is affiliated; or (ii) an entity that is negotiating or has entered a contract with governmental unit or an entity that is a subcontractor on a contract with that governmental unit; or (2) hold any other employment relationship that would impair impartiality and independent judgment of the official or employee.	14 15 16	THIS SECTION, INCLUDING REGULATIONS THAT ESTABLISH STANDARDS AND REQUIREMENTS FOR THE TYPES OF INTERESTS THAT MAY BE EXEMPTED FROM THE REQUIREMENT TO PLACE AN INTEREST IN A BLIND TRUST UNDER SUBSECTION (B)
employee may not: (1) be employed by or have a financial interest in: (i) an entity subject to the authority of that official or employ of the governmental unit with which the official or employee is affiliated; or (ii) an entity that is negotiating or has entered a contract with governmental unit or an entity that is a subcontractor on a contract with that government; or (2) hold any other employment relationship that would impair impartiality and independent judgment of the official or employee.	18	5–502.
(i) an entity subject to the authority of that official or employ of the governmental unit with which the official or employee is affiliated; or (ii) an entity that is negotiating or has entered a contract with governmental unit or an entity that is a subcontractor on a contract with that government; or (2) hold any other employment relationship that would impair impartiality and independent judgment of the official or employee.		
of the governmental unit with which the official or employee is affiliated; or (ii) an entity that is negotiating or has entered a contract with governmental unit or an entity that is a subcontractor on a contract with that government; or (2) hold any other employment relationship that would impair impartiality and independent judgment of the official or employee.	21	(1) be employed by or have a financial interest in:
governmental unit or an entity that is a subcontractor on a contract with that government; or (2) hold any other employment relationship that would impair impartiality and independent judgment of the official or employee.		
28 impartiality and independent judgment of the official or employee.	25	governmental unit or an entity that is a subcontractor on a contract with that governmental
29 (c) The prohibitions of subsection (b) of this section do not apply:		
	29	(c) The prohibitions of subsection (b) of this section do not apply:

to employment or a financial interest allowed by regulation of the

- 1 the employment does not create a conflict of interest or the (i) 2 appearance of a conflict of interest; or 3 (ii) the financial interest is disclosed; 4 to a public official who is appointed to a regulatory or licensing unit in accordance with a statutory requirement that entities subject to the jurisdiction of the unit 5 be represented in appointments to it; 6 7 as allowed by regulations adopted by the Ethics Commission, to an 8 employee whose government duties are ministerial, if the private employment or financial 9 interest does not create a conflict of interest or the appearance of a conflict of interest; or 10 to a member of a board who holds the employment or financial interest (4) when appointed if the employment or financial interest is disclosed publicly to the 11 appointing authority, the Ethics Commission, and, if applicable, the Senate of Maryland 12 13 before Senate confirmation. 14 5-903. **(1)** Except as provided in § 5–716 of this title, a person that knowingly and 15 willfully violates Subtitle 7 of this title is guilty of a misdemeanor and on conviction is 16 17 subject to a fine not exceeding \$10,000 or imprisonment not exceeding 1 year or both. 18 **(2)** A PERSON THAT KNOWINGLY AND WILLFULLY VIOLATES § 5-501.1(E) OF THIS TITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS 19 20 SUBJECT TO A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 1 21YEAR OR BOTH. 22 If the person is not an individual, each officer or partner who knowingly 23authorizes or participates in a violation of § 5–501.1(E) OR Subtitle 7 of this title is guilty of a misdemeanor and on conviction is subject to the penalty specified in subsection (a) of 2425 this section. 26 A fine assessed under this section shall be distributed to the Fair Campaign 27 Financing Fund established under § 15–103 of the Election Law Article.
- 30 (a) In this subtitle the following words have the meanings indicated.

29

13–101.

31 (c) "eMaryland Marketplace" or "eMaryland Marketplace Advantage" means the 32 Internet—based procurement system managed by the Department of General Services.

Article - State Finance and Procurement

program or the State budget; or

Subtitle 5. eMaryland Marketplace [– Use by Certain Persons]. 1 2 17-501.3 In this subtitle the following words have the meanings indicated. (a) "eMaryland Marketplace" has the meaning stated in § 13–101 of this article. 4 (b) "Procurement" means procurement by competitive sealed bidding, competitive 5 (c) sealed proposals, or noncompetitive negotiation. 6 7 **17–503.** IN THIS SECTION, "RESTRICTED INDIVIDUAL" HAS THE MEANING 8 (A) STATED IN § 5–501.1 OF THE GENERAL PROVISIONS ARTICLE. 9 THE DEPARTMENT OF GENERAL SERVICES SHALL INCLUDE WITH EACH 10 11 NOTICE OF A PROCUREMENT PUBLISHED ON EMARYLAND MARKETPLACE ON OR AFTER OCTOBER 1, 2025, A CHECK-OFF BOX TO INDICATE AN OWNERSHIP INTEREST 12 BY THE GOVERNOR OR A RESTRICTED INDIVIDUAL IN THE BIDDER OR OFFEROR AS 13 REPORTED UNDER § 5–501.1 OF THE GENERAL PROVISIONS ARTICLE. 14 15 Article - State Government 16 3-204.17 To inform career civil servants about program goals and new policies and to establish communication with the administration of the incumbent Governor, the 18 19 Governor-elect may circulate questionnaires or otherwise obtain information from the 20 administration. 21 The Governor-elect may ask any question that will help to carry out the 22purpose of this subtitle, including a question that is intended to obtain: 23 a description of a program; (1) a recommendation and justification for expansion, limitation, or 24(2)elimination of a service; 2526 a projection of future developments or needs in a program; (3)27 a recommendation for an administrative change; (4) 28 a comment on anticipated federal developments that might affect a

1	(6) an elaboration of procedural details.
2 3	(c) The incumbent Governor shall direct that all official documents, vital information, and procedural manuals are to be made available to the Governor-elect.
4 5 6 7	(D) THE GOVERNOR-ELECT SHALL CONSULT WITH THE STATE ETHICS COMMISSION TO BEGIN THE PROCESS OF ESTABLISHING A CERTIFIED BLIND TRUST OR DIVESTING OF PRIVATE INTERESTS IN ACCORDANCE WITH § 5–501.1 OF THE GENERAL PROVISIONS ARTICLE.
8 9 10	SECTION 2. AND BE IT FURTHER ENACTED, That, on or before July 1, 2026, the State Ethics Commission shall review and update its regulations governing blind trusts and restrictions on employment, financial interests, and participation in State matters.
11	SECTION 3. AND BE IT FURTHER ENACTED, That:
12 13	(1) the requirements of Section 1 of this Act shall apply to the Governor beginning on the effective date of the regulations required under Section 2 of this Act; and
14 15 16	(2) the Governor shall comply with the requirements of Section 1 of this Act within 6 months after the effective date of the regulations required under Section 2 of this Act.
17 18	SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.
	Approved:
	Governor.
	Speaker of the House of Delegates.
	President of the Senate.