

Chapter 72

(Senate Bill 509)

AN ACT concerning

Prince George's County – Ethics Reforms

FOR the purpose of specifying that the ethics provisions required to be enacted by Prince George's County shall contain certain provisions; requiring that the provisions prohibit a person from lobbying the county government for contingent compensation; requiring that the provisions prohibit the county government from issuing a credit card to certain persons; requiring that the provisions prohibit an elected county official from soliciting certain persons to enter into a business relationship with, or provide anything of monetary value to, certain other persons; providing for the construction of certain provisions enacted in accordance with this Act; requiring that the provisions establish a board of ethics composed of a certain number of members and having an executive director; ~~requiring the provisions to provide for an ethics advisor~~ who shall perform certain duties; requiring the provisions to provide for certain meetings of the board of ethics; and generally relating to ethics reform in Prince George's County.

BY repealing and reenacting, with amendments,

Article – State Government

Section 15–807(d)

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

BY repealing and reenacting, without amendments,

Article – State Government

Section 15–808

Annotated Code of Maryland

(2009 Replacement Volume and 2010 Supplement)

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

Article – State Government

15–807.

(d) (1) [In] THIS SUBSECTION APPLIES TO Prince George's County[, "local].

(2) “LOCAL official” includes:

[(1)] (I) each member of the Board of License Commissioners;

[(2)] (II) the chief inspector and any other inspector of the Board of License Commissioners;

[(3)] (III) the administrator of the Board of License Commissioners;
and

[(4)] (IV) the attorney to the Board of License Commissioners.

(3) THE CONFLICT-OF-INTEREST PROVISIONS REQUIRED UNDER § 15-803(A)(1) OF THIS SUBTITLE:

(I) SHALL PROHIBIT THE COUNTY GOVERNMENT FROM ISSUING A CREDIT CARD TO AN ELECTED COUNTY OFFICIAL OR A MEMBER OF THE COUNTY SCHOOL BOARD; AND

(II) SHALL PROHIBIT AN ELECTED COUNTY OFFICIAL FROM DIRECTLY OR INDIRECTLY SOLICITING A PERSON TO ENTER INTO A BUSINESS RELATIONSHIP WITH OR PROVIDE ANYTHING OF MONETARY VALUE TO A SPECIFIC INDIVIDUAL OR ENTITY, IF THE PERSON BEING SOLICITED IS SEEKING:

1. THE SUCCESS OR DEFEAT OF COUNTY LEGISLATION;

2. A COUNTY CONTRACT; OR

3. ANY OTHER COUNTY BENEFIT.

(4) ANY CONFLICT-OF-INTEREST PROVISION ENACTED IN ACCORDANCE WITH PARAGRAPH (3)(II) OF THIS SUBSECTION MAY NOT BE CONSTRUED TO AFFECT THE VALIDITY OF ANY LEGALLY ENACTED REQUIREMENT OR CONDITION, PROPOSED AND ADOPTED ON THE PUBLIC RECORD AT A PUBLIC HEARING, THE PURPOSE OF WHICH IS TO MITIGATE THE IMPACT OF A DEVELOPMENT ON THE PROPERTY OWNERS IN THE AREAS SURROUNDING THE DEVELOPMENT, INCLUDING:

(I) AN ADEQUATE PUBLIC FACILITIES REQUIREMENT;

(II) A MINORITY BUSINESS REQUIREMENT; OR

(III) A COMMUNITY BENEFIT REQUIREMENT.

~~(4)~~ (5) THE LOBBYING PROVISIONS REQUIRED UNDER § 15-803(A)(3) OF THIS SUBTITLE SHALL PROHIBIT A PERSON FROM BEING ENGAGED FOR LOBBYING PURPOSES FOR COMPENSATION THAT IS DEPENDENT IN ANY MANNER ON THE OUTCOME OF EXECUTIVE OR LEGISLATIVE ACTION BEFORE THE COUNTY GOVERNMENT.

~~(5)~~ (6) THE COUNTY'S ETHICS ENACTMENTS SHALL PROVIDE FOR:

(I) A COUNTY BOARD OF ETHICS COMPOSED OF ~~SEVEN~~ FIVE MEMBERS APPOINTED BY THE COUNTY EXECUTIVE, SUBJECT TO THE ADVICE AND CONSENT OF THE COUNTY COUNCIL;

(II) ~~A FULL-TIME~~ AN EXECUTIVE DIRECTOR OF THE BOARD OF ETHICS; ~~AND~~

~~(III)~~ ~~AN ETHICS ADVISOR~~ WHO:

1. SHALL MEET INDIVIDUALLY WITH EACH ELECTED OFFICIAL OF THE COUNTY AT LEAST ANNUALLY, ~~AND SHALL CONSULT MORE FREQUENTLY IF INDICATED,~~ TO ADVISE THE OFFICIAL REGARDING THE REQUIREMENTS OF ANY APPLICABLE ETHICS LAW, RULE, OR STANDARD OF CONDUCT;

2. SHALL ASSIST EACH ELECTED OFFICIAL OF THE COUNTY IN PREPARING ANY AFFIDAVIT OR OTHER DOCUMENT REQUIRED TO BE FILED UNDER THE COUNTY'S ETHICS ENACTMENTS;

3. SHALL CONDUCT ETHICS-RELATED BRIEFINGS FOR THE BENEFIT OF ELECTED OFFICIALS OF THE COUNTY; AND

4. MAY PROVIDE INFORMATION TO ANY PERSON REGARDING LAWS, RULES, AND OTHER STANDARDS OF ETHICAL CONDUCT APPLICABLE TO ELECTED OFFICIALS OF THE COUNTY; AND

(III) THE COUNTY BOARD OF ETHICS TO MEET AT LEAST TWO TIMES EACH YEAR.

15-808.

(a) If the Ethics Commission determines that a county or municipal corporation has not complied with the requirements of this Part I, the Ethics

Commission may petition a circuit court with venue over the proceeding for appropriate relief to compel compliance.

(b) The circuit court may grant any available equitable relief.

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

Approved by the Governor, April 12, 2011.