

# HOUSE BILL 1074

G2, L2, L3

6lr3539

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By: **Delegates Hornberger and Vogel**

Introduced and read first time: February 10, 2026

Assigned to: Government, Labor, and Elections

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Ethics Law – Participation Restrictions and Requirements for Local**  
3 **Governments and School Boards**

4 FOR the purpose of altering the definition of “qualifying relative” to include a son-in-law  
5 and a daughter-in-law for provisions of law governing prohibitions against  
6 government officials or employees participating in matters involving a qualifying  
7 relative; requiring that the conflict of interest provisions or regulations adopted by a  
8 county, municipal corporation, or school board be equivalent to or exceed certain  
9 provisions of State law and authorize removal of a certain official for certain  
10 violations; requiring that conflict of interest provisions adopted by a county,  
11 municipal corporation, or school board include certain provisions relating to judicial  
12 relief for violations of the conflict of interest provisions; requiring the ethics  
13 provisions adopted by a county, municipal corporation, or school board to include a  
14 requirement that the relevant ethics commission make a certain recommendation  
15 public; requiring that certain lobbying provisions or regulations adopted by a county,  
16 municipal corporation, or school board be equivalent to or exceed certain provisions  
17 of State law; and generally relating to public ethics laws.

18 BY repealing and reenacting, without amendments,  
19 Article – General Provisions  
20 Section 5–101(a), 5–501, 5–807(a), and 5–902  
21 Annotated Code of Maryland  
22 (2019 Replacement Volume and 2025 Supplement)

23 BY repealing and reenacting, with amendments,  
24 Article – General Provisions  
25 Section 5–101(gg), 5–808, 5–810, 5–811.1, 5–817, and 5–819  
26 Annotated Code of Maryland  
27 (2019 Replacement Volume and 2025 Supplement)

28 BY repealing and reenacting, with amendments,

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – Local Government  
2 Section 12–107  
3 Annotated Code of Maryland  
4 (2013 Volume and 2025 Supplement)

5 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
6 That the Laws of Maryland read as follows:

7 **Article – General Provisions**

8 5–101.

9 (a) In this title the following words have the meanings indicated unless:

10 (1) the context clearly requires a different meaning; or

11 (2) a different definition is adopted for a particular provision.

12 (gg) “Qualifying relative” means a spouse, parent, child, brother, [or] sister,  
13 **SON–IN–LAW, OR DAUGHTER–IN–LAW.**

14 5–501.

15 (a) Except as otherwise provided in subsection (c) of this section, an official or  
16 employee may not participate in a matter if:

17 (1) the official or employee or a qualifying relative of the official or  
18 employee has an interest in the matter and the official or employee knows of the interest;  
19 or

20 (2) any of the following is a party to the matter:

21 (i) a business entity in which the official or employee has a direct  
22 financial interest of which the official or employee reasonably may be expected to know;

23 (ii) a business entity, including a limited liability company or a  
24 limited liability partnership, of which any of the following is an officer, a director, a trustee,  
25 a partner, or an employee:

26 1. the official or employee; or

27 2. if known to the official or employee, a qualifying relative  
28 of the official or employee;

29 (iii) a business entity with which any of the following has applied for  
30 a position, is negotiating employment, or has arranged prospective employment:

- 1                   1.     the official or employee; or
- 2                   2.     if known to the official or employee, a qualifying relative
- 3 of the official or employee;

4                   (iv)   if the contract reasonably could be expected to result in a conflict

5 between the private interest and the official State duties of the official or employee, a

6 business entity that is a party to a contract with:

- 7                   1.     the official or employee; or
- 8                   2.     if known to the official or employee, a qualifying relative
- 9 of the official or employee;

10                  (v)     a business entity, either engaged in a transaction with the State

11 or subject to regulation by the official's or employee's governmental unit, in which a direct

12 financial interest is owned by another business entity if the official or employee:

- 13                  1.     has a direct financial interest in the other business entity;
- 14 and
- 15                  2.     reasonably may be expected to know of both financial
- 16 interests; or

17                  (vi)   a business entity that:

- 18                  1.     the official or employee knows is a creditor or an obligee of
- 19 the official or employee, or of a qualifying relative of the official or employee, with respect
- 20 to a thing of economic value; and
- 21                  2.     as a creditor or an obligee, is in a position to affect directly
- 22 and substantially the interest of the official, employee, or qualifying relative.

23                  (a-1) (1)   This subsection does not apply to an individual who is a public official

24 only as a member of a board and who receives annual compensation that is less than 25%

25 of the lowest annual compensation at State grade level 16.

26                  (2)     A former regulated lobbyist who is or becomes subject to regulation

27 under this title as a public official or employee may not participate in a case, contract, or

28 other specific matter as a public official or employee for 1 year after the termination of the

29 registration of the former regulated lobbyist if the former regulated lobbyist previously

30 assisted or represented another party for compensation in the matter.

