

THE COUNTY COMMISSIONERS OF KENT COUNTY, MARYLAND

**July 15, 2025
Legislative Session Day**

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**CODE HOME RULE
BILL NO. 5- 2025
ETHICS**

INTRODUCED BY: Ronald H. Fithian, President of the Board of County Commissioners for Kent County, Maryland.

AN ACT to repeal and reenact with amendments Chapter 29, Ethics of the Code of Public Local Laws of Kent County, Maryland and it is hereby repealed and reenacted to read as follows:

**CHAPTER 29
ETHICS**

Section:

- 1. Short Title**
- 2. Statement of Purpose and Policy**
- 3. Definitions**
- 4. Administration**
- 5. Prohibited Conduct and Interests**
- 6. Financial Disclosure – Elected Officials, Officials, and Employees**
- 7. Financial Disclosure – Appointed Members of Boards and Commissions**
- 8. Lobbying Disclosure**
- 9. Enforcement**
- 10. Severability**

§29-1. Short title.

This chapter may be cited as the “Kent County Public Ethics Law.”

§29-2. Statement of purpose and policy.

A. The County Commissioners of Kent County, recognizing that our system of representative government is dependent in part upon the people maintaining the highest trust in their public officials and employees, finds and declares that the people have a right to be assured that the impartiality and independent judgment of the public officials and employees will be maintained.

B. It is evident that this confidence and trust is eroded when the conduct of the County's business is subject to improper influence and even the appearance of improper influence.

C. For the purpose of guarding against improper influence, the County Commissioners of Kent County enact this Public Ethics Law to require County officials and employees to disclose their financial affairs and to set minimum standards for their conduct of County business.

D. It is the intention of the County Commissioners of Kent County that this chapter be liberally construed to accomplish this purpose.

§29-3. Definitions.

For purposes of this chapter, the following terms, phrases, words and their derivatives shall have the meanings given herein. Words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. Use of the masculine shall include the feminine. All italicized terms used in the definition of any other term shall have their meaning as otherwise defined in this §29-3. The words "shall" and "will" are mandatory and "may" is permissive. Words not defined shall be given their common and ordinary meanings unless the context suggests otherwise. When a right or duty pertains to the holder of a specific position, such as the President of the County Commissioners or County Administrator, the same right or duty pertains to any designee to whom the holder of the position may lawfully delegate the right or duty.

APPOINTING AUTHORITY--Means the County Commissioners of Kent County.

ASSOCIATED--When used with reference to a business or an organization, includes any business or organization in which a public servant or a public servant's partner in interest is a director, officer or trustee, or owns or controls, directly or indirectly, and severally or in the aggregate, at least 30% of the outstanding equity, or any business or organization in which a public servant or a partner in interest has a personal interest.

BUSINESS--Means an activity, association, commercial entity, corporation, enterprise, firm, franchise, holding company, joint stock company, organization, partnership, receivership, self-employed individual, sole proprietorship, trust or other legal entity established to earn or otherwise obtain money, whether for profit or non-profit, excluding a municipal corporation or governmental entity.

BUSINESS ENTITY--

A. Means any corporation, limited liability company, limited liability

partnership, general or limited partnership, sole proprietorship (including a private consultant operation), joint venture, unincorporated association or firm, institution, trust, foundation or other organization, whether or not operated for profit.

B. Business entity does not include a governmental entity.

BUSINESS WITH WHICH A PUBLIC SERVANT IS ASSOCIATED--

Means a business in which any of the following applies:

A. The public servant is an owner, member, partner, director, officer, employee or independent contractor in relation to the business; or

B. A public servant's partner in interest is an owner, partner, director or officer; or

C. Any business, regardless of ownership or value, by whom or for whose benefit a decision maker is influenced to act in the hope or expectation of obtaining a personal benefit for the public servant or for a partner in interest of the public servant.

CANDIDATE--Means an individual who is a candidate for an elective County office, as defined in §1 of Article VII of the Maryland Constitution.

COMMISSION--Means the Kent County Ethics Commission established pursuant to §29-4A of this chapter.

COMPENSATION--Means any money or thing of value, regardless of form, received or to be received by any individual covered by this chapter from an employer for service rendered or to be rendered. If lobbying is only a portion of a person's employment, "*compensation*" means a prorated amount based on the time devoted to lobbying compared to the time devoted to other employment duties. For reporting purposes, a prorated amount shall be labeled as such.

COMPLAINANT--Means a person who files a complaint with the Commission regarding an alleged violation of this chapter by any person.

CONFIDENTIAL INFORMATION--Means information which has been obtained in the course of holding public office, employment, an independent contract or otherwise acting as a public servant, and which information is not available to members of the public under the *Maryland Public Information Act*, General Provisions Article, §4-101 et seq., Annotated Code of Maryland, as amended from time to time, or other law or regulation and which the public servant is not authorized to disclose, including:

A. Any written information that could lawfully be excepted from disclosure pursuant to state law, unless the public servant disclosing it is authorized to do so by state law, or

pursuant to some other pertinent law, policy or procedure; and

B. Any non-written information which, if it were written, could be excepted from disclosure under state law, unless the public servant disclosing it is authorized to do so by the state law, or pursuant to some other pertinent law, policy or procedure; and

C. Information which was obtained in the course of or by means of a record or oral report of a lawful executive or closed session, whether or not the disclosure of the information would violate state law, unless the public servant disclosing it is authorized by state law to do so, or unless the public servant disclosing it has been properly authorized to disclose it pursuant to an applicable law, policy or procedure; however, when such information is also available through channels which are open to the public, this provision does not prohibit public servants from disclosing the availability of those channels.

CONFLICT OF INTEREST--Means not only a personal interest, as defined in this chapter, but also a professional or non-pecuniary interest, such as arises when the County Attorney is precluded from representing one public servant because of the County Attorney's preexisting attorney-client relationship with another public servant.

COUNTY--Means Kent County.

DECISION MAKER--Means any public servant or group of public servants empowered to act in a discretionary manner on behalf of the County in any capacity whatsoever, including the making of recommendations. Decision maker includes, but is not limited to, any County agency, bureau, department, division, office, administrator or person who is charged with implementing and administering particular legislation or executive or administrative decisions, and, to the extent this chapter is applicable to them, any volunteer or independent contractor who is empowered to exercise any discretionary power which could influence a public servant in the performance or nonperformance of an official action. In this chapter, the term "decision maker" is used to represent any and every public servant who could take any discretionary action regarding a matter in which a public servant or a partner in interest has or may have a conflict of interest, or as a result of which a public servant might receive a personal benefit.

DESIGNATED SECOND HOME--Means:

A. If an individual owns one second home, the individual's second home; or

B. If an individual owns more than one second home, any one second home the individual identifies to the Commission as the individual's designated second home.

DOING BUSINESS WITH--Means:

A. Having or negotiating a contract that involves the commitment (either a single or combination of transactions) of \$2,000.00 or more of County or County-controlled

funds; or

- B. Being regulated by or otherwise under the authority of a County agency; or
- C. Being registered as a lobbyist in accordance with §29-8 of this chapter.

