

(aa) "Public official" means:

(1) Any individual in an executive agency who:

(i) Is a classified employee at grade level [18] 16 or above, or, if not a classified employee, receives a rate of compensation equal thereto, or is appointed to a board or commission; and

(ii) As determined by the Ethics Commission pursuant to § 2-103(h), who:

1. Is charged, individually or as a member of an executive agency, with decision making authority or acts as a principal advisor to one with such authority:

A. In making State policy in an executive agency; or

B. In exercising quasi-judicial, regulatory, licensing, inspecting, or auditing functions; and

2. Whose duties are not essentially administrative and ministerial; and

(iii) Is not a full-time or part-time faculty member at a State institution of higher education, unless the individual is also employed in another State position which does fall under this definition or unless the individual also directly procures, directly influences, or otherwise directly affects the formation or execution of any State contract, purchase or sale as established by guidelines of the State Ethics Commission; provided such guidelines are promulgated as regulations and approved by the AELR Committee.

(2) Any individual in the legislative branch, other than a State official, who receives a rate of compensation equal to or above grade level [18] 16 who is so designated by order by the presiding officers of the General Assembly.

(3) Any individual in the judicial branch of government, including an individual employed in the office of a clerk of court, or paid by a political subdivision to perform services in any orphans' court, a circuit court for a county, and any individual employed by the Attorney Grievance Commission, the State Board of Law Examiners, or the Standing Committee on Rules who:

(i) Is classified or compensated at State grade level [18] 16 or above; and

(ii) Is not a judge, master, commissioner, examiner, auditor, or referee.