

REVISOR'S NOTE: This section is new language derived without substantive change from the first sentence of former Art. 40A, § 7-101.

The former phrase "the circuit court of the county having proper venue" has been changed to "a circuit court with venue over the proceeding" for clarity.

Defined term: "Ethics Commission" § 15-102

15-902. JUDICIAL RELIEF AVAILABLE.

(A) RELIEF GENERALLY.

THE COURT MAY COMPEL COMPLIANCE WITH THE COMMISSION'S ORDER:

(1) BY ISSUING AN ORDER TO CEASE AND DESIST FROM THE VIOLATION; OR

(2) BY GRANTING OTHER INJUNCTIVE RELIEF.

(B) SPECIAL RELIEF.

(1) IN ADDITION, THE COURT MAY:

(I) IMPOSE A FINE NOT EXCEEDING \$5,000 FOR A VIOLATION OF THIS TITLE, WITH EACH DAY THAT THE VIOLATION OCCURS BEING A SEPARATE OFFENSE; OR

(II) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, VOID AN OFFICIAL ACT OF AN OFFICIAL OR EMPLOYEE IF:

1. THE OFFICIAL OR EMPLOYEE HAD A CONFLICT OF INTEREST THAT IS PROHIBITED BY THIS TITLE;

2. THE ACT AROSE FROM OR CONCERNED THE SUBJECT MATTER OF THE CONFLICT;

3. THE PROCEEDING WAS BROUGHT WITHIN 90 DAYS AFTER THE ACT OCCURRED; AND

4. THE COURT DETERMINES THAT THE CONFLICT HAD AN IMPACT ON THE ACT.

(2) THE COURT MAY NOT VOID AN OFFICIAL ACT THAT:

(I) APPROPRIATES PUBLIC FUNDS;

(II) LEVIES A TAX; OR

(III) PROVIDES FOR THE ISSUANCE OF A BOND, NOTE, OR OTHER EVIDENCE OF PUBLIC OBLIGATION.

(C) SCOPE OF RELIEF.

AFTER HEARING THE CASE, THE COURT MAY GRANT ALL OR PART OF THE RELIEF SOUGHT.