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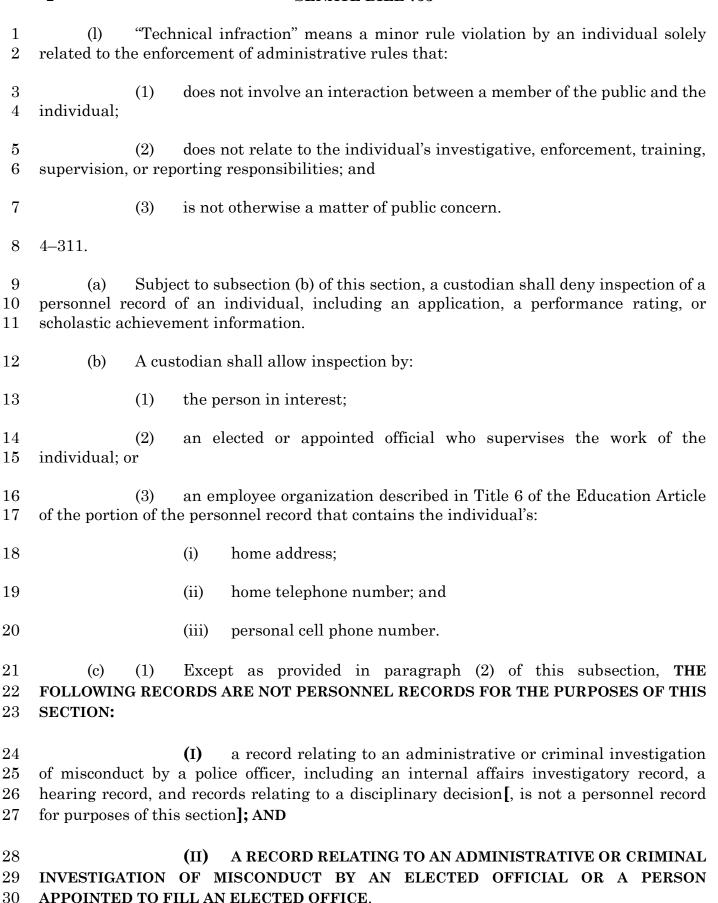
By: Senator Folden

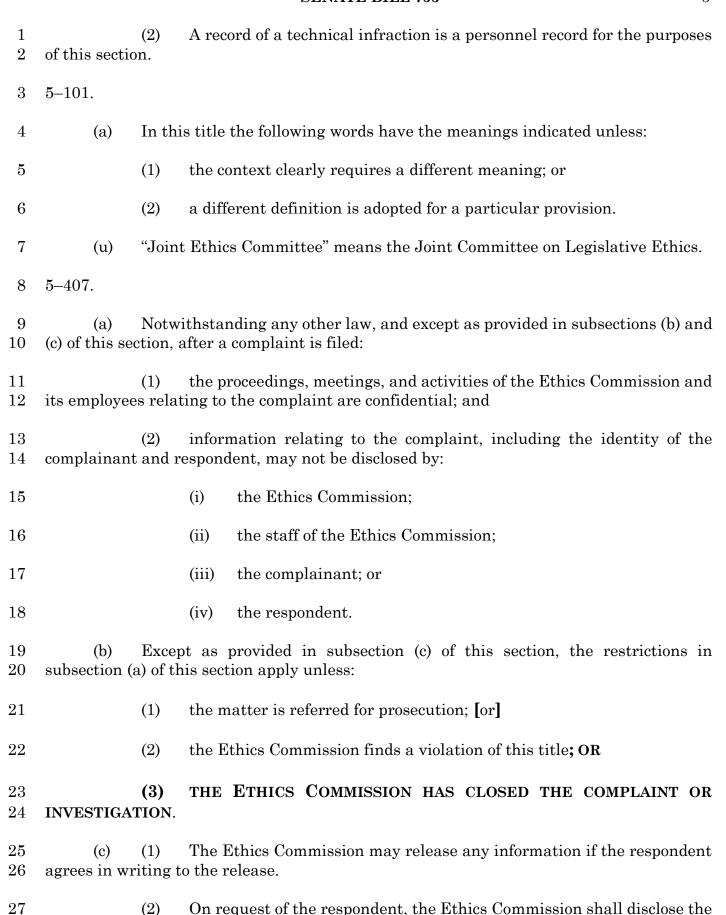
Introduced and read first time: February 6, 2023 Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

| 1 | AN ACT concerning | | |
|-----|---|--|--|
| 2 3 | | | |
| 4 | FOR the purpose of establishing that certain records of elected officials are not personnel | | |
| 5 | records for the purposes of inspection under the Public Information Act; establishing | | |
| 6 | that certain records of the State Ethics Commission and Joint Committee or | | |
| 7 | Legislative Ethics are available for public inspection under certain circumstances | | |
| 8 | and generally relating to inspection of records of elected officials. | | |
| 9 | BY repealing and reenacting, without amendments, | | |
| 10 | Article – General Provisions | | |
| 11 | Section 4–101(a) and (l) and 5–101(a) and (u) | | |
| 12 | Annotated Code of Maryland | | |
| 13 | (2019 Replacement Volume and 2022 Supplement) | | |
| 14 | BY repealing and reenacting, with amendments, | | |
| 15 | | | |
| 16 | Section 4–311, 5–407, and 5–517 | | |
| 17 | | | |
| 18 | (2019 Replacement Volume and 2022 Supplement) | | |
| 19 | SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, | | |
| 20 | That the Laws of Maryland read as follows: | | |
| 21 | Article - General Provisions | | |
| 22 | 4–101. | | |
| 23 | (a) In this title the following words have the meanings indicated. | | |







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identity of the complainant to the respondent.

- 2 (a) Except as provided in subsections (b) and (c) of this section, any matter before 3 the Joint Ethics Committee, including information relating to any complaint, proceeding,
- 4 or record of the Joint Ethics Committee, shall remain confidential.
- 5 (b) Public access and inspection of an activity or a record of the Joint Ethics 6 Committee shall be available for:
- 7 (1) a disclosure or disclaimer of a conflict of interest form filed with the 8 Joint Ethics Committee;
- 9 (2) a portion of a meeting in which a disclosure or disclaimer form is 10 reviewed by the Joint Ethics Committee;
- 11 (3) information relating to a complaint, proceeding, or record of the Joint 12 Ethics Committee involving a member of the General Assembly:
- 13 (I) if consent to public access and inspection is granted by:
- 14 [(i)] 1. the member involved in the matter; or
- 15 [(ii)] 2. a three-fourths vote of the full membership of the Joint 16 Ethics Committee, based on criteria established by rule; OR
- 17 (II) IF THE JOINT ETHICS COMMITTEE HAS CLOSED THE 18 COMPLAINT OR INVESTIGATION THAT IS THE SUBJECT OF THE RECORD;
- 19 (4) a rule or broadly applicable opinion issued by the Joint Ethics 20 Committee; or
- 21 (5) any matter or record that is otherwise available for public access or 22 inspection as specifically authorized under this subtitle.
- (c) (1) The Joint Ethics Committee shall provide a copy of a complaint alleging a violation of the antiharassment policy and procedures and a notice of the Joint Ethics Committee's action to the Human Resources Manager of the Department of Legislative Services.
- 27 (2) For information received under paragraph (1) of this subsection, the 28 Human Resources Manager shall be subject to the confidentiality restrictions of subsections 29 (a) and (b) of this section.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 31 October 1, 2023.