

HARFORD COUNTY BILL NO. 19-005

Brief Title (Ethic Code)

is herewith submitted to the County Council of Harford County for enrollment as being the text as finally passed.

CERTIFIED TRUE AND CORRECT

Mylina A. Dexon
Council Administrator

Date 3/19/19

ENROLLED

John J. Vincento
Council President

Date 3/19/19

BY THE COUNCIL

Read the third time.

Passed: LSD 19-009

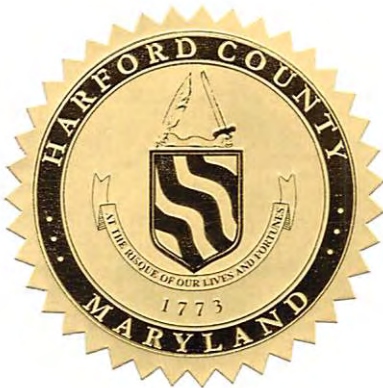
Failed of Passage: _____

By Order

Mylina A. Dexon
Council Administrator

Sealed with the County Seal and presented to the County Executive for approval this 20th day of March, 2019 at 3:00 p.m.

Mylina A. Dexon
Council Administrator



BY THE EXECUTIVE

[Signature]
COUNTY EXECUTIVE

APPROVED: Date 3/21/19

BY THE COUNCIL

This Bill No. 19-005 having been approved by the Executive and returned to the Council, becomes law March 21, 2019.

EFFECTIVE: May 20, 2019

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 19-005

Introduced by Council President Vincenti at the request of the County Executive

Legislative Day No. 19-005 Date February 12, 2019

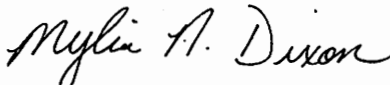
AN ACT to add the definition of "home address" to Section 23-2.1, Definitions; to repeal and reenact, with amendments, the definition of "interest" of Section 23-2.1, Definitions; to add new Subsection C(5) to Section 23-5, Conflicts of interest; to repeal and reenact, with amendments, Subsection B(4) of Section 23-6, Financial disclosure - local elected officials, candidates to be local elected officials, employees and appointed officials; to add new Subsections D(5) and F(8)(c) to Section 23-6, Financial disclosure - local elected officials, candidates to be local elected officials, employees and appointed officials; to repeal and reenact, with amendments, Subsection A of Section 23-9, Enforcement, all of Chapter 23, Ethics Code, of the Harford County Code, as amended; to add new definition of home address; to revise the definition of interest; to prohibit certain former regulated lobbyists from participating in a case, contract or other matter as public official or employee for a certain time period under certain circumstances; to alter the date on which a candidate who fails to file a certain financial disclosure statement is deemed to have withdrawn the candidacy; to provide for the redaction of certain information on financial disclosure statements prior to public access; to require certain reporting if the individual filing a disclosure statement spouse is a regulated lobbyist; to increase the fee and the maximum fine for late filing of financial disclosure statements; to increase the maximum fine for the late filing of lobbyist registration and lobbying reports; and generally relating to public ethics.

By the Council, February 12, 2019

Introduced, read first time, ordered posted and public hearing scheduled

on: March 12, 2019

at: 7:00 PM

By Order: , Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on March 12, 2019, and concluded on March 12, 2019.

Mylia A. Dixon

_____, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County

1 Council of Harford County, Maryland that the definition of “home address” be, and it is hereby,
2 added to Section 23-2.1, Definitions; that the definition of “interest” of Section 23-2.1, Definitions,
3 be, and it is hereby, repealed and reenacted, with amendments; that new Subsection C(5) be, and it
4 is hereby, added to Section 23-5, Conflicts of interest; that Subsection B(4) of Section 23-6,
5 Financial disclosure - local elected officials, candidates to be local elected officials, employees and
6 appointed officials, be, and it is hereby, repealed and reenacted, with amendments; that new
7 Subsection D(5) and Subsection F(8)(c) be, and they are hereby, added to Section 23-6, Financial
8 disclosure - local elected officials, candidates to be local elected officials, employees and appointed
9 officials; that Subsection A of Section 23-9, Enforcement, be, and it is hereby, repealed and
10 reenacted, with amendments, all of Chapter 23, Ethics Code, of the Harford County Code, as
11 amended, and all to read as follows:
12

13 **Chapter 23. Ethics Code**

14 **§ 23-2.1. Definitions.**

15 In this chapter, the following words have the meanings indicated.

16 HOME ADDRESS - THE ADDRESS OF THE RESIDENTIAL PROPERTY THAT AN
17 INDIVIDUAL OCCUPIES AS THE INDIVIDUAL’S PRIMARY RESIDENCE, WHETHER
18 OWNED OR RENTED BY THE INDIVIDUAL.

