

# Prince George's County Council

## Agenda Item Summary

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**Meeting Date:** 11/20/2012  
**Reference No.:** CB-036-2012  
**Draft No.:** 1  
**Proposer(s):** County Executive  
**Sponsor(s):** Harrison, Davis  
**Item Title:** An Act for the purpose of amending the Code of Ethics in order to comply with State law

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**Drafter:** Joseph R. Hamlin, Office of Law  
**Resource Personnel:** Anne C. Magner, Office of Law

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### LEGISLATIVE HISTORY:

<b>Date Presented:</b>	5/15/2012	<b>Executive Action:</b>	12/6/2012 S
<b>Committee Referral:</b>	5/15/2012 - C.O.W.	<b>Effective Date:</b>	1/22/2013

**Committee Action:** 10/16/2012 - FAV

**Date Introduced:** 10/23/2012  
**Public Hearing:** 11/20/2012 - 10:00 AM

**Council Action (1)** 11/20/2012 - ENACTED  
**Council Votes:** WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A  
**Pass/Fail:** P  
**Remarks:**

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### AFFECTED CODE SECTIONS:

02-289, 02-290, 02-291, 02-292, 02-293, 02-293.01, 02-294, 02-295, 02-296, 02-297

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### COMMITTEE REPORTS:

#### COMMITTEE OF THE WHOLE

**Date 10/16/2012**

Committee Vote: Favorable, 7-0 (In favor: Council Members Campos, Davis, Franklin, Harrison, Olson, Patterson and Toles/Absent: Turner and Lehman)

The Legislative Officer provided a summary of the bill, background information and referral comments that were received. CB-36-2012 is an act for the purpose of amending the County's Code of Ethics to comply with State law.

The Legislative Officer indicated that the Council had extensively reviewed the 2011 version of the bill (CB-44-2011), which no action was taken on, in order to have the State Ethics Commission ("Commission") review the bill prior to its enactment as requested by Commission staff. The County Executive and County Council sent a joint letter to the Commission on Nov. 15, 2011 seeking a review of the proposed bill and indicated that the County would take up the legislation, subject to the Commission review and comment, during the 2012 legislative year. The Commission approved the Code of Ethics draft in a letter to the County, dated May 21, 2012. The County Board of Ethics will be required to file an annual certification to the Commission by October 1st each year upon enactment of CB-36-2012 to comply with State law.

The Office of Law determined that CB-36-2012 was in proper legislative form and without legal impediments to its

adoption.

The Office of Audits and Investigation indicated there will be no adverse fiscal impact on the County as a result of adopting CB-36-2012.

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**BACKGROUND INFORMATION/FISCAL IMPACT:**

(Includes reason for proposal, as well as any unique statutory requirements)

This Act amends the County's Code of Ethics to reflect required changes recently imposed by the Maryland General Assembly.

During the 2010 legislative session, the General Assembly enacted legislation designed to subject elected county and local government officials to conflict of interest standards and financial disclosure requirements that are "at least equivalent" to the State's requirements for State officials and public officials. The 2010 General Assembly legislation impacts the existing County Code of Ethics, which was adopted when the Ethics Law only required that the conflict of interest and financial disclosure requirements be "similar" to State Law.

The amended Code of Ethics embodied in this legislation has been approved by the State Ethics Commission as complying with the new State requirements.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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