

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND  
Legislative Session 2022, Legislative Day No. 15

Bill No. 60-22

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Mr. Julian E. Jones Jr., Chairman  
By Request of County Executive

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By the County Council, September 6, 2022

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A BILL  
ENTITLED

AN ACT concerning

Baltimore County Public Ethics Law - Amendments

FOR the purpose of adding certain definitions; prohibiting public officials from accepting certain gifts from certain associations engaged in representing counties or municipal corporations, or entities acting on their behalf; prohibiting certain employees, former employees, and former public officials from disclosing or using certain confidential information for personal benefit; requiring certain disclosure of certain business names on certain financial disclosure forms; requiring disclosure of certain business interests dependent upon certain ownership interest amounts; prohibiting the County Ethics Commission from providing public access to certain information related to business interests in government entities; and generally relating to Baltimore County Public Ethics Law.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter stricken from existing law.  
~~Strike out~~ indicates matter stricken from bill.  
Underlining indicates amendments to bill.

BY repealing and re-enacting, with amendments

Sections 7-1-305(b), 7-1-307, 7-1-403(a), (e), and (j)-(k), 7-1-404(a), and 7-1-407  
Article 7 – Public Ethics and Open Government  
Title 1 – Public Ethics  
Subtitle 3 – Prohibited Conduct and Interests  
Subtitle 4 – Financial Disclosure  
Baltimore County Code, 2015

BY adding

Sections 7-1-101(q), 7-1-312, and 7-1-403(l)  
Article 7 – Public Ethics and Open Government  
Title 1 – Public Ethics  
Subtitle 1 – In General  
Subtitle 3 – Prohibited Conduct and Interests  
Subtitle 4 – Financial Disclosure  
Baltimore County Code, 2015

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE  
COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

ARTICLE 7 – Public Ethics and Open Government

Title 1 – Public Ethics

Subtitle 1 – In General

§ 7-1-101.

(Q) “QUASI-GOVERNMENTAL ENTITY” MEANS AN ENTITY THAT IS  
CREATED BY STATE STATUTE, THAT PERFORMS A PUBLIC FUNCTION, AND THAT  
IS SUPPORTED IN WHOLE OR IN PART BY THE STATE BUT IS MANAGED  
PRIVATELY.

Subtitle 3 – Prohibited Conduct and Interests

§ 7-1-305.

(b) Except as provided in subsection (c) of this section, a public official may not knowingly accept a gift, directly or indirectly, from an entity that the public official knows or has reason to know:

(1) Does or seeks to do any business of any kind, regardless of amount, with the public official's office, agency, board, or commission;

(2) Engages in an activity that is regulated or controlled by the public official's office, agency, board, or commission;

(3) Has a financial interest that may be affected substantially and materially, in a manner distinguishable from the public generally, by the performance or nonperformance of the public official's official duties; [or]

(4) Is a regulated lobbyist with respect to matters within the jurisdiction of the public official[.]; OR

(5) IS AN ASSOCIATION, OR ANY ENTITY ACTING ON BEHALF OF AN ASSOCIATION THAT IS ENGAGED ONLY IN REPRESENTING COUNTIES OR MUNICIPAL CORPORATIONS.

§ 7-1-307.

Except in the discharge of an official duty, a public official OR EMPLOYEE OR A FORMER PUBLIC OFFICIAL OR EMPLOYEE may not disclose or use confidential

1 information acquired by reason of the [public official's] INDIVIDUAL'S public position OR  
2 FORMER PUBLIC POSITION and not available to the public:

3 (1) For personal economic benefit; or

4 (2) For the economic benefit of another.

5  
6 § 7-1-312.

7 A PUBLIC OFFICIAL OR EMPLOYEE MAY NOT RETALIATE AGAINST AN  
8 INDIVIDUAL FOR REPORTING OR PARTICIPATING IN AN INVESTIGATION OF A  
9 POTENTIAL VIOLATION OF THIS TITLE.

10  
11 Subtitle 4 – Financial Disclosure

12  
13 § 7-1-403.

14 (a) (1) A statement that is required by this subtitle shall contain schedules disclosing  
15 the information and interests specified in this section, if known, for the individual making the  
16 statement for the applicable period under this subtitle.

17 (2) AN INDIVIDUAL WHO IS REQUIRED TO DISCLOSE THE NAME OF A  
18 BUSINESS UNDER THIS SUBTITLE SHALL DISCLOSE ANY OTHER NAMES THAT  
19 THE BUSINESS IS TRADING AS OR DOING BUSINESS AS.

20 (e) (1) This subsection does not apply to a gift received from a member of the  
21 immediate family, another child, or a parent of the individual.

22 (2) The statement shall include a schedule of each gift, specified in paragraph (3)  
23 of this subsection, received during the applicable period:

1 (i) By the individual or by another entity at the direction of the individual;  
2 and

3 (ii) FROM AN ASSOCIATION, OR ANY ENTITY ACTING ON  
4 BEHALF OF AN ASSOCIATION THAT IS ENGAGED ONLY IN REPRESENTING  
5 COUNTIES OR MUNICIPAL CORPORATIONS; OR

6 (III) Directly or indirectly, from or on behalf of an entity that is:

7 1. A regulated lobbyist;

8 2. Regulated by the county; or

9 3. Otherwise an entity doing business with the county.

10 (3) (i) Except as provided in subparagraph (ii) of this paragraph, the schedule  
11 shall include each gift with a value of more than \$20 and each of two or more gifts with a  
12 cumulative value of \$100 or more received from one entity during the applicable period.

13 (J) (1) AN INDIVIDUAL SHALL DISCLOSE THE INFORMATION SPECIFIED  
14 IN GENERAL PROVISIONS ARTICLE § 5-607(J)(1), ANNOTATED CODE OF  
15 MARYLAND, FOR ANY FINANCIAL OR CONTRACTUAL RELATIONSHIP WITH:

16 (I) THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;

17 (II) A GOVERNMENTAL ENTITY OF THE STATE OR A LOCAL  
18 GOVERNMENT IN THE STATE; OR

19 (III) A QUASI-GOVERNMENTAL ENTITY OF THE STATE OR  
20 LOCAL GOVERNMENT IN THE STATE.

21 (2) FOR EACH FINANCIAL OR CONTRACTUAL RELATIONSHIP  
22 DISCLOSED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE SCHEDULE SHALL  
23 INCLUDE:

1 (I) A DESCRIPTION OF THE RELATIONSHIP;

2 (II) THE SUBJECT MATTER OF THE RELATIONSHIP; AND

3 (III) THE CONSIDERATION.

4 [(j)](K)(1) This subsection applies to elected officials only.

5 (2) (i) Except as provided in subparagraphs (ii) and (iii) of this paragraph,  
6 financial disclosure statements shall be posted on the Commission's internet web page not earlier  
7 than May 1 of each year and they shall remain posted not later than May 1 of the following year.

8 (ii) The financial disclosure statement of a newly elected official shall be  
9 posted not more than 30 days after the elected official qualifies for office in accordance with §§  
10 203 and 403(a) of the Charter as applicable.

11 (iii) The financial disclosure statement of an elected official appointed  
12 under § 205 or § 402(b) of the Charter shall be posted not more than 60 days after the  
13 appointment.

14 [(k)](L) The statement may include a schedule listing additional interests or information  
15 that the individual chooses to disclose.

16  
17 § 7-1-404.

18 (a) The following are deemed to be interests of the individual under § 7-1-403(b), (c),  
19 and (d) of this subtitle:

20 (1) An interest held by a spouse or child of the individual, if the interest was  
21 directly or indirectly controlled by the individual at any time during the applicable period;

1                   (2) [An interest held by a business entity in which the individual held a 30% or  
2 greater interest at any time during the applicable period] AN INTEREST HELD, AT ANY  
3 TIME DURING THE APPLICABLE PERIOD, BY:

4                   (I) A BUSINESS ENTITY IN WHICH THE INDIVIDUAL HELD A  
5 10% OR GREATER INTEREST;

6                   (II) A BUSINESS ENTITY DESCRIBED IN SUBPARAGRAPH (I) OF  
7 THIS SUBSECTION IN WHICH THE BUSINESS ENTITY HELD A 25% OR GREATER  
8 INTEREST;

9                   (III) A BUSINESS ENTITY DESCRIBED IN SUBPARAGRAPH (II)  
10 OF THIS SUBSECTION IN WHICH THE BUSINESS ENTITY HELD A 50% OR GREATER  
11 INTEREST; AND

12                   (IV) A BUSINESS ENTITY IN WHICH THE INDIVIDUAL  
13 DIRECTLY OR INDIRECTLY, THROUGH AN INTEREST IN ONE OR A COMBINATION  
14 OF OTHER BUSINESS ENTITIES, HOLDS A 10% OR GREATER INTEREST; and

15                   (3) An interest held by a trust or an estate in which, at any time during the  
16 applicable period, the individual:

17                   (i) Held a reversionary interest;

18                   (ii) Was a beneficiary; or

19                   (iii) If a revocable trust, was a settlor.

20  
21 § 7-1-407.

1           (a)     (1)     (i) Except as provided in subparagraph (ii) of this paragraph, the  
2 Commission shall allow an individual to examine and copy a financial disclosure statement filed  
3 by a public official under this title.

4                       (ii) The Commission may not provide public access to a portion of a  
5 statement that is filed after January 1, 2019, and that includes the filer's home address that the  
6 filer has identified as the filer's home address.

7                       (III) THE COMMISSION SHALL NOT PROVIDE PUBLIC ACCESS  
8 TO INFORMATION RELATED TO CONSIDERATION RECEIVED FROM:

- 9                               1. THE UNIVERSITY OF MARYLAND MEDICAL SYSTEM;  
10                              2. A GOVERNMENTAL ENTITY OF THE STATE OR A  
11 LOCAL GOVERNMENT IN THE STATE; OR  
12                              3. A QUASI-GOVERNMENTAL ENTITY OF THE STATE OR  
13 LOCAL GOVERNMENT IN THE STATE.

14               (2) The individual examining or copying the financial disclosure statement shall  
15 report his or her name, address, and the name of the public official whose financial disclosure  
16 statement is being examined.

17               (3) The individual shall conduct the examination or copying in person at the  
18 Commission's office during reasonable office hours.

19               (b) The Commission shall forward to the public official whose financial disclosure  
20 statement was examined or copied the information required under subsection (a)(2) of this  
21 section.  
22



1           SECTION 2. AND BE IT FURTHER ENACTED, that this Act, having been passed by  
2   the affirmative vote of five members of the County Council, shall take effect 15 days after its  
3   enactment.



# LEGISLATION DETAIL

LEGISLATION

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DISPOSITION

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ENACTED

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EFFECTIVE

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AMENDMENTS

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## ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

## ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
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<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell