

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 15-0499

Introduced by: The Council President
At the request of: The Administration (Board of Ethics; Office of Inspector General)
Introduced and read first time: March 23, 2015
Assigned to: Judiciary and Legislative Investigations Committee

Committee Report: Favorable
Council action: Adopted
Read second time: June 1, 2015

AN ORDINANCE CONCERNING

Public Ethics Law – Prohibited Gifts – Closing Gaps

FOR the purpose of clarifying expressly that certain prohibitions encompass gifts from persons that a public servant knows or has reason to know seek to engage in an activity that is regulated by the public servant’s agency or from persons that have recently been lobbyists with respect to matters within the jurisdiction of the public servant; correcting, clarifying, and conforming related provisions; providing for a special effective date; and generally relating to ethics in the public sector.

BY repealing and reordaining, with amendments

Article 8 - Ethics
Section(s) 6-26(a) and 6-27
Baltimore City Code
(Edition 2000)

SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That the Laws of Baltimore City read as follows:

Baltimore City Code

Article 8. Ethics

Subtitle 6. Conflicts of Interest

§ 6-26. Solicitation prohibited.

(a) *In general.*

Except as permitted under subsection (b) of this section, a public servant may not solicit or facilitate the solicitation of a gift, whether on the public servant’s own behalf or on behalf of another person, from any person that the public servant knows or has reason to know:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.
Underlining indicates matter added to the bill by amendment.
~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from existing law by amendment.

Council Bill 15-0499

- 1 (1) does or seeks to do business of any kind, regardless of amount:
 - 2 (i) with the public servant’s agency; or
 - 3 (ii) with another person in connection with or in furtherance of a contract that
 - 4 is being negotiated or has been entered into by the other person with the
 - 5 public servant’s agency;
- 6 (2) engages OR SEEKS TO ENGAGE in an activity that is regulated or controlled by the
- 7 public servant’s agency;
- 8 (3) is OR, WITHIN THE PRECEDING 12 MONTHS, HAS BEEN a lobbyist with respect to
- 9 matters within the jurisdiction of the public servant;
- 10 (4) has a financial interest that might be substantially and materially affected, in a
- 11 manner distinguishable from the public generally, by the performance or
- 12 nonperformance of the public servant’s official duties; or
- 13 (5) is an owner, partner, officer, director, trustee, employee, or agent of any person
- 14 described in items (1) through (4) of this subsection.

15 **§ 6-27. Acceptance prohibited.**

16 Except as otherwise provided in this Part IV, a public servant may not knowingly accept any
17 gift, directly or indirectly, from any person that the public servant knows or has reason to
18 know:

- 19 (1) does or seeks to do business of any kind, regardless of amount:
 - 20 (i) with the public servant’s agency; or
 - 21 (ii) with another person in connection with or in furtherance of a contract that is
 - 22 being negotiated or has been entered into by the other person with the public
 - 23 servant’s agency;
- 24 (2) engages OR SEEKS TO ENGAGE in an activity that is regulated or controlled by the
- 25 public servant’s agency;
- 26 (3) is OR, WITHIN THE PRECEDING 12 MONTHS, HAS BEEN a lobbyist with respect to matters
- 27 within the jurisdiction of the public servant;
- 28 (4) has a financial interest that might be substantially and materially affected, in a manner
- 29 distinguishable from the public generally, by the performance or nonperformance of
- 30 the public servant’s official duties; or
- 31 (5) is an owner, partner, officer, director, trustee, employee, or agent of any person
- 32 described in items (1) through (4) of this subsection.

Council Bill 15-0499

1 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the catchlines contained in this Ordinance
2 are not law and may not be considered to have been enacted as a part of this or any prior
3 Ordinance.

4 **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the date
5 that it is enacted.

Certified as duly passed this _____ day of _____, 20__

President, Baltimore City Council

Certified as duly delivered to Her Honor, the Mayor,
this _____ day of _____, 20__

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City