

Article 9 - Charles County

CHAPTER 44 ETHICS

44-1.

A. NOTWITHSTANDING THE PROVISIONS OF ARTICLE 40A, § 6-101 OF THE ANNOTATED CODE OF MARYLAND, ANY ENACTMENT OF THE COUNTY COMMISSIONERS CONCERNING CONFLICTS OF INTEREST AND ETHICS IS GOVERNED BY THE FOLLOWING PROVISIONS.

B. THERE SHALL BE A COUNTY ETHICS COMMISSION, WHICH SHALL BE COMPOSED OF FIVE MEMBERS APPOINTED BY THE COUNTY COMMISSIONERS OF CHARLES COUNTY FROM NOMINEES SUBMITTED AS FOLLOWS:

(1) ONE APPOINTED SHALL BE NOMINATED BY THE COUNTY COMMISSIONERS OF CHARLES COUNTY;

(2) ONE APPOINTED SHALL BE NOMINATED BY THE CHARLES COUNTY MINISTERIAL ASSOCIATION, WHO SHALL BE A MEMBER OF THE ASSOCIATION;

(3) TWO APPOINTED SHALL BE NOMINATED BY THE ADMINISTRATIVE JUDGE OF THE CIRCUIT COURT FOR CHARLES COUNTY; AND

(4) ONE APPOINTED SHALL BE NOMINATED BY THE CHARLES COUNTY BAR ASSOCIATION, WHO SHALL BE A MEMBER OF THE ASSOCIATION.

44-2.

A. FOR THE LIMITED PURPOSE OF RESPONDING TO A FORMAL COMPLAINT AND COMPLETING A RELATED INVESTIGATION, THE CHARLES COUNTY ETHICS COMMISSION SHALL HAVE THE AUTHORITY TO ADMINISTER OATHS AND AFFIRMATIONS, ISSUE SUBPOENAS ~~WITHIN CHARLES COUNTY~~ TO COMPEL THE ATTENDANCE AND TESTIMONY OF WITNESSES AND ISSUE SUBPOENAS WITHIN CHARLES COUNTY TO COMPEL THE PRODUCTION OF BOOKS, PAPERS, RECORDS, OR OTHER DOCUMENTS.

B. THE COUNTY ATTORNEY SHALL PREPARE AN APPROPRIATE FORM FOR USE BY THE COMMISSION WHEN THE COMMISSION ISSUES A SUBPOENA UNDER THIS SECTION. THE SUBPOENAS SHALL CONTAIN THE FOLLOWING LANGUAGE IN BOLD PRINT ON THE FACE OF THE SUBPOENA: "YOUR FAILURE TO OBEY THIS SUBPOENA MAY BE REPORTED TO THE CIRCUIT COURT FOR CHARLES COUNTY AND THAT COURT SHALL CONDUCT A HEARING AT WHICH YOU WOULD BE GIVEN AN OPPORTUNITY TO BE HEARD AS TO THE REASONS FOR YOUR REFUSAL TO OBEY THIS SUBPOENA. FOLLOWING SUCH A HEARING, THE COURT MAY COMPEL YOU TO OBEY THIS SUBPOENA."

C. A SUBPOENA MAY BE ISSUED UNDER THIS SECTION ONLY IF SIGNED BY ~~THE CHAIRMAN OF THE COMMISSION AND AT LEAST TWO MEMBERS.~~ AT LEAST THREE ETHICS COMMISSION MEMBERS.

D. (1) EACH SUBPOENA MAY BE SERVED IN THE SAME MANNER AS IF ISSUED FROM A CIRCUIT COURT.