

HOUSE BILL 46

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11r1246

By: **Delegate O'Donnell**

Introduced and read first time: January 18, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Ethics Law – Soliciting the Employment of Lobbyists**

3 FOR the purpose of prohibiting a State official or public official from directly or
4 indirectly soliciting a person to retain the services of a particular regulated
5 lobbyist or lobbying firm; and generally relating to the regulation of conduct by
6 State and public officials under the Maryland Public Ethics Law.

7 BY repealing and reenacting, without amendments,
8 Article – State Government
9 Section 15–102(bb), (ff), and (ll)
10 Annotated Code of Maryland
11 (2009 Replacement Volume and 2010 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article – State Government
14 Section 15–506
15 Annotated Code of Maryland
16 (2009 Replacement Volume and 2010 Supplement)

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

19 **Article – State Government**

20 15–102.

21 (bb) “Official” means either a State official or a public official.

22 (ff) “Public official” means an individual determined to be a public official in
23 or pursuant to § 15–103 of this subtitle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ll) "State official" means:

2 (1) a constitutional officer or officer-elect in an executive unit;

3 (2) a member or member-elect of the General Assembly;

4 (3) a judge or judge-elect of a court under Article IV, § 1 of the
5 Constitution;

6 (4) a judicial appointee as defined in Maryland Rule 16-814;

7 (5) a State's Attorney;

8 (6) a clerk of the circuit court;

9 (7) a register of wills; or

10 (8) a sheriff.

11 15-506.

12 (a) (1) An official or employee may not intentionally use the prestige of
13 office or public position for that official's or employee's private gain or that of another.

14 [(b)] (2) The performance of usual and customary constituent services,
15 without additional compensation, is not prohibited under [subsection (a) of this
16 section] **PARAGRAPH (1) OF THIS SUBSECTION.**

17 **(B) AN OFFICIAL MAY NOT DIRECTLY OR INDIRECTLY SOLICIT A**
18 **PERSON TO RETAIN THE SERVICES OF A PARTICULAR REGULATED LOBBYIST OR**
19 **LOBBYING FIRM.**

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