

HOUSE BILL 27

G2
HB 1195/10 – ENV

11r0816

By: **Delegate O'Donnell**

Introduced and read first time: January 13, 2011

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 8, 2011

CHAPTER _____

1 AN ACT concerning

2 **Ethics – Executive Branch – Lobbying by Former Officials**

3 FOR the purpose of prohibiting certain former Executive Branch officials from
4 engaging in certain employment for a certain period of time; providing
5 exceptions to the employment prohibition; and generally relating to lobbying by
6 former Executive Branch officials.

7 BY repealing and reenacting, with amendments,
8 Article – State Government
9 Section 15–504(d)
10 Annotated Code of Maryland
11 (2009 Replacement Volume and 2010 Supplement)

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

14 **Article – State Government**

15 15–504.

16 (d) (1) Except for a former member of the General Assembly, who shall be
17 subject to the restrictions provided under paragraph (2) of this subsection, a former
18 official or employee may not assist or represent a party, other than the State, in a
19 case, contract, or other specific matter for compensation if:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (i) the matter involves State government; and

2 (ii) the former official or employee participated significantly in
3 the matter as an official or employee.

4 (2) (i) Except as provided in subparagraph (ii) of this paragraph,
5 until the conclusion of the next regular session that begins after the member leaves
6 office, a former member of the General Assembly may not assist or represent another
7 party for compensation in a matter that is the subject of legislative action.

8 (ii) The limitation under subparagraph (i) of this paragraph on
9 representation by a former member of the General Assembly does not apply to the
10 former member's representation of a municipal corporation, county, or State
11 governmental entity.

12 **(3) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
13 **PARAGRAPH, FOR 1 YEAR AFTER THE OFFICIAL LEAVES STATE EMPLOYMENT, A**
14 **FORMER STATE OFFICIAL OR PUBLIC OFFICIAL OF THE EXECUTIVE BRANCH**
15 **WHO HAD DUTIES SUBSTANTIALLY RELATED TO STATE LEGISLATIVE MATTERS**
16 **AND THE GENERAL ASSEMBLY MAY NOT ASSIST OR REPRESENT ANOTHER**
17 **PARTY FOR COMPENSATION IN A MATTER THAT IS THE SUBJECT OF**
18 **LEGISLATIVE ACTION.**

19 **(II) THE LIMITATION UNDER SUBPARAGRAPH (I) OF THIS**
20 **PARAGRAPH ON REPRESENTATION BY A FORMER STATE OFFICIAL OR PUBLIC**
21 **OFFICIAL OF THE EXECUTIVE BRANCH DOES NOT APPLY TO THE FORMER**
22 **OFFICIAL'S REPRESENTATION OF A MUNICIPAL CORPORATION, COUNTY, OR**
23 **STATE GOVERNMENTAL ENTITY.**

24 **(4) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS**
25 **PARAGRAPH, FOR 1 YEAR AFTER THE OFFICIAL LEAVES STATE EMPLOYMENT, A**
26 **FORMER STATE OFFICIAL OR PUBLIC OFFICIAL OF THE EXECUTIVE BRANCH**
27 **WHO HAD DUTIES SUBSTANTIALLY RELATED TO THE PROCUREMENT OF GOODS**
28 **AND SERVICES MAY NOT ASSIST OR REPRESENT ANOTHER PARTY FOR**
29 **COMPENSATION IN A PROCUREMENT MATTER BEFORE THE OFFICIAL'S FORMER**
30 **AGENCY.**

31 **(II) THE LIMITATION UNDER SUBPARAGRAPH (I) OF THIS**
32 **PARAGRAPH DOES NOT APPLY TO THE FORMER OFFICIAL'S REPRESENTATION**
33 **OF ANOTHER STATE GOVERNMENTAL ENTITY.**

34 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
35 October 1, 2011.