

Bill No.: \_\_\_\_\_

Requested: \_\_\_\_\_

Committee: \_\_\_\_\_

Drafted by: McCurdy

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Stored – 10/19/20

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By: **Montgomery County Delegation and Prince George’s County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Washington Suburban Sanitary Commission – Board of Ethics – Financial**  
3 **Disclosure Statements – Late Fees**

4 **MC/PG 102–21**

5 FOR the purpose of imposing a certain fee on certain persons for filing certain financial  
6 disclosure statements late; setting the amount of a certain late fee; and generally  
7 relating to the Washington Suburban Sanitary Commission Board of Ethics and  
8 financial disclosure statements.

9 BY repealing and reenacting, without amendments,  
10 Article – Public Utilities  
11 Section 19–101 and 19–102  
12 Annotated Code of Maryland  
13 (2020 Replacement Volume and 2020 Supplement)

14 BY repealing and reenacting, with amendments,  
15 Article – Public Utilities  
16 Section 19–107  
17 Annotated Code of Maryland  
18 (2020 Replacement Volume and 2020 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
2 That the Laws of Maryland read as follows:

3 **Article – Public Utilities**

4 19–101.

5 In this title, “Board” means the Board of Ethics established by the Commission under  
6 regulations adopted in accordance with Title 5, Subtitle 8, Part IV of the General Provisions  
7 Article.

8 19–102.

9 (a) Except where provisions of this title exceed the minimum standards of the  
10 Maryland Public Ethics Law, commissioners and employees of the Commission are subject  
11 to the conflict of interest and lobbying provisions of the Maryland Public Ethics Law.

12 (b) Notwithstanding any other provision of law, a commissioner, employee,  
13 contractor, or subcontractor of the Commission may not willfully and knowingly violate:

- 14 (1) any provision of this title;
- 15 (2) the Maryland Public Ethics Law; or
- 16 (3) any Commission regulation governing:
  - 17 (i) conflicts of interest;
  - 18 (ii) financial disclosure;
  - 19 (iii) lobbying; or
  - 20 (iv) ethics in public contracting.

21 19–107.

22 (a) Notwithstanding any other provision of the Commission code of ethics, judicial  
23 enforcement under this section in the investigation of a complaint alleging improper

1 disclosure of confidential information shall apply only to information that is subject to  
2 denial of a request for information under the Maryland Public Information Act.

3 **(B) IF A RESPONDENT IS REQUIRED TO FILE A FINANCIAL DISCLOSURE**  
4 **STATEMENT, FOR EACH FINANCIAL DISCLOSURE STATEMENT FOUND TO HAVE BEEN**  
5 **FILED LATE, THE RESPONDENT SHALL PAY A FEE OF \$5 FOR EACH DAY THE FILING**  
6 **IS LATE, NOT TO EXCEED A TOTAL OF \$500.**

7 **[(b)] (C)** (1) A respondent aggrieved by a final order of the Board may seek  
8 judicial review as provided under Title 10, Subtitle 2 of the State Government Article.

9 (2) (i) Unless the Board and the respondent mutually agree otherwise,  
10 an order of the Board is stayed until the time for seeking judicial review expires.

11 (ii) If a timely appeal is filed, the order is stayed until final  
12 disposition by the court.

13 (3) The Commission may seek judicial enforcement:

14 (i) of an order of the Board; or

15 (ii) in accordance with § 19–108 of this title, to ensure compliance  
16 with its regulations governing:

17 1. conflicts of interest;

18 2. financial disclosure;

19 3. lobbying; or

20 4. ethics in public contracting.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
22 1, 2021.