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COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

Legislative Session _____ 1990

Bill No. _____ CB-120-1990

Chapter No. _____

Proposed and Presented by _____ Council Member Mills

Introduced by _____ Council Member Mills

Co-Sponsors _____

Date of Introduction _____ October 16, 1990

BILL

AN ACT concerning

Land Transactions

FOR the purpose of prohibiting the acquisition or disposition of real property involving County officials and employees and their immediate families, providing that necessary exceptions be approved by the County Council and requiring public hearing and full review by the Board of Ethics of certain land transactions by the County. BY repealing and reenacting with amendments:

SUBTITLE 2. ADMINISTRATION.

Sections 2-292 and

2-293,

The Prince George's County Code

(1987 Edition, 1989 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that the following is declared to be the

public policy of Prince George's County:

1. It is essential that the citizens of Prince George's County have confidence in the integrity of the process used by the County Government to conduct its business transactions.

2. County government real estate transactions involving elected or appointed officials or their relatives should be avoided in most circumstances.

3. When the acquisition of property owned by such individuals is necessary and appropriate there should be a full and public disclosure of the transaction and an opportunity for public input, review and participation in the process.

SECTION 2. BE IT FURTHER ENACTED that Section 2-292 of the Prince George's County Code be and the same is hereby repealed and reenacted with amendments to read as follows:

SUBTITLE 2. ADMINISTRATION.

DIVISION 17. CODE OF ETHICS.

Sec. 2-292. Administration.

* * * * *

(h) The Board shall hold a public hearing to review the propriety of any transaction involving the aquisition, lease or disposition of real property between the County and (i) any person required to file a financial disclosure statement pursuant to Section 2-294 of this Code, or the spouse, parent, child or sibling of such person; or (ii) any business entity in which a person described in (i) above has a legal or equitable financial interest.
At the conclusion of the hearing the Board shall issue its

determination as to whether such transaction is in compliance with the provisions of this Division. The Board shall publish notice of the public hearing in the County newspapers of record. Such notice shall reflect the nature of the transaction to be reviewed and the parties involved.

(i) Any bill proposing an acquisition described in (h) above, shall contain, after the enacting clause, a statement (1) to the effect that it involves the purchase of property from one or more individual and/or entity described in Subtitle 2, Division 17, Code of Ethics, or in which such individual and/or entity has an interest as stated therein, and that as such the matter requires a public hearing by the Board of Ethics, and (2) naming such individual and/or entity.

(j) The Clerk of the Council shall, when advertising public hearings on acquisitions which fall under the provisions of (h) above, include in such advertisements notice

(1) that said bill involves the purchase of property from any individual and/or entity described in Subtitle 2, Division 17, Code of Ethics, or in which such individual and/or entity has an interest as stated therein, and that as such the matter has been reviewed by the Board of Ethics, and

(2) the name of such individual and/or entity.

SECTION 3. BE IT FURTHER ENACTED that Section 2-293 of the Prince George's County Code be and the same is hereby repealed and reenacted with amendments to read as follows:

SUBTITLE 2. ADMINISTRATION.

DIVISION 17. CODE OF ETHICS.

Sec. 2-293. Prohibited conduct and interests.

* * * * *

(g) No official or employee, or spouse, parent, child or sibling of such official or employee, shall have any interest in, or receive any benefit from, the profits or emoluments of any contract, job, work or service for the County, nor have any interest in any transaction involving the acquisition or disposition, whether by sale or lease, of any real property by the County or by any agency or authority created by or funded in whole or in part by the County except as provided by the Laws and Personnel Regulations of the County. In the event that an official or employee, or spouse, parent, child or sibling has a legal or equitable interest in any real property which is required for acquisition for any project in the approved Capital Improvement Program of the County or the comparable capital improvement program of any agency or authority created by or funded in whole or in part by the County, the County Council may approve the subject transaction by resolution.

SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this _____ day of _____, 1990.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Jo Ann T. Bell
Chairman

ATTEST:

Jean M. Schmuhl, CMC
Clerk of the Council

APPROVED:

DATE: _____

BY: _____
Parris N. Glendening
County Executive

KEY:

Underscoring indicates language added to existing law.
Asterisks *** indicate intervening existing Code provisions that
remain unchanged.