19 INTEREST - Any legal or equitable economic interest, whether or not subject to an encumbrance
20 or a condition, which is owned or held, in whole or in part, jointly or severally, directly or
21 indirectly. “Interest” does not include:

- 22 A. An interest held in the capacity of a personal representative, agent, custodian,
23 fiduciary or trustee, unless the holder or a family member of the holder has an
24 equitable interest therein;
- 25 B. An interest in a time or demand deposit in a financial institution;
- 26 C. An interest in an insurance or endowment policy or annuity contract under which
27 an insurance company promises to pay a fixed number of dollars either in a lump
28 sum or periodically for life or some other specified period; [or]

- 1 D. An interest in a common trust fund or a trust that forms part of a pension or profit-sharing plan that has more than 25 participants and which has been determined by
- 2 the Internal Revenue Service to be a qualified trust under Sections 401 and 501 of
- 3 the Internal Revenue Code;
- 4
- 5 E. A COLLEGE SAVINGS PLAN UNDER THE INTERNAL REVENUE CODE;
- 6 OR
- 7 F. A MUTUAL FUND OR EXCHANGE-TRADED FUND THAT IS PUBLICLY
- 8 TRADED ON A NATIONAL SCALE UNLESS THE MUTUAL FUND OR
- 9 EXCHANGE-TRADED FUND IS COMPOSED PRIMARILY OF HOLDINGS
- 10 OF STOCKS AND INTERESTS IN A SPECIFIC SECTOR OR AREA THAT IS
- 11 REGULATED BY THE INDIVIDUAL'S GOVERNMENTAL UNIT.

12

13 **§ 23-5. Conflicts of interest.**

- 14 C. Participation prohibitions. Except as permitted by Board regulation or opinion, an official
- 15 or employee may not participate in:
 - 16 (5) A FORMER REGULATED LOBBYIST WHO IS OR BECOMES SUBJECT TO
 - 17 THIS CHAPTER AS AN EMPLOYEE OR OFFICIAL, OTHER THAN AN
 - 18 ELECTED OFFICIAL OR AN APPOINTED OFFICIAL, MAY NOT
 - 19 PARTICIPATE IN A CASE, CONTRACT OR OTHER SPECIFIC MATTER AS
 - 20 AN EMPLOYEE OR OFFICIAL, OTHER THAN AN ELECTED OFFICIAL OR
 - 21 APPOINTED OFFICIAL, FOR ONE CALENDAR YEAR AFTER THE
 - 22 TERMINATION OF THE REGISTRATION OF THE FORMER REGULATED
 - 23 LOBBYIST IF THE FORMER REGULATED LOBBYIST PREVIOUSLY
 - 24 ASSISTED OR REPRESENTED ANOTHER PARTY FOR COMPENSATION
 - 25 IN THE MATTER.

26 **§ 23-6. Financial disclosure - local elected officials, candidates to be local elected officials,**

1 **employees and appointed officials.**

2 B. Candidates to be local elected officials.

3 (4) If a STATEMENT REQUIRED TO BE FILED BY A CANDIDATE IS
4 OVERDUE AND NOT FILED WITHIN 8 DAYS [candidate fails to file a
5 statement required by this section] after written notice is provided by the County or
6 Board of Election Supervisors [at least 20 days before the last day for the
7 withdrawn of candidacy], the candidate is deemed to have withdrawn the
8 candidacy.

9
10 D. Public record.

11 (5) FOR STATEMENTS FILED AFTER JANUARY 1, 2019, THE BOARD MAY
12 NOT PROVIDE PUBLIC ACCESS TO AN INDIVIDUAL'S HOME ADDRESS
13 THAT THE INDIVIDUAL HAS DESIGNATED AS THE INDIVIDUAL'S
14 HOME ADDRESS.

15
16 F. Contents of statement.

17 (8) Sources of earned income.

18 (C) FOR A STATEMENT FILED ON OR AFTER JANUARY 1, 2019, IF
19 THE INDIVIDUAL'S SPOUSE IS A LOBBYIST REGULATED BY THE
20 COUNTY, THE INDIVIDUAL SHALL DISCLOSE THE ENTITY THAT
21 HAS ENGAGED THE SPOUSE FOR LOBBYING PURPOSES.

22
23 **§ 23-9. Enforcement**

24 A. The Board may:

25 (1) Assess a late fee of [\$2] \$5 per day up to a maximum of [\$250] \$500 for a failure to
26 timely file a financial disclosure statement required under §[§ 23-5 or] 23-6 of this

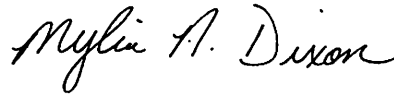
- 1 chapter;
- 2 (2) Assess a late fee of \$10 per day up to a maximum of [\$250] \$1,000 for a failure to
- 3 file a timely lobbyist registration or lobbyist report required under § 23-7 of this
- 4 chapter; and
- 5 (3) Issue a cease and desist order against any person found to be in violation of this
- 6 chapter.

7 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the

8 date it becomes law.

EFFECTIVE: May 20, 2019

The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.



Council Administrator