

15-805. FINANCIAL DISCLOSURE LAWS.

(A) APPLICABILITY.

IN THIS SECTION, "LOCAL OFFICIAL" INCLUDES:

(1) A CANDIDATE FOR ELECTIVE OFFICE AS A LOCAL OFFICIAL OF A COUNTY OR MUNICIPAL CORPORATION IF THE HOLDER OF THE OFFICE IS DESIGNATED AS A LOCAL OFFICIAL; AND

(2) AN OFFICIAL, OFFICER, OR EMPLOYEE OF A COUNTY OR MUNICIPAL CORPORATION WHOSE POSITION IS FUNDED WHOLLY OR PARTLY BY THE STATE.

(B) SIMILARITY TO ETHICS LAW.

EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, THE FINANCIAL DISCLOSURE PROVISIONS ENACTED BY A COUNTY OR MUNICIPAL CORPORATION UNDER § 15-803 OF THIS SUBTITLE SHALL BE SIMILAR TO THE PROVISIONS OF SUBTITLE 6 OF THIS TITLE, BUT SHALL BE MODIFIED TO THE EXTENT NECESSARY TO MAKE THE PROVISIONS RELEVANT TO THE PREVENTION OF CONFLICTS OF INTEREST IN THAT JURISDICTION.

(C) MINIMUM STANDARDS.

(1) THIS SUBTITLE DOES NOT COMPEL THE GOVERNING BODY OF A COUNTY OR MUNICIPAL CORPORATION TO REQUIRE A LOCAL OFFICIAL TO FILE A FINANCIAL DISCLOSURE STATEMENT EXCEPT:

(I) WHEN THE PERSONAL INTEREST OF THE LOCAL OFFICIAL WILL PRESENT A POTENTIAL CONFLICT WITH THE PUBLIC INTEREST IN CONNECTION WITH AN ANTICIPATED PUBLIC ACTION OF THE LOCAL OFFICIAL; AND

(II) AT LEAST ANNUALLY TO REPORT ON GIFTS RECEIVED BY THE LOCAL OFFICIAL.

(2) THE PROVISIONS SHALL REQUIRE THAT A STATEMENT FILED UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION BE FILED SUFFICIENTLY IN ADVANCE OF THE ACTION TO PROVIDE ADEQUATE DISCLOSURE TO THE PUBLIC.

(D) STANDARDS FOR CANDIDATES.

FINANCIAL DISCLOSURE PROVISIONS APPLICABLE TO A CANDIDATE SHALL BE CONSISTENT WITH THE PROVISIONS APPLICABLE TO AN INCUMBENT HOLDING THE OFFICE INVOLVED.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of former Art. 40A, § 6-201(a) and § 6-201(b), (c), and (d).

In subsection (a)(2) of this section, the words "an official, officer, or employee of a county or municipal corporation" are substituted for the former words "local officials" for clarity.