31                  (b)     (1)   The prohibitions of subsection (a) of this section do not apply if

32 participation is allowed:

1 (i) as to officials and employees subject to the authority of the Ethics  
2 Commission, by regulation of the Ethics Commission;

3 (ii) by the opinion of an advisory body; or

4 (iii) by another provision of this subtitle.

5 (2) This section does not prohibit participation by an official or employee  
6 that is limited to the exercise of an administrative or ministerial duty that does not affect  
7 the decision or disposition with respect to the matter.

8 (c) (1) An official or employee who otherwise would be disqualified from  
9 participation under subsection (a) of this section shall disclose the nature and  
10 circumstances of the conflict, and may participate or act, if:

11 (i) the disqualification would leave a body with less than a quorum  
12 capable of acting;

13 (ii) the disqualified official or employee is required by law to act; or

14 (iii) the disqualified official or employee is the only individual  
15 authorized to act.

16 (2) If the Governor, Lieutenant Governor, Attorney General, Treasurer, or  
17 Comptroller is required to make a disclosure under paragraph (1) of this subsection, the  
18 Governor, Lieutenant Governor, Attorney General, Treasurer, or Comptroller, as  
19 appropriate, shall send a copy of the disclosure to the presiding officers of the General  
20 Assembly and to the Ethics 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 (2) (i) An official who takes executive action that the official knows or  
29 reasonably should know would have a material financial impact on the official or a person  
30 whose interests are attributable to the official under § 5-608 of this title shall provide the

1 Ethics Commission and the Joint Ethics Committee a description of the executive action  
2 and the circumstances of the potential impact.

3 (ii) An official is not required to make a disclosure under this  
4 paragraph if the impact is common to all members of:

- 5 1. 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 5–807.

9 (a) Subject to § 5–209 of this title, each county and each municipal corporation  
10 shall enact provisions to govern the public ethics of local officials relating to:

- 11 (1) conflicts of interest;
- 12 (2) financial disclosure; and
- 13 (3) lobbying.

14 5–808.

15 (a) [Except as provided in subsection (b) of this section, the] **THE** conflict of  
16 interest provisions enacted by a county or municipal corporation under § 5–807 of this  
17 subtitle:

18 (1) shall be [similar to the provisions] **EQUIVALENT TO OR EXCEED THE**  
19 **REQUIREMENTS** of Subtitle 5 of this title; but

20 (2) in accordance with regulations adopted by the Ethics Commission and  
21 consistent with the intent of this title, may be modified to the extent necessary to make the  
22 provisions relevant to the prevention of conflicts of interest in that jurisdiction.

23 [(b) The conflict of interest provisions for elected local officials enacted by a county  
24 or municipal corporation under § 5–807 of this subtitle:

25 (1) shall be equivalent to or exceed the requirements of Subtitle 5 of this  
26 title; but

27 (2) in accordance with regulations adopted by the Ethics Commission and  
28 consistent with the intent of this title, may be modified to the extent necessary to make the  
29 provisions relevant to the prevention of conflicts of interest in that jurisdiction.]

1           **(B) THE CONFLICT OF INTEREST PROVISIONS ENACTED BY A COUNTY OR**  
2 **MUNICIPAL CORPORATION SHALL INCLUDE A PROVISION THAT IS EQUIVALENT TO**  
3 **OR EXCEEDS THE REQUIREMENTS OF § 5-902 OF THIS TITLE.**

4 5-810.

5           The lobbying provisions enacted by a county or municipal corporation under § 5-807  
6 of this subtitle:

7           (1) shall be [substantially similar to the provisions] **EQUIVALENT TO OR**  
8 **EXCEED THE REQUIREMENTS** of Subtitle 7 of this title; but

9           (2) (i) shall be modified to the extent necessary to make the provisions  
10 relevant to that jurisdiction; and

11                           (ii) may be further modified to the extent considered necessary and  
12 appropriate by and for that jurisdiction.

13 5-811.1.

14           [(a) This section applies only in Calvert County.

15           (b)] The [county's] conflict of interest provisions required under § 5-807(a)(1) of  
16 this subtitle shall:

17           **(1)** include a law or regulation that is equivalent to or exceeds the  
18 requirements of § 5-902 of this title[.];

19           **(2) AUTHORIZE THE GOVERNING BODY OF A COUNTY OR MUNICIPAL**  
20 **CORPORATION TO REMOVE A MEMBER OF THE GOVERNING BODY FROM OFFICE FOR**  
21 **A VIOLATION OF THE CONFLICT OF INTEREST PROVISIONS; AND**

22           [(c) The county's ethics provisions shall include a law or regulation that requires  
23 the Calvert County Ethics Commission to]

24           **(3) REQUIRE THAT THE COUNTY'S OR MUNICIPAL CORPORATION'S**  
25 **ETHICS COMMISSION** make public any recommendation it makes to expel a  
26 [Commissioner] **MEMBER OF THE GOVERNING BODY OF THE COUNTY OR MUNICIPAL**  
27 **CORPORATION.**

28 5-817.

