

CITY OF BALTIMORE
ORDINANCE _____
Council Bill 19-0457

Introduced by: Councilmember Dorsey, President Scott, Councilmembers Henry, Burnett,
Pinkett, Cohen

Introduced and read first time: October 7, 2019

Assigned to: Judiciary Committee

Committee Report: Favorable with amendments

Council action: Adopted

Read second time: December 5, 2019

AN ORDINANCE CONCERNING

Elected Officials – Financial Disclosure

FOR the purpose of requiring Baltimore City elected officials to disclose certain receipts made to business entities substantially controlled by the elected ~~officials~~ official or the elected official's spouse; altering the due date for elected officials to file financial disclosure statements; conforming related provisