

The Rules in this subheading are effective both during and between sessions of the General Assembly.

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] THE LEGISLATOR'S independence of judgment. The conflict disqualifies [him] THE LEGISLATOR 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 judgment 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] THE LEGISLATOR'S 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 interest; 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 an enterprise which would be affected by the legislator's vote on proposed legislation.

105. Same; Presumption; When Suspended.

(a) Suspension of disqualification. The disqualification arising under Rule 104 is suspended if a legislator with an apparent conflict files with the Joint Committee on Legislative Ethics (hereafter referred to as "Committee") a sworn statement which describes the circumstances of the apparent conflict and the legislation to which it relates and asserts [he] THE LEGISLATOR is able to vote and otherwise participate in legislative action relating thereto, fairly, objectively, and in the public interest. WHENEVER A LEGISLATOR FILES A STATEMENT FOR THE SUSPENSION OF THE DISQUALIFICATION, THE COMMITTEE ON ITS OWN MOTION MAY ISSUE A STATEMENT CONCERNING THE PROPRIETY OF THE