

CHAPTER 18
(Senate Bill 107)

AN ACT concerning

Conflicts of Interest – Officials' and Employees' Participation

FOR the purpose of altering provisions of the Maryland Public Ethics Law with regard to application of the nonparticipation provisions where adult children of officials and employees have an interest or are affiliated with business entities that are parties to a matter; and generally relating to the Maryland Public Ethics Law.

BY repealing and reenacting, with amendments,
Article 40A – Maryland Public Ethics Law
Section 3-101
Annotated Code of Maryland
(1990 Replacement Volume and 1993 Supplement)

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

Article 40A – Maryland Public Ethics Law

3-101.

(a) Except as permitted by regulation of the Commission as to officials and employees subject to its authority, the opinion of an advisory body, or other provisions of this title, an official or employee may not participate in any matter, except in the exercise of an administrative or ministerial duty which does not affect the disposition or decision with respect to that matter, if, to his knowledge, he, his spouse, parent, [minor] child, brother, or sister has an interest therein or if any of the following is a party thereto:

(1) Any business entity in which he has a direct financial interest of which he may reasonably be expected to know;

(2) Any business entity of which he is an officer, director, trustee, partner, or employee, or in which he knows any of the above listed relatives has such interest;

(3) Any business entity with which he or, to his knowledge, any of the above listed relatives is negotiating or has any arrangement concerning prospective employment;

(4) Any business entity which is a party to an existing contract with the official or employee, or which the official or employee knows is a party to a contract with any of the above named relatives, if the contract could reasonably be expected to result in a conflict between the private interests of the official or employee and his official State duties;