

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Bill 124 (Delegates Rosenberg and Lafferty)
Environmental Matters

General Assembly - Disclosure of Financial Interests

This bill requires a member of the General Assembly who communicates with an official or employee of a governmental entity in the State on behalf of a person, where the representation of the person is subject to disclosure to the Joint Committee on Legislative Ethics or the State Ethics Commission, to also report the disclosed information to the governmental entity. The report must be in writing, submitted before or at the same time as the commencement of the communication, and filed with the highest ranking official of the governmental entity as well as the office of the official or employee with whom the legislator communicates. The report is not required to be filed electronically and maintained as a matter of public record with the Department of Legislative Services.

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: If representing a person for compensation before a State or local government agency (except in a judicial or quasi-judicial proceeding) a member of the General Assembly must report the name of the person represented, the services performed, and the consideration to the Joint Committee on Legislative Ethics at the times and in the manner required by the committee. The reports are a matter of public record, though the committee may adopt procedures to keep confidential the name of the person represented if that information is privileged or confidential pursuant to any law

governing proceedings before that State agency. "Person" is defined as an individual, receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind and any partnership, firm, association, corporation, or other entity.

A member of the General Assembly must also file financial disclosure statements with the State Ethics Commission that must include specified information regarding all offices, directorships, and salaried employment, or any similar interest not otherwise disclosed, in business entities doing business with the State (held either by the individual or any member of the individual's immediate family). A statement must also include the name and address of each (1) place of salaried employment, including secondary employment, of the individual or a member of the individual's immediate family during the applicable period and (2) 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 family member received earned income, during the applicable period. A limited exception applies with respect to disclosure of a minor child's employment and business entities of which the child is sole or partial owner.

If not otherwise reported in accordance with requirements for financial disclosure statements, the information regarding representation of a person for compensation before a State or local government agency that is required to be reported to the Joint Committee on Legislative Ethics must also be included in the financial disclosure statement.

Additional Information

Prior Introductions: HB 222 of 2013, a similar bill, received a hearing in, and was referred to interim study by, the House Environmental Matters Committee. HB 273 of 2012, a similar bill, received a hearing in the House Environmental Matters Committee, but no further action was taken.

Cross File: None.

Information Source(s): State Ethics Commission, Department of Legislative Services

Fiscal Note History: First Reader - February 12, 2014
mm/kdm

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