

**CITY OF BALTIMORE
COUNCIL BILL 15-0499
(First Reader)**

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

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Board of Ethics

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Public Ethics Law – Prohibited Gifts – Closing Gaps**

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

9 BY repealing and reordaining, with amendments

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

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

16 **Baltimore City Code**

17 **Article 8. Ethics**

18 **Subtitle 6. Conflicts of Interest**

19 **§ 6-26. Solicitation prohibited.**

20 (a) *In general.*

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

25 (1) does or seeks to do business of any kind, regardless of amount:

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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

§ 6-27. Acceptance prohibited.

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

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

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

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