

JOINT RESOLUTIONS

RESOLVED, That House Rules 103 to 109, inclusive, and Senate Rules 103 to 109, inclusive, as set forth in the official Rules of the respective Houses for the Regular Session of 1973, be and they are hereby repealed; and be it further

RESOLVED, That new Rules [196 to 104] 103 to 111, inclusive, be and the same are hereby added as Rules in both the Senate of Maryland and the House of Delegates of Maryland to follow immediately in each instance after Rule [195] 102 thereof, in each instance to be under the subheading "Joint Committee on Ethics," and in each instance to read as follows:

JOINT COMMITTEE ON ETHICS

[196] 103. APPLICABILITY. THE RULES IN THIS SUBSECTION ARE EFFECTIVE BOTH DURING AND BETWEEN SESSIONS OF THE GENERAL ASSEMBLY.

[197] 104. CONFLICT OF INTERESTS WITHIN THE GENERAL ASSEMBLY.

(A) DEFINITIONS; EFFECT. A LEGISLATOR'S PERSONAL INTEREST CONFLICTS WITH THE PUBLIC INTEREST IF IT TENDS TO IMPAIR HIS INDEPENDENCE OF JUDGMENT. THE CONFLICT DISQUALIFIES HIM FROM VOTING UPON ANY QUESTION OR ATTEMPTING TO INFLUENCE ANY LEGISLATION TO WHICH IT RELATES.

(B) PRESUMPTION OF CONFLICT. IT IS PRESUMED THAT PERSONAL INTEREST TENDS TO IMPAIR A LEGISLATOR'S INDEPENDENCE OF JUDGEMENT IN ANY OF THE FOLLOWING CIRCUMSTANCES:

(1) HAVING OR ACQUIRING A DIRECT FINANCIAL INTEREST, DISTINCT FROM THAT OF THE GENERAL PUBLIC, IN AN ENTERPRISE WHICH WOULD BE AFFECTED BY HIS VOTE ON PROPOSED LEGISLATION.

(2) BENEFITING FINANCIALLY FROM A CLOSE ECONOMIC ASSOCIATION WITH A PERSON (IN THIS SUBHEADING THE TERM INCLUDES "FIRM" AND "CORPORATION") WHOM THE LEGISLATOR KNOWS, OR FROM THE FACTS IS PRESUMED TO KNOW, HAS A DIRECT FINANCIAL INTEREST IN AN ENTERPRISE OR INTEREST WHICH WOULD BE AFFECTED BY THE LEGISLATOR'S VOTE ON PROPOSED LEGISLATION, DIFFERENTLY FROM OTHER LIKE ENTERPRISES OR INTERESTS; OR BENEFITING FINANCIALLY FROM A CLOSE ECONOMIC ASSOCIATION WITH A PERSON WHO IS LOBBYING OR WHO HAS EMPLOYED A LOBBYIST TO PROPOSE LEGISLATION OR TO INFLUENCE LEGISLATORS' VOTES. "CLOSE ECONOMIC ASSOCIATION" INCLUDES AND REFERS TO THE LEGISLATOR'S EMPLOYER, EMPLOYEES, AND PARTNERS IN BUSINESS AND PROFESSIONAL ENTERPRISES; CORPORATIONS IN WHICH THE LEGISLATOR OWNS 10% OR MORE OF THE OUTSTANDING CAPITAL STOCK; AND CORPORATIONS IN WHICH THE LEGISLATOR IS AN OFFICER, DIRECTOR, OR AGENT.

(3) SOLICITING, ACCEPTING, OR AGREEING TO ACCEPT ANY GIFT, LOAN, OR PAYMENT OF A SIGNIFICANT VALUE FROM A PERSON WHO WOULD BE AFFECTED BY OR HAS AN INTEREST IN