

**CITY OF BALTIMORE
COUNCIL BILL 15-0500
(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 Interests – Clarifications**

3 FOR the purpose of clarifying expressly that certain prohibitions encompass employment by or
4 financial interests in persons having or negotiating certain “blanket” and other contracts with
5 the City or with any agency of the City; requiring certain disclosures; correcting, clarifying,
6 and conforming related provisions; providing for a special effective date; and generally
7 relating to ethics in the public sector.

8 BY repealing and reordaining, with amendments

9 Article 8 - Ethics

10 Section(s) 6-11

11 Baltimore City Code

12 (Edition 2000)

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

15 **Baltimore City Code**

16 **Article 8. Ethics**

17 **Subtitle 6. Conflicts of Interest**

18 **§ 6-11. Prohibited employment, interests.**

19 [(a) *In general.*]

20 Except as otherwise provided in this Part III, a public servant may not:

21 (1) be employed by or have a financial interest in any person that is subject to the
22 authority of that public servant or of the City agency with which the public servant is
23 affiliated;

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

Council Bill 15-0500

1 (2) be employed by or have a financial interest in any person that is negotiating or has
2 entered into:

3 (i) a contract with the City OR AN AGENCY OF THE CITY, IF:

4 (A) THE CONTRACT IS WITH, FOR THE BENEFIT OF, OR TO BE ADMINISTERED
5 BY THE agency with which the public servant is affiliated;

6 (B) THE PUBLIC SERVANT’S DUTIES FOR THE CITY INCLUDE MATTERS
7 SUBSTANTIALLY RELATING TO OR AFFECTING THE SUBJECT MATTER OF
8 THE CONTRACT AND THE CONTRACT BINDS OR PURPORTS TO BIND THE
9 CITY TO PAY MORE THAN \$1,000; OR

10 (C) FOR ANY OTHER CONTRACT, THE PUBLIC SERVANT FAILS TO TIMELY
11 DISCLOSE TO THE ETHICS BOARD AND THE PROCURING AGENCIES, AS
12 REQUIRED BY RULE OR REGULATION OF THE ETHICS BOARD, HIS OR HER
13 EMPLOYMENT BY OR FINANCIAL INTEREST IN THE PERSON WHO IS
14 NEGOTIATING OR HAS ENTERED INTO THE CONTRACT; or

15 (ii) a subcontract on a contract [that is being negotiated or has been entered into
16 with that City agency] DESCRIBED IN THIS ITEM (2); or

17 (3) hold any other employment relationship that would impair the impartiality and
18 independent judgment of the public servant.

19 [(b) *Entities contracting with City.*]

20 [A public servant may not be employed by an entity that is a party to a contract that binds
21 or purports to bind the City if:

22 (1) the public servant’s duties for the City include matters substantially relating to or
23 affecting the subject matter of the contract; and

24 (2) the contract binds or purports to bind the City to pay more than \$1,000.]

25 **SECTION 2. AND BE IT FURTHER ORDAINED,** That City Code Article 8, § 6-11(2), as
26 amended by this Ordinance, does not prohibit continued employment or financial interest if:

27 (1) the employment or financial interest was entered into before the enactment of this
28 Ordinance; and

29 (2) that employment or financial interest did not violate then-§ 6-11, as in effect before
30 the enactment of this Ordinance, and conformed to all other then-applicable laws,
31 rules, and standards of conduct.

32 **SECTION 3. 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.

Council Bill 15-0500

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