29           (a) In accordance with this section, a school board:

1 (1) may adopt conflict of interest regulations applicable to officials and  
2 employees of the school system; and

3 (2) shall adopt conflict of interest regulations applicable to members of the  
4 school board.

5 (b) (1) The conflict of interest regulations adopted by a school board under  
6 subsection [(a)(1)] **(A)** of this section:

7 (i) shall be [similar to the provisions of] **EQUIVALENT TO OR**  
8 **EXCEED THE REQUIREMENTS OF** Subtitle 5 of this title; but

9 (ii) in accordance with regulations adopted by the Ethics  
10 Commission and consistent with the intent of this title, may be modified to the extent  
11 necessary to make the regulations relevant to the prevention of conflicts of interest in that  
12 school system.

13 (2) **[The] IN ADDITION TO THE REQUIREMENTS UNDER PARAGRAPH**  
14 **(1) OF THIS SUBSECTION, THE** conflict of interest regulations adopted by a school board  
15 under subsection (a)(2) of this section **SHALL:**

16 (i) **[shall be equivalent to or exceed the requirements of Subtitle 5**  
17 **of this title; but**

18 (ii) in accordance with regulations adopted by the Ethics  
19 Commission and consistent with the intent of this title, may be modified to the extent  
20 necessary to make the regulations relevant to the prevention of conflicts of interest in that  
21 school system] **INCLUDE A REGULATION THAT IS EQUIVALENT TO OR EXCEEDS THE**  
22 **REQUIREMENTS OF § 5-902 OF THIS TITLE;**

23 **(II) AUTHORIZE THE SCHOOL BOARD TO REMOVE A MEMBER OF**  
24 **THE SCHOOL BOARD FROM OFFICE FOR A VIOLATION OF THE CONFLICT OF**  
25 **INTEREST REGULATIONS; AND**

26 **(III) REQUIRE THAT THE SCHOOL BOARD'S ETHICS COMMISSION**  
27 **MAKE PUBLIC ANY RECOMMENDATION TO REMOVE A MEMBER OF THE SCHOOL**  
28 **BOARD.**

29 (c) Unless a school board adopts and maintains conflict of interest regulations  
30 under subsection (a)(1) of this section, the provisions enacted by the county under § 5-808  
31 of this subtitle shall apply to officials and employees of that school system.

32 5-819.

1 (a) In accordance with this section, a school board [may] **SHALL** adopt regulations  
 2 relating to lobbying of members of the school board and of officials and employees of the  
 3 school system.

4 (b) The lobbying regulations adopted by a school board under subsection (a) of  
 5 this section:

6 (1) shall be [substantially similar to] **EQUIVALENT TO OR EXCEED** the  
 7 provisions of Subtitle 7 of this title; but

8 (2) [(i) may be modified to the extent necessary to make the provisions  
 9 relevant to that school system; and

10 (ii) may be further modified to the extent considered necessary and  
 11 appropriate by and for that school system] **IN ACCORDANCE WITH REGULATIONS**  
 12 **ADOPTED BY THE ETHICS COMMISSION AND CONSISTENT WITH THE INTENT OF THIS**  
 13 **TITLE, MAY BE MODIFIED TO THE EXTENT NECESSARY TO MAKE THE REGULATIONS**  
 14 **RELEVANT TO THAT SCHOOL SYSTEM.**

15 [(c) Unless a school board adopts and maintains lobbying regulations under this  
 16 subtitle, the provisions enacted by the county under § 5–810 of this subtitle shall apply to  
 17 that school system.]

18 5–902.

19 (a) The court may compel compliance with the Ethics Commission's order by:

20 (1) issuing an order to cease and desist from the violation; or

21 (2) granting other injunctive relief.

22 (b) (1) The court may also:

23 (i) impose a fine:

24 1. not exceeding \$5,000 for a violation of this title;

25 2. with each day that the violation occurs being a separate  
 26 offense; and

27 3. which shall be paid to the State Treasurer and deposited  
 28 in the General Fund; or

29 (ii) except as provided in paragraph (2) of this subsection, void an  
 30 official act of an official or employee if:



1                   (2)     The governing body of [Calvert County] **A COUNTY** shall enact a law or  
2 regulation that authorizes the governing body to remove a county elected official from office  
3 for violations of any law or regulation enacted under subsection [(c)] **(B)** of this section or  
4 § 5–807(a)(1) of the General Provisions Article relating to conflicts of interest.

5                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2026.