ELECTED OFFICIAL--Means any individual who holds an elective office of the County. "Elected official" does not include the Sheriff, State's Attorney, Register of Wills, or Clerk of the Court.

EMPLOYEE--Means:

A. A person, other than an elected public officer, employed and paid a salary to work for the County, whether under civil service or not, whether full-time, part-time, or on a contract basis, and including those officially selected but not yet serving; but does not include an independent contractor; and, for purposes of establishing ethical obligations under this Chapter and for no other purpose, the term "employee" includes volunteers, notwithstanding the fact that they are unpaid.

B. "Employee" does not include an elected local official.

C. "Employee" does not include an employee of:

- (1) The offices of the Sheriff, State's Attorney, Register of Wills, or Clerk of the Court;
- (2) The County Health Department; or
- (3) The County Department of Social Services.

FINANCIAL INTEREST--Means:

A. Ownership of any interest as the result of which the owner has received, within the past three years, or is presently receiving, or in the future is entitled to receive, more than \$1,000.00 per year; or

B. Ownership, or the ownership of securities of any kind representing or convertible into ownership, of more than 3% of a business entity.

GIFT--Means any benefit or thing or act of value which is conveyed to or performed for the benefit of a public servant or a partner in interest, including any advance, award, contract, contribution, deposit, employment, favor, forbearance, gift, gratuity, honorarium, loan, payment, service, subscription, or the promise that any of these things or acts

of value will be conferred in the future, if such thing or act of value is conferred or performed without the lawful exchange of consideration which is at least equal in value to the thing or act conferred or performed. Gift does not include the solicitation, acceptance, receipt, or regulation of a political contribution that is regulated in accordance with:

- A. The Election Law Article of the Annotated Code of Maryland; or
- B. Any other state law regulating:
 - (1) The conduct of elections; or
 - (2) The receipt of political contributions.

HOME ADDRESS--Means the address of an individual's:

- A. Principal home; and
- B. Designated second home, if any.

IMMEDIATE FAMILY--Means:

- A. A public servant's spouse; and
- B. A public servant's relative by marriage, lineal descent or adoption; and
- C. A public servant's parents, parents-in-law, sisters, sisters-in-law, brothers, brothers-in-law, stepparents, stepbrothers, stepsisters or wards; and
- D. An individual claimed by the public servant or the public servant's spouse as a dependent under the United States Internal Revenue Code.

INTEREST--Means any personal benefit accruing to a public servant or the public servant's partner in interest, whether in the public servant's own name or the name of any person or business from which the public servant is entitled to receive any personal benefit, as a result of a matter which is or which is expected to become the subject of an official action by or with the County. In proper context, interest also means any legal or equitable economic interest, whether or not subject to an encumbrance or a condition, which was owned or held, in whole or in part, jointly or severally, directly or indirectly. For purposes of §§ 29-6 and 29-7 of this chapter, "interest" applies to any interests held at any time during the calendar year for which a required statement is to be filed. "Interest" does not include:

- A. An interest held in the capacity of a personal agent, representative custodian, fiduciary, or trustee, unless the holder has an equitable interest therein;

B. An interest in a time or demand deposit in a financial institution;

C. An interest in an insurance or endowment policy or annuity contract under which an insurance company promises to pay a fixed number of dollars either in a lump sum or periodically for life or some other specified period;

D. A common trust fund or a trust which forms part of a pension or profit sharing plan which has more than 25 participants and which has been determined by the Internal Revenue Service to be a qualified trust under §§401 and 501 of the Internal Revenue Code of 1954;

E. A college savings plan under the Internal Revenue Code; or

F. 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.

LOBBYING--Means:

A. Communicating in the presence of a County official or employee with the intent to influence any official action of that official or employee; or

B. Engaging in activities having the express purpose of soliciting others to communicate with a County official or employee with the intent to influence that official or employee.

LOBBYIST--Means a person required to register and report expenses related to lobbying under § 29-8 of this chapter.

MATTER--Means, unless the context of this chapter indicates otherwise, any act, action, agenda item, allegation, application, amendment, auction, bill, business, case, charge, claim, consideration, contract, controversy, decree, deed, deliberation, discussion, hearing, issue, lease, license, measure, offer, order, ordinance, permit, personnel action, petition, policy, presentation, procedure, privilege, proceeding, project, proposal, proposition, purchase, recommendation, regulation, rental, request, resolution, sale, subject, transaction, use, variance or other discretionary choice pending before a County decision maker when a public servant or a partner in interest has a personal interest in the outcome of the decision, or the decision may result in a personal benefit to a public servant or a partner in interest.

MINISTERIAL DUTY or MINISTERIAL ACTION--Means an action that a public servant performs in a given set of circumstances in a prescribed manner in obedience to the mandate of legal authority, without regard to the exercise of the public servant's own

judgment as to the propriety of the action being taken.

NEGOTIATING CONCERNING PROSPECTIVE EMPLOYMENT--Means one or more discussions between a public servant and a potential employer other than the County concerning the possibility of the public servant or a partner in interest considering or accepting employment with the employer, in which discussion(s) the public servant responds in a positive way.

OFFICE--Means any of the following:

- A. An elective position within the government of the County; or
- B. An appointive County position in which a public servant serves for a specified term, except a position limited to the exercise of ministerial functions or a position filled by an independent contractor; or
- C. An appointive County position which is filled by the President of the County Commissioners, the County Commissioners of Kent County, or the County Administrator, and in which the incumbent serves at the pleasure of the appointing authority, except a clerical position, a position limited to the exercise of ministerial functions or a position filled by an independent contractor.

OFFICER--Means any person elected or appointed to hold an office, as define in this chapter.

OFFICIAL--Means an elected official, an employee of the County, or a person appointed to or employed by the County or any County agency, board, commission, or similar entity, whether or not paid in whole or in part with County funds and whether or not compensated.

OFFICIAL ACTION--Means any act, action, approval, decision, denial, directive, disapproval, inaction, order, performance, nonperformance, recommendation, vote, or other direct result of a public servant's exercise of discretionary authority in connection with the public servant's public position.

OFFICIAL DUTY--Means any official action or ministerial action which a public servant is obligated or authorized to perform by virtue of being a public servant.

OFFICIAL RECORDS--Means any minutes, papers, documents, completed forms, or other records maintained by a public servant for the purpose of fulfilling the disclosure requirements of this chapter.

PARTNER IN INTEREST—

A. Means, when used in this chapter in connection with a public servant, as in the phrase "a public servant or a partner in interest," any and all of the following:

- (1) A member of the public servant's immediate family; or
- (2) A business with which the public servant or a member of the public servant's immediate family is associated; or
- (3) Any other person with whom the public servant or a member of his immediate family is in business, or is negotiating or has an agreement concerning future employment or the future conferring of any personal benefit, whether in the public servant's own name or the name of any business or person from whom the public servant is entitled, or expects to become entitled, to receive any personal benefit, as a result of a contract or transaction which is, or which is expected to become, the subject of an official action by or with the County. The term "partner in interest" does not imply or require any form of legal partnership or formal agreement.

