

HOUSE BILL 1357

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SB 254/10 – EHE

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By: **Delegate Ross**

Introduced and read first time: February 16, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Ethics – General Assembly – Government Employment**

3 FOR the purpose of altering provisions relating to a member of the General Assembly,
4 a filed candidate for election to the General Assembly, or a member–elect of the
5 General Assembly receiving earned income from a unit of the Executive Branch
6 or from a unit of local government in the State; requiring that certain
7 employment or relationships receive prior approval from the Joint Committee
8 on Legislative Ethics; providing for the application of this Act; and generally
9 relating to legislators and candidates for legislative office receiving earned
10 income from certain governmental entities in the State.

11 BY repealing and reenacting, with amendments,
12 Article – State Government
13 Section 15–513(a)
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2011 Supplement)

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

18 **Article – State Government**

19 15–513.

20 (a) (1) Except as provided in paragraph (2) or (3) of this subsection, a
21 member of the General Assembly, a filed candidate for election to the General
22 Assembly, or a member–elect of the General Assembly may not receive earned income
23 from:

24 (i) an Executive unit; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) a political subdivision of the State.

2 (2) The Joint Ethics Committee may exempt an individual from the
3 provisions of paragraph (1) of this subsection if the **WORK FOR WHICH THE** earned
4 income **WOULD BE RECEIVED** is [for:

5 (i) educational instruction provided by the member, candidate,
6 or member-elect;

7 (ii) a position that is subject to a merit system hiring process;

8 (iii) a human services position; or

9 (iv) a career promotion, change, or progression that is a logical
10 transition from a pre-existing relationship as described in paragraph (3)(ii) of this
11 subsection] **CONSISTENT WITH THE INDIVIDUAL'S QUALIFICATIONS, BASED ON**
12 **THE COMMITTEE'S EVALUATION OF THE INDIVIDUAL'S EDUCATION AND PRIOR**
13 **WORK EXPERIENCE.**

14 (3) This subsection does not apply to compensation to a member,
15 candidate, or member-elect pursuant to:

16 (i) employment as a nonelected law enforcement officer or a fire
17 or rescue squad worker; or

18 (ii) a transaction or relationship that existed prior to:

19 1. the filing of a certificate of candidacy for election to
20 the General Assembly at a time when the individual was not an incumbent member of
21 the General Assembly; or

22 2. in the case of a member who was appointed to fill a
23 vacancy, the date of the appointment.

24 **SECTION 2. AND BE IT FURTHER ENACTED,** That Section 3 of Chapter 129
25 of the Acts of the General Assembly of 1999, which exempts from the restrictions of §
26 15-513(a) of the State Government Article any employment or relationship that was
27 entered into before October 1, 1999, is not affected by Section 1 of this Act.

28 **SECTION 3. AND BE IT FURTHER ENACTED,** That this Act shall take effect
29 October 1, 2012.