

SENATE BILL 951

P5, G2

2lr3192

By: **Senator Dyson**

Introduced and read first time: February 13, 2012

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 20, 2012

Committee Report: Favorable

Senate action: Adopted

Read second time: March 13, 2012

CHAPTER _____

1 AN ACT concerning

2 **General Assembly – Ethics Counseling**

3 FOR the purpose of requiring the Counsel to the Joint Committee on Legislative
4 Ethics to provide to each presiding officer of the General Assembly, at the end of
5 each calendar year, a certain list of legislators with whom the Counsel has met
6 for certain advisory purposes; and generally relating to the duties of the
7 Counsel to the Joint Committee on Legislative Ethics.

8 BY repealing and reenacting, with amendments,
9 Article – State Government
10 Section 2–709
11 Annotated Code of Maryland
12 (2009 Replacement Volume and 2011 Supplement)

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

15 **Article – State Government**

16 2–709.

17 (a) The Executive Director of the Department of Legislative Services, subject
18 to the approval of the President and Speaker, shall appoint an attorney to serve as
19 Counsel to the Committee.

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 (b) The Counsel:

2 (1) shall devote full time to the duties of the Committee, but may not
3 participate in any investigatory or prosecutorial function;

4 (2) may provide information to any person regarding laws, rules, and
5 other standards of ethical conduct applicable to members of the General Assembly;

6 (3) shall carry out any duties prescribed under Title 15, Subtitle 5 of
7 this article;

8 (4) shall meet individually with each member of the General Assembly
9 each year to:

10 (i) advise the member regarding the requirements of any
11 applicable ethics law, rule, or standard of conduct; and

12 (ii) assist the member in preparing statements and reports
13 required to be filed with the Committee under Title 15, Subtitle 5, Part II of this
14 article; [and]

15 **(5) AT THE END OF EACH CALENDAR YEAR, SHALL PROVIDE TO**
16 **THE PRESIDENT AND THE SPEAKER A LIST OF THE NAMES OF MEMBERS FROM**
17 **THE PRESIDING OFFICER'S RESPECTIVE CHAMBER WHO HAVE MET WITH THE**
18 **COUNSEL IN ACCORDANCE WITH ITEM (4) OF THIS SUBSECTION DURING THE**
19 **YEAR; AND**

20 **[(5)] (6)** shall conduct seminars, workshops, and briefings for the
21 benefit of members of the General Assembly, as directed by the Committee, the
22 President, or the Speaker.

23 (c) The assistance of the Counsel to members of the General Assembly:

24 (1) is subject to the attorney client privilege, as set forth in § 9–108 of
25 the Courts Article;

26 (2) is subject to confidentiality under § 15–516 of this article; and

27 (3) is intended as a service to the members and may not be deemed to
28 diminish a member's personal responsibility for adherence to applicable laws, rules,
29 and standards of ethical conduct.

30 (d) The Committee shall have other staff assistance as requested by the
31 Committee and as provided in the budget of the General Assembly.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2012.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.