B. When used in the phrase "a public servant or a partner in interest," the term "partner in interest" refers only to a partner in interest of the public servant to whom reference is being made, and not to any other person's partner in interest.

PRINCIPAL HOME--Means the sole residential property that an individual occupies as the individual's primary residence, whether owned or rented by the individual.

PERSON--Includes an individual or business entity.

PUBLIC SERVANT--Means any member of the governing body or of any County agency, board, commission, committee, or other voting body, and any agent, department head, employee, official, supervisor, volunteer, or other person, whether elected or appointed, or legally authorized by contract or in any other manner to act in any capacity under the authority of the County.

QUALIFIED RELATIVE--Means a spouse, parent, child or sibling.

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.

RESPONDENT--Means a person who, in a complaint filed with the Commission, is alleged to have committed a violation of this chapter.

SECOND HOME--Means a residential property that:

- A. An individual occupies for some portion of the filing year; and

B. Is not a rental property or a time share.

STATEMENT--When used in reference to the financial disclosure requirements established by this chapter, means the prescribed form(s) for fulfilling the financial disclosure requirements.

VOLUNTEER--Means an individual who is permitted by the County, or by a person authorized to act on behalf of the County, to assist public servants in performing any kind of official duty or action, including actions which are clerical, menial or merely advisory, without any expectation of receiving compensation.

VOTING BODY--Means the governing body and any other County authority, board, commission, committee, council or group, regardless of whether its function is legislative, administrative, quasi-administrative or quasi-judicial or any combination thereof, which, in order to take any official action, even if the action is merely advisory, must act as a body on the basis of a vote of some or all of its members.

§29-4. Administration.

A. There is created a County Ethics Commission consisting of five members who are residents of the County, of whom one shall be designated by the County Commissioners its Chairman, and two alternate members, appointed by the County Commissioners. The term of office for each of the five members and two alternate members so appointed shall be five years, or until a successor is appointed and takes office. Members of the Commission shall not be elected officials, persons appointed to elective office, full-time appointed officials whether exempt or non-exempt, or County employees, nor shall they be currently serving on any other County board or commission. The Commission shall be assisted in carrying out its responsibilities by the Commission Attorney, who shall be a lawyer, other than the County Attorney, who is admitted to practice law in Maryland. The Commission Attorney shall be appointed by the County Commissioners. If a conflict of interest under § 29-5 of this chapter or other conflict prohibits the Commission Attorney from assisting the Commission in a matter, the County shall provide sufficient funds for the Commission to hire independent counsel for the duration of the conflict.

B. The Commission shall be the advisory body responsible for interpreting this chapter and advising persons subject to it as to its application.

C. The Commission shall, in addition to its other duties, adopt written rules governing its procedures for the holding of Commission meetings and hearings, which rules shall be subject to the approval of the County Commissioners of Kent County; a copy of the rules shall be filed with the County Clerk.

D. The Commission shall be responsible for hearing and deciding, on advice of the

Commission Attorney, any complaint filed regarding an alleged violation of this chapter by any person or on the Commission's own motion. Any such complaint must be in writing, contain the name and address of the complainant, and include a signed statement that the contents of the complaint are affirmed under the penalties of perjury to be true to the best of the complainant's knowledge, information and belief.

E. Confidentiality.

(1) In general. Notwithstanding any other law, and except as provided in Subsection E (2) and (3) of this section, after a complaint is filed:

(a) The proceedings, meetings, and activities of the Commission relating to a complaint are confidential; and

(b) Information relating to a complaint, including the identity of the complainant and respondent, may not be released, disclosed, or published by:

- [1] The Commission;
- [2] County staff assigned to assist the Commission;
- [3] The complainant; or
- [4] The respondent.

(2) Duration. Except as provided in Subsection E(3) of this section, the restrictions in Subsection E (1) of this section apply unless:

- (a) The matter is referred for prosecution; or
- (b) The Commission finds a violation of this title.

(3) Disclosures allowed:

(a) The Commission may release any information if the respondent agrees in writing to the release.

(b) On request of the respondent, the Commission shall disclose the identity of the complainant to the respondent.

F. The Commission Attorney may:

(1) Administer oaths and affirmations; and

(2) Subject to the supervision of the Chairman, issue subpoenas to compel the attendance and testimony of witnesses or for the production of books, papers, records, documents, other tangible objects, e-mails or other electronic evidence.

G. The Commission may:

- (1) On its own or through its designee, administer oaths and affirmations;
- (2) On its own motion or upon the request of a complainant or a respondent, issue subpoenas to compel the attendance and testimony of witnesses or for the production of books, papers, records, documents, other tangible objects, e-mails or other electronic evidence.

H. The Commission may dismiss a complaint in a signed order based on any of the following grounds:

- (1) The complaint does not allege facts sufficient to constitute a violation of this chapter; or
- (2) The Commission has no jurisdiction over the matter; or
- (3) Failure of the complainant to cooperate in the Commission's review and consideration of the complaint; or
- (4) The complaint is defective in a manner which results in the Commission being unable to make any sound determination; or
- (5) The respondent, within 15 days after receiving notice of the complaint, takes any action which may be available to cure each alleged violation, and the Commission finds that dismissal is not contrary to the purposes of this chapter; or
- (6) The Commission determines that no violation of this chapter has occurred.

I. If a complaint is dismissed under Subsection H, the Commission shall promptly send a copy of the order to the complainant and the respondent.

J. The Commission may determine that further information must be obtained in order for the Commission to determine whether the complaint alleges facts sufficient to constitute a violation of this chapter, and

- (1) Conduct its own investigation with respect to any alleged violation; or
- (2) Request the Commission Attorney to investigate the complaint and report all findings back to the Commission; or
- (3) Schedule the complaint for further review and consideration at a future time certain, in which case the Commission shall promptly send written notice of such determination to the complainant and to the respondent; or
- (4) Refer the complaint to any appropriate authorities for criminal investigation or prosecution; or

(5) Refer the complaint, along with the Commission's findings and conclusions, to any appropriate administrative authority for disciplinary action or other suitable remedial action. The Commission may make any recommendation to any County Administrator at any level of supervision. If the Commission finds that the recommendation will advance the objective of this chapter, whether to implement the recommendation may be decided by whatever decision maker is authorized under the circumstances. If it is determined that misconduct or malfeasance has occurred, the Commission may take any enforcement action it is authorized to take in accordance with § 29-9 of this chapter or refer the matter to the County Attorney or to the County Commissioners of Kent County, as circumstances warrant.

K. The Commission may determine that the complaint alleges facts sufficient to constitute a violation of this chapter, and that the Commission will conduct a hearing, in which case the Commission shall promptly send written notice of such determination to the complainant, and to the respondent.

L. The complainant and respondent may, as set forth in Subsection G above, use the subpoena power of the Commission in preparation for any hearing to be held in accordance with this chapter.

M. Subpoenas requested by the complainant or respondent pursuant to Subsection G above shall be issued only in response to a written request received by the Commission not later than 10 working days before the date set for the hearing.

N. Subpoenas pursuant to Subsection G above may be issued by the Commission or by the Commission Chairman acting on behalf of the Commission.

O. Service and enforcement of any subpoena issued at the request of the complainant or respondent pursuant to Subsection G above is the responsibility of the complainant, the respondent or other person acting on their behalf, and not of the Commission or its staff.

P. Subpoenas issued pursuant to this section are judicially enforceable.

Q. A violation of this chapter must be proven by clear and convincing evidence admitted at the hearing. After it has made its final determination, the Commission shall issue its written findings of fact, conclusions of law, and order, and may issue any additional reports, opinions and recommendations as it deems advisable under the circumstances. All such reports shall be in compliance with all state and County laws governing confidentiality, open government, and torts. All such reports shall be reviewed by the Commission Attorney prior to their issuance.

R. The Commission may adopt additional policies and procedures related to complaints, complaint hearings, the use of independent investigators and staff, the use of witness and document subpoenas, and cure and settlement agreements.

S. Limitations on Commission's power. The Commission does not have the authority to reverse or otherwise modify a prior action of the President of the County Commissioners, the County Commissioners of Kent County, or a public servant of the County. If the Commission finds a prior action of the President of the County Commissioners, the County Commissioners of Kent County, or a public servant to have been ethically improper, the Commission may advise the appropriate party or parties that the action should be reconsidered. Upon such advice by the Commission, the action shall be reconsidered by the appropriate person or public body. If the Commission determines an existing County contract to be ethically improper, after such determination and advice from the Commission, the County may void or seek termination of the contract if legally permissible. The Commission may refer the matter to the County Attorney for review and consideration for appropriate action. Upon completion of the review and consideration, the County Attorney shall report his/her findings to the Commission.

T. The Commission shall devise and receive all forms required by this chapter. The Commission or an office designated by the Commission shall be the custodian of all forms submitted by any person in accordance with this chapter.

U. The County Clerk shall serve as recording secretary to the Commission and shall provide such administrative services to the Commission as may be necessary.

V. The Commission shall be responsible for conducting a public information and education program regarding the purposes and implementation of this chapter.

W. Any public servant or other person subject to the provisions of this chapter may ask the Commission for an advisory opinion concerning the application of this chapter. The Commission shall respond promptly to these requests, providing interpretations of this chapter based on the facts provided or reasonably available to it. The Commission's deliberations and actions upon such requests shall be in meetings not open to the public. Copies of these interpretations, with the identities of the subjects deleted, shall be published and otherwise made available to the public in accordance with any applicable state or County law regarding public records. The Commission may adopt additional policies and procedures related to the advisory opinion request process.

X. The Commission shall certify to the State Ethics Commission on or before October 1 of each year that the County is in compliance with the requirements of the General Provisions Article, Title 5, Subtitle 8, Annotated Code of Maryland, for elected local officials.

Y. The Commission shall determine if changes to this chapter are required to be in compliance with the requirements of the General Provisions Article, Title 5, Subtitle 8, Annotated Code of Maryland, and shall forward any recommended changes and amendments to the County Commissioners for enactment.

Z. The Commission may adopt other policies and procedures to assist in the implementation of the Commission's programs established in this chapter.

§29-5. Prohibited conduct and interests.

A. Participation prohibitions.

(1) Except as permitted by Commission regulation or opinion, an official or employee may not participate in:

(a) Except in the exercise of an administrative or ministerial duty that does not affect the disposition or decision of the matter, any matter in which, to the knowledge of the official or employee, the official or employee or a qualified relative of the official or employee has an interest.

(b) Except in the exercise of an administrative or ministerial duty that does not affect the disposition or decision with respect to the matter, any matter in which any of the following is a party:

[1] A business entity in which the official or employee has a direct financial interest of which the official or employee may reasonably be expected to know;

[2] A business entity for which the official, employee, or a qualified relative of the official or employee is an officer, director, trustee, partner, or employee;

[3] A business entity with which the official or employee or, to the knowledge of the official or employee, a qualified relative is negotiating employment or has any arrangement concerning prospective employment;

[4] If the contract reasonably could be expected to result in a conflict between the private interests of the official or employee and the official duties of the official or employee, a business entity that is a party to an existing contract with the official or employee, or which, to the knowledge of the official or employee, is a party to a contract with a qualified relative;

[5] An entity, doing business with the County, in which a direct financial interest is owned by another entity in which the official or employee has a direct financial interest, if the official or employee may be reasonably expected to know of both direct financial interests; or

[6] A business entity that:

[a] The official or employee knows is a creditor or obligee of the official or employee or a qualified relative of the official or employee with respect to a thing of economic value; and

[b] As a creditor or obligee, is in a position to directly and substantially affect the interest of the official or employee or a qualified relative of the official or employee.

(2) A person who is disqualified from participating under Subsection A (1) of this section shall disclose the nature and circumstances of the conflict and may participate or act if:

(a) The disqualification leaves a body with less than a quorum capable of acting;

(b) The disqualified official or employee is required by law to act; or

(c) The disqualified official or employee is the only person authorized to act.

(3) The prohibitions of Subsection A (1) of this section do not apply if participation is allowed by regulation or opinion of the Commission.

(4) A former regulated lobbyist who is or becomes subject to this chapter as an employee or official, other than an elected official or an appointed official, may not participate in a case, contract, or other specific matter as an employee or official, other than an elected official or appointed official, for one calendar year after the termination of the registration of the former regulated lobbyist if the former regulated lobbyist previously assisted or represented another party for compensation in the matter.

B. Employment and financial interest restrictions.

(1) Except as permitted by regulation of the Commission when the interest is disclosed or when the employment does not create a conflict of interest or appearance of conflict, an official or employee may not:

(a) Be employed by or have a financial interest in any entity:

[1] Subject to the authority of the official or employee or the County agency, board, or commission with which the official or employee is affiliated; or

[2] That is negotiating or has entered a contract with the agency, board, or commission with which the official or employee is affiliated; or

(b) Hold any other employment relationship that would impair the impartiality or independence of judgment of the official or employee.

(2) The prohibitions of Subsection A (1) of this section do not apply to:

(a) An official or employee who is appointed to a regulatory or licensing

authority pursuant to a statutory requirement that persons subject to the jurisdiction of the authority be represented in appointments to the authority;

(b) Subject to other provisions of law, a member of a board or commission in regard to a financial interest or employment held at the time of appointment, provided the financial interest or employment is publicly disclosed to the appointing authority and the Commission;

(c) An official or employee whose duties are ministerial, if the private employment or financial interest does not create a conflict of interest or the appearance of a conflict of interest, as permitted and in accordance with regulations adopted by the Commission; or

(d) Employment or financial interests allowed by regulation of the Commission if the employment does not create a conflict of interest or the appearance of a conflict of interest or the financial interest is disclosed.

C. Post-employment limitations and restrictions.

(1) A former official or employee may not assist or represent any party other than the County for compensation in a case, contract, or other specific matter involving the County if that matter is one in which the former official or employee significantly participated as an official or employee.

(2) A former elected official may not assist or represent another party for compensation in a matter that is the subject of legislative action for one calendar year after the elected official leaves office.

D. Contingent compensation. Except in a judicial or quasi-judicial proceeding, an official or employee may not assist or represent a party for contingent compensation in any matter before or involving the County.

E. Use of prestige of office.

(1) An official or employee may not intentionally use the prestige of office or public position:

(a) For the private gain of that official or employee or the private gain of another; or

(b) To influence, except as part of the official duties of the official or employee or as a usual and customary constituent service without additional compensation, the award of a state or local contract to a specific person.

(2) An official may not directly or indirectly initiate a solicitation for a person to retain the compensated services of a particular regulated lobbyist or lobbying firm.

(3) This subsection does not prohibit the performance of usual and customary constituent services by an elected official without additional compensation.

(4) An official, other than an elected official, or employee may not use public resources or the title of the official or employee to solicit a contribution as that term is defined in the Election Law Article of the Annotated Code of Maryland.

(5) An elected official may not use public resources to solicit a contribution as that term is defined in the Election Law Article of the Annotated Code of Maryland.

F. Solicitation and acceptance of gifts.

(1) An official or employee may not solicit any gift.

(2) An official or employee may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from an individual regulated lobbyist.

(3) An official or employee may not knowingly accept a gift, directly or indirectly, from a person that the official or employee knows or has reason to know:

(a) Is doing business with or seeking to do business with the County office, agency, board, or commission with which the official or employee is affiliated;

(b) Has financial interests that may be substantially and materially affected, in a manner distinguishable from the public generally, by the performance or nonperformance of the official duties of the official or employee;

(c) Is engaged in an activity regulated or controlled by the official's or employee's governmental unit;

(d) Is a lobbyist with respect to matters within the jurisdiction of the official or employee; or

(e) Is an association, or any entity acting on behalf of an association, that is engaged only in representing counties or municipal corporations.

(4) This subsection does not apply to a gift:

(a) That would tend to impair the impartiality and the independence of judgment of the official or employee receiving the gift;

(b) Of significant value that would give the appearance of impairing the

impartiality and independence of judgment of the official or employee; or

(c) Of significant value that the recipient official or employee believes or has reason to believe is designed to impair the impartiality and independence of judgment of the official or employee.

(5) Notwithstanding Subsection F(3) of this section, an official or employee may accept the following:

(a) Meals and beverages consumed in the presence of the donor or sponsoring entity;

(b) Ceremonial gifts or awards that have insignificant monetary value;

(c) Unsolicited gifts of nominal value that do not exceed \$20 in cost or trivial items of informational value;

(d) Reasonable expenses for food, travel, lodging, and scheduled entertainment of the official or the employee at a meeting which is given in return for the participation of the official or employee in a panel or speaking engagement at the meeting;

(e) Gifts of tickets or free admission extended to an elected official to attend a charitable, cultural, or political event, if the purpose of this gift or admission is a courtesy or ceremony extended to the elected official's office;

(f) A specific gift or class of gifts that the Commission exempts from the operation of this subsection upon a finding, in writing, that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of the business of the County and that the gift is purely personal and private in nature;

(g) Gifts from a person related to the official or employee by blood or marriage, or any other individual who is a member of the household of the official or employee; or

(h) Honoraria for speaking to or participating in a meeting, provided that the offering of the honorarium is in no way related to the official's or employee's official position.

G. Disclosure of confidential information. Other than in the discharge of official duties, an official or employee or former official or employee may not disclose or use confidential information, that the official or employee acquired by reason of the individual's public position or former public position and that is not available to the public, for the economic benefit of the official or employee or that of another person.

H. An official or employee may not retaliate against an individual for reporting or participating in an investigation of a potential violation of the local ethics law or ordinance.

I. Members of the Administrative Charging Committee, Agricultural Resolution Board, Board of Building Appeals, Construction Trades Board, Board of License Commissioners, Board of Zoning Appeals, Emergency Services Board, Ethics Commission, Housing Appeals Board, Local Drug and Alcohol Abuse Council, Local Management Board, Planning Commission, Police Accountability Board, and/or Property Tax Assessment Appeal Board shall avoid *ex parte* contact with applicants or potential applicants, or potential interested persons who may come before their respective boards or commissioners requesting approval or disapproval of a particular application or project, and shall refrain from discussion with such persons applications or projects which they have reason to believe will come before them in their official capacity. The public has a right to expect that decisions are made by evidence and exhibits presented on the record. *Ex parte* communications received in violation of this Subsection I shall be placed in the record and disclosed to all parties, who shall then have 10 days within which to rebut them.

§29-6. Financial disclosure – elected officials, officials, and employees.

A. This section applies to all elected officials, all candidates to be elected officials, and the following Board of County Commissioners employees:

- (1) All County employees listed in Grade 7 through Grade 13 on the County's Grade and Position Scale;
- (2) Alcoholic Beverage and Tobacco Inspector;
- (3) HR Specialist;
- (4) Payroll Administrator.

B. Except as provided in Subsection D of this section, an elected official, employee, or candidate to be an elected official shall file the financial disclosure statement required under this subsection:

- (1) On a form provided by the Commission;
- (2) Under oath or affirmation; and
- (3) With the Commission.

C. Deadlines for filing statements.

- (1) An incumbent official or employee shall file a financial disclosure statement

annually no later than April 30 of each year for the preceding calendar year.

(2) An official or employee who is appointed to fill a vacancy in an office for which a financial disclosure statement is required and who has not already filed a financial disclosure statement shall file a statement for the preceding calendar year within 30 days after appointment.

(3) An individual who, other than by reason of death, leaves an office for which a statement is required shall file a statement within 60 days after leaving the office.

(a) The statement shall cover:

[1] The calendar year immediately preceding the year in which the individual left office, unless a statement covering that year has already been filed by the individual; and

[2] The portion of the current calendar year during which the individual held the office.

D. Candidates to be elected officials.

(1) Except for an official or employee who has filed a financial disclosure statement under another provision of this section for the reporting period, a candidate to be an elected official shall file a financial disclosure statement each year beginning with the year in which the certificate of candidacy is filed through the year of the election.

(2) A candidate to be an elected official shall file a statement required under this section:

(a) In the year the certificate of candidacy is filed, no later than the filing of the certificate of candidacy;

(b) In the year of the election, on or before the earlier of April 30 or the last day for the withdrawal of candidacy; and

(c) In all other years for which a statement is required, on or before April 30.

(3) A candidate to be an elected official:

(a) May file the statement required under § 29-6D(2)(a) of this chapter with the Board of County Commissioners Clerk or Board of Election Supervisors with the certificate of candidacy or with the Commission prior to filing the certificate of candidacy; and

(b) Shall file the statements required under § 29-6D(2)(b) and (c) of this

chapter with the Commission.

(4) If a statement required by a candidate is overdue and not filed within eight days after written notice of the failure to file is provided by the Board of County Commissioners Clerk or Board of Election Supervisors, the candidate is deemed to have withdrawn the candidacy.

(5) The Board of County Commissioners Clerk or Board of Election Supervisors may not accept any certificate of candidacy unless a statement required under this section has been filed in proper form.

(6) Within 30 days of the receipt of a statement required under this section, the Board of County Commissioners Clerk or Board of Election Supervisors shall forward the statement to the Commission, or an office designated by the Commission.

E. Public record.

(1) The Commission or office designated by the Commission shall maintain all financial disclosure statements filed under this section.

(2) The Commission or office designated by the Commission shall make financial disclosure statements available during normal office hours for examination and copying by the public, subject to reasonable fees and administrative procedures established by the Commission.

(3) If an individual examines or copies a financial disclosure statement, the Commission or the office designated by the Commission shall record:

(a) The name and home address of the individual reviewing or copying the statement; and

(b) The name of the person whose financial disclosure statement was examined or copied.

(4) Upon request by the individual whose financial disclosure statement was examined or copied, the Commission or the office designated by the Commission shall provide the official or employee with a copy of the name and home address of the person who reviewed the official's or employee's financial disclosure statement.

(5) For statements filed after January 1, 2019, the Commission or the office designated by the Commission may not provide public access to an individual's home address that the individual has designated as the individual's home address.

(6) The Commission or office designated by the Commission shall not provide public access to information related to consideration received from:

- (a) The University of Maryland Medical System;
- (b) A governmental entity of the state or a local government in the state; or
- (c) A quasi-governmental entity of the state or local government in the state.

F. Retention requirements. The Commission or the office designated by the Commission shall retain financial disclosure statements for four years from the date of receipt.

G. An individual who is required to disclose the name of a business under this section shall disclose any other names that the business is trading as or doing business as.

H. Contents of statement.

(1) Interests in real property.

(a) A statement filed under this section shall include a schedule of all interests in real property wherever located.

(b) For each interest in real property, the schedule shall include:

[1] The nature of the property and the location by street address, mailing address, or legal description of the property;

[2] The nature and extent of the interest held, including any conditions and encumbrances on the interest;

[3] The date when, the manner in which, and the identity of the person from whom the interest was acquired;

[4] The nature and amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired;

[5] If any interest was transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and the identity of the person to whom the interest was transferred; and

[6] The identity of any other person with an interest in the property.

(2) Interests in corporations and partnerships.

(a) A statement filed under this section shall include a schedule of all interests in any corporation, partnership, limited liability partnership, or limited liability corporation, regardless of whether the corporation or partnership does business with the Board of County Commissioners.

(b) For each interest reported under this subsection, the schedule shall include:

[1] The name and address of the principal office of the corporation, partnership, limited liability partnership, or limited liability corporation;

[2] The nature and amount of the interest held, including any conditions and encumbrances on the interest;

[3] With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received for the interest, and, if known, the identity of the person to whom the interest was transferred; and

[4] With respect to any interest acquired during the reporting period:

[a] The date when, the manner in which, and the identity of the person from whom the interest was acquired; and

[b] The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.

(c) An individual may satisfy the requirement to report the amount of the interest held under Subsection H(2)(b)[2] by reporting, instead of a dollar amount:

[1] For an equity interest in a corporation, the number of shares held and, unless the corporation's stock is publicly traded, the percentage of equity interest held; or

[2] For an equity interest in a partnership, the percentage of equity interest held.

(3) Interests in business entities doing business with Board of County Commissioners.

(a) A statement filed under this section shall include a schedule of all interests in any business entity that does business with the Board of County Commissioners, other than interests reported under Subsection H(2).

(b) For each interest reported under this subsection, the schedule shall

include:

[1] The name and address of the principal office of the business entity;

[2] The nature and amount of the interest held, including any conditions to and encumbrances on the interest;

[3] With respect to any interest transferred, in whole or in part, at any time during the reporting period, a description of the interest transferred, the nature and amount of the consideration received in exchange for the interest, and, if known, the identity of the person to whom the interest was transferred; and

[4] With respect to any interest acquired during the reporting period:

[a] The date when, the manner in which, and the identity of the person from whom the interest was acquired; and

[b] The nature and the amount of the consideration given in exchange for the interest or, if acquired other than by purchase, the fair market value of the interest at the time acquired.

(4) Gifts.

(a) A statement filed under this section shall include a schedule of each gift in excess of \$20 in value or a series of gifts totaling \$100 or more received during the reporting period from or on behalf of, directly or indirectly, any one person who does business with the Board of County Commissioners or from an association, or any entity acting on behalf of an association that is engaged only in representing counties or municipal corporations.

(b) For each gift reported, the schedule shall include:

[1] A description of the nature and value of the gift; and

[2] The identity of the person from whom, or on behalf of whom, directly or indirectly, the gift was received.

(5) Employment with or interests in entities doing business with Board of County Commissioners.

(a) A statement filed under this section shall include a schedule of all offices, directorships, and salaried employment by the individual or member of the immediate family of the individual held at any time during the reporting period with entities doing business with the Board of County Commissioners.

(b) For each position reported under this subsection, the schedule shall include:

[1] The name and address of the principal office of the business entity;

[2] The title and nature of the office, directorship, or salaried employment held and the date it commenced; and

[3] The name of each Board of County Commissioners agency with which the entity is involved as indicated by identifying one or more of the three categories of "doing business," as defined in § 29-3 of this chapter.

(6) Indebtedness to entities doing business with or regulated by the individual's Board of County Commissioners unit or department.

(a) A statement filed under this section shall include a schedule of all liabilities, excluding retail credit accounts, to persons doing business with or regulated by the individual's Board of County Commissioners unit or department owed at any time during the reporting period:

[1] By the individual; or

[2] By a member of the immediate family of the individual if the individual was involved in the transaction giving rise to the liability.

(b) For each liability reported under this subsection, the schedule shall include:

[1] The identity of the person to whom the liability was owed and the date the liability was incurred;

[2] The amount of the liability owed as of the end of the reporting period;

[3] The terms of payment of the liability and the extent to which the principal amount of the liability was increased or reduced during the year; and

[4] The security given, if any, for the liability.

(7) Employment with the Board of County Commissioners. A statement filed under this section shall include a schedule of the immediate family members of the individual employed by the Board of County Commissioners, in any capacity at any time during the reporting period.

(8) Sources of earned income.

(a) A statement filed under this section shall include a schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income, at any time during the reporting period.

(b) A minor child's employment or business ownership need not be disclosed if the agency that employs the individual does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.

(c) For a statement filed on or after January 1, 2019, if the individual's spouse is a lobbyist regulated by the Board of County Commissioners, the individual shall disclose the entity that has engaged the spouse for lobbying purposes.

(9) Relationship with University of Maryland Medical System, state or local government, or quasi-governmental entity.

(a) An individual shall disclose the information specified in General Provisions Article §5-607(j)(1), Annotated Code of Maryland, for any financial or contractual relationship with:

- [1] The University of Maryland Medical System;
- [2] A governmental entity of the state or a local government in the state; or
- [3] A quasi-governmental entity of the state or local government in the state.

(b) For each financial or contractual relationship reported, the schedule shall include:

- [1] A description of the relationship;
- [2] The subject matter of the relationship; and
- [3] The consideration.

(10) A statement filed under this section may also include a schedule of additional interests or information that the individual making the statement wishes to disclose.

(a) For the purposes of § 29-6H(1), (2), and (3) of this chapter, the following interests are considered to be the interests of the individual making the statement:

- [1] An interest held by a member of the individual's immediate family, if the

interest was, at any time during the reporting period, directly or indirectly controlled by the individual.

[2] An interest held, at any time during the applicable period, by:

[a] A business entity in which the individual held a 10% or greater interest;

[b] A business entity described in Subsection H(10)(a)[2][a] in which the business entity held a 25% or greater interest;

[c] A business entity described in Subsection H(1)(a)[2][b] in which the business entity held a 50% or greater interest; and

[d] A business entity in which the individual directly or indirectly, though an interest in one or a combination of other business entities, holds a 10% or greater interest.

[3] An interest held by a trust or an estate in which, at any time during the reporting period:

[a] The individual held a reversionary interest or was a beneficiary; or

[b] If a revocable trust, the individual was a settlor.

I. The Commission shall review the financial disclosure statements submitted under this section for compliance with the provisions of this section and shall notify an individual submitting the statement of any omissions or deficiencies.

J. The Board of County Commissioners Ethics Commission may take appropriate enforcement action to ensure compliance with this section.

§29-7. Financial disclosure – appointed members of boards and commissions .

A. Statement required.

(1) The Board of County Commissioners appointed officials listed in Subsection B of this section shall file the statement required in § 29-6 of this chapter.

(2) The appointed officials shall be required to disclose the information specified in § 29-6G of this chapter only with respect to those interests, gifts, compensated positions, and liabilities that may create a conflict, as provided in § 29-5 of this chapter, between the member's personal interests and the member's official local duties.

(3) An official shall file a statement required under this section annually, not later than April 30 of each calendar year during which the official holds office.

B. Appointed officials required to file:

- (1) Administrative Charging Committee.
- (2) Agricultural Advisory Commission.
- (3) Agricultural Preservation Advisory Board.
- (4) Agricultural Resolution Board.
- (5) Board of Electric Examiners.
- (6) Board of Zoning Appeals.
- (7) Commission on Aging.
- (8) Economic and Tourism Board.
- (9) Emergency Services Board.
- (10) Ethics Commission.
- (11) Library Board of Trustees.
- (12) Library Director.
- (13) Local Drug and Alcohol Abuse Council.
- (14) Local Management Board.
- (15) Parks and Recreation Advisory Board.
- (16) Planning Commission.
- (17) Policy Accountability Board.
- (18) Public Landings Board.
- (19) Social Services Advisory Board.
- (20) The County Attorney and all attorneys to various boards and commissions.

C. The Commission shall maintain all disclosure statements filed under this section as public records available for public inspection and copying as provided in § 29-6E of this chapter.

§29-8. Lobbying disclosure.

A. Except as provided in Subsections B and C of this section, a person or entity who engages in lobbying as defined in § 29-3 shall file a lobbying registration with the Commission if the person or entity, during the calendar year:

(1) Expend, exclusive of personal travel and subsistence expenses, in excess of \$250 in furtherance of this activity; or

(2) Is compensated in excess of \$250 in connection with this activity.

B. The following activities are exempt from regulation under this section:

(1) Professional services in drafting bills or in advising and rendering opinions to clients as to the construction and effect of proposed or pending Board of County Commissioners actions when these services do not otherwise constitute lobbying activities;

(2) Appearances before the Board of County Commissioners upon its specific invitation or request if the person or entity engages in no further or other activities in connection with the passage or defeat of Board of County Commissioners actions;

(3) Appearances before a County agency upon the specific invitation or request of the agency if the person or entity engages in no further or other activities in connection with the passage or defeat of any agency executive action;

(4) Appearance as part of the official duties of a duly elected or appointed official or employee of the state or a political subdivision of the state, or of the United States, and not on behalf of any other entity;

(5) Actions of a publisher or working member of the press, radio, or television in the ordinary course of the business of disseminating news or making editorial comment to the general public who does not engage in further or other lobbying that would directly and specifically benefit the economic, business, or professional interests of the person or entity or the employer of the person or entity;

(6) Appearances by an individual before the Council or other legislative body- at the specific invitation or request of a registered lobbyist if the person performs no other lobbying act and notifies the Board of County Commissioners that the person or entity is testifying at the request of the lobbyist;

(7) Appearances by an individual before a government agency at the specific invitation or request of a registered lobbyist if the person or entity performs no other lobbying act and notifies agency that the person or entity is testifying at the request of the lobbyist;

(8) The representation of a bona fide religious organization solely for the purpose of protecting the right of its own members to practice the doctrine of the organization; and

(9) Appearance as part of the official duties of an officer, director, member, or employee of an association engaged exclusively in lobbying for counties and municipalities and not on behalf of any other entity.

C. Limited exemption — employer of a lobbyist.

(1) A person or entity who compensates one or more lobbyists and who would otherwise be required to register as a lobbyist is not required to file a registration and submit lobbying reports if the person or entity reasonably believes that all expenses incurred in connection with the lobbying activities will be reported by a properly registered person or entity acting on behalf of the person or entity.

(2) A person or entity exempted under this subsection becomes subject to this section immediately upon failure of the lobbyist to report any information required under this section.

D. Filing of registration.

(1) The registration filed under this section shall be filed on or before the later of the beginning of the calendar year in which the person or entity expects to lobby and within five days of first engaging in lobbying activities in the calendar year.

(2) The registration filed under this section:

(a) Shall be dated and on a form developed by the Commission;

(b) Shall include:

[1] The lobbyist's full and legal name and permanent address;

[2] The name, address, and nature of business of any person or entity on whose behalf the lobbyist acts;

[3] The written authorization of any person or entity on whose behalf the lobbyist acts or an authorized officer or agent, who is not the lobbyist, of the person or entity on whose behalf the lobbyist acts;

[4] A statement of whether the person or entity on whose behalf the lobbyist acts is exempt from registration under Subsection C of this section;

[5] The identification, by formal designation, if known, of matters on which the lobbyist expects to act;

[6] Identification of the period of time within a single calendar year during which the lobbyist is authorized to engage in these activities, unless terminated sooner; and

[7] The full legal signature of the lobbyist and, when appropriate, the person or entity on whose behalf the lobbyist acts or an agent or authorized officer of the person or entity on whose behalf the lobbyist acts.

E. A lobbyist shall file a separate registration for each person or entity that has engaged or employed the lobbyist for lobbying purposes.

F. A lobbyist may terminate the lobbyist's registration by providing written notice to the Commission and submitting all outstanding reports and registrations.

G. A person or entity may not engage in lobbying activities on behalf of another person or entity for compensation that is contingent upon the passage or defeat of any action by the Board of County Commissioners or the outcome of any executive action.

H. Activity report.

(1) A lobbyist shall file with the Commission or the office designated by the Commission:

(a) By July 31, one report concerning the lobbyist's lobbying activities covering the period beginning January 1 through June 30; and

(b) By January 31, one report covering the period beginning July 1 through December 31.

(2) A lobbyist shall file a separate activity report for each person or entity on whose behalf the lobbyist acts.

(3) If the lobbyist is not an individual, an authorized officer or agent of the entity shall sign the form.

(4) The report shall include:

(a) A complete and current statement of the information required to be supplied with the lobbyist's registration form.

(b) Total expenditures on lobbying activities in each of the following categories:

[1] Total compensation paid to the lobbyist not including expenses reported under Subsection H(4)(b)[1] through [9];

[2] Office expenses of the lobbyist;

[3] Professional and technical research and assistance not reported in Subsection H(4)(a);

[4] Publications which expressly encourage persons to communicate with County officials or employees;

[5] Names of witnesses, and the fees and expenses paid to each witness;

[6] Meals and beverages for County officials and employees;

[7] Reasonable expenses for food, lodging, and scheduled entertainment of County officials or employees for a meeting which is given in return for participation in a panel or speaking engagement at the meeting;

[8] Other gifts to or for officials or employees or their spouses or dependent children; and

[9] Other expenses.

I. Special gift report.

(1) With the six-month activity report required under Subsection H of this section, a lobbyist shall report, except for gifts reported in item Subsection H(4)(b)[7] of this section, gifts from the lobbyist with a cumulative value of \$75 or more during the reporting period to an official, employee, or member of the immediate family of an official or employee.

(2) The lobbyist shall report gifts under this subsection regardless of whether the gift was given in connection with lobbying activities.

(3) The report shall include the date, beneficiary, amount or value, and nature of the gift.

J. Notification to official and confidentiality.

(1) If any report filed under this section contains the name of an official or

employee or a member of the immediate family of an official or employee, the Commission shall notify the official or employee within 30 days.

(2) The Commission shall keep the report confidential for 60 days following receipt by the Commission.

(3) Within 30 days of the notice required under Subsection J(1), the official or employee may file a written exception to the inclusion in the report of the name of the official, employee, or member of the immediate family of the official or employee.

K. The Commission may require a lobbyist to submit other reports the Commission determines to be necessary.

L. The Commission or office designated by the Commission shall maintain all registrations and reports filed under this section.

M. Compliance review by Commission.

(1) The Commission shall review the registrations and reports filed under this section for compliance with this section and shall notify persons engaging in lobbying activities of any omissions or deficiencies.

(2) The Commission may take appropriate enforcement action to ensure compliance with this section.

N. Annual report.

(1) The Commission shall compute and make available a subtotal under each of the nine required categories in Subsection H(4)(b) of this section.

(2) The Commission shall compute and make available the total amount reported by all lobbyists for their lobbying activities during the reporting period.

O. The Commission shall make lobbying registrations and reports available during normal business hours for examination and copying subject to reasonable fees and procedures established by the Commission.

§29-9. Enforcement.

A. Upon a finding of a violation of any provision of this chapter, the Commission may:

(1) Issue an order of compliance directing the respondent to cease and desist from the violation;

(2) Issue a reprimand; or

(3) Recommend to the appropriate authority other appropriate discipline of the respondent, including censure or removal if that discipline is authorized by law.

B. If the Commission finds that a respondent has violated §8 of this chapter, the Commission may:

(1) Require a respondent who is a registered lobbyist to file any additional reports or information that reasonably related to the information that is required under §8 of this chapter;

(2) Impose a fine not exceeding \$5,000 for each violation; and

(3) Suspend the registration of an individual registered lobbyist if the Commission finds that the lobbyist has knowingly and willfully violated §8 of this chapter or has been convicted of a criminal offense arising from lobbying activities.

C. Upon request of the Commission, the County Attorney or Commission Attorney may file a petition for injunctive or other relief in the circuit court of _Kent County, or in any other court having proper venue for the purpose of requiring compliance with the provisions of this chapter.

(1) The court may:

(a) Issue an order to cease and desist from the violation;

(b) Except as provided in subparagraph (ii) of this paragraph, void an official action taken by an official or employee with a conflict of interest prohibited by this chapter when the action arises from or concerns the subject matter of the conflict and if the legal action is brought within 90 days of the occurrence of the official action, if the court deems voiding the action to be in the best interest of the public; or

(c) Impose a fine of up to \$5,000 for any violation of the provisions of this chapter, with each day upon which the violation occurs constituting a separate offense.

(2) A court may not void any official action appropriating public funds, levying taxes, or providing for the issuance of bonds, notes, or other evidences of public obligations.

D. Willful violations.

(1) Any person who knowingly and willfully violates the provisions of § 29-8 of this chapter is guilty of a misdemeanor, and, upon conviction, is subject to a fine of not more than \$1,000 or imprisonment for not more than one year, or both.

(2) If the person is a business entity and not a natural person, each officer and partner of the business entity who knowingly authorized or participated in the violation is guilty of a misdemeanor and, upon conviction, is subject to the same penalties as the business entity.

E. In addition to any other enforcement provisions in this chapter, a person who the Commission or a court finds has violated this chapter:

(1) Is subject to termination or other disciplinary action; and

(2) May be suspended from receiving payment of salary or other compensation pending full compliance with the terms of an order of the Commission or a court.

F. Preservation and inspection of documents.

(1) A person who is subject to the provisions of this chapter shall obtain and preserve all accounts, bills, receipts, books, papers, and documents necessary to complete and substantiate a report, statement, or record required under this chapter for three years from the date of filing the report, statement, or record.

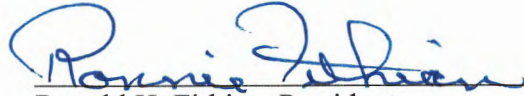
(2) These papers and documents shall be available for inspection upon request by the Commission or the Board of County Commissioners after reasonable notice.

§29-10. Severability.

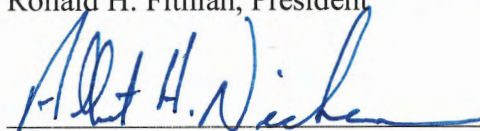
If any section, sentence, clause, or phrase of this chapter is held invalid or unconstitutional by any court of competent jurisdiction, the ruling shall not affect the validity of the remaining portions of this chapter.

2025, AND BEEN INTRODUCED ON JULY 15, 2025, IS HEREBY ADOPTED THIS ^{19th}
DAY OF August, 2025, AND BECOMES EFFECTIVE ON THE 3rd DAY
OF October, 2025.

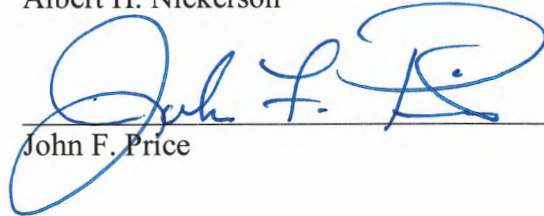
COUNTY COMMISSIONERS OF KENT
COUNTY



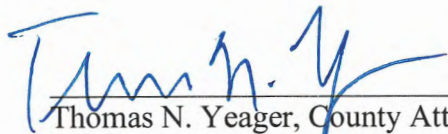
Ronald H. Fithian, President



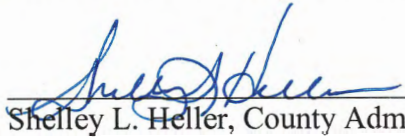
Albert H. Nickerson



John F. Price



Thomas N. Yeager, County Attorney



Shelley L. Heller, County Administrator