

(3) GUIDELINES TO ENSURE THAT SPONSORED RESEARCH OR DEVELOPMENT DOES NOT GIVE IMPROPER ADVANTAGE TO AN ENTITY BECAUSE OF ITS AFFILIATION OR INVOLVEMENT WITH A FACULTY MEMBER.

(D) EXEMPTION FROM STATE ETHICS LAW REQUIREMENTS.

(1) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, A FACULTY MEMBER AT AN EDUCATIONAL INSTITUTION MAY HAVE A RELATIONSHIP, OTHERWISE PROHIBITED BY THIS SUBTITLE, WITH AN ENTITY ENGAGED IN SPONSORED RESEARCH OR DEVELOPMENT, OR WITH AN ENTITY HAVING A DIRECT INTEREST IN THE OUTCOME OF SPONSORED RESEARCH OR DEVELOPMENT, ONLY IF:

(I) THE RELATIONSHIP TO THE ENTITY IS DISCLOSED PUBLICLY ON A FORM APPROVED BY AND FILED WITH THE ETHICS COMMISSION, A COPY OF WHICH SHALL BE MAINTAINED AS A PUBLIC RECORD BY THE EDUCATIONAL INSTITUTION; AND

(II) IN ACCORDANCE WITH THE INSTITUTION'S FACULTY CONFLICT OF INTEREST PROCEDURES AND THE GOVERNING BOARD'S FACULTY CONFLICT OF INTEREST POLICIES, THE PRESIDENT OF THE EDUCATIONAL INSTITUTION APPROVES THE RELATIONSHIP.

(2) IF THE PROVISIONS OF PARAGRAPH (1) OF THIS SUBSECTION ARE NOT MET, THE FACULTY MEMBER IS NOT EXEMPT FROM ANY RELEVANT PROVISIONS OF THIS SUBTITLE.

(E) LIMITATIONS ON EXEMPTIONS.

(1) THIS SECTION DOES NOT EXEMPT A FACULTY MEMBER FROM:

(I) THE REQUIREMENTS OF §§ 15-504(A), 15-505, AND 15-506 OF THIS SUBTITLE; OR

(II) ANY REQUIREMENT OF THIS SUBTITLE AS TO ACTIVITIES NOT RELATED TO SPONSORED RESEARCH OR DEVELOPMENT.

(2) A RELATIONSHIP MAY NOT BE APPROVED IF THE FACULTY MEMBER HAS SUBSTANTIAL POLICY OR MANAGEMENT RESPONSIBILITY WITHIN THE EDUCATIONAL INSTITUTION FOR THE SPONSORED RESEARCH OR DEVELOPMENT.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 40A, § 3-109.

Subsection (a)(3) of this section is new language added for clarity.

In subsection (a)(5) of this section, the word "relationship" is defined to replace the former law's litany of type of relationships, e.g., "interests, service, employment, gifts, or other relationships" at former Art. 40A, § 3-109(b)(2), "interest, service, employment, or other relationship" at former Art. 40A, § 3-109(c)(1)(i), and "interest, service, employment, benefit, or other relationship" at former Art. 40A, § 3-109(c)(1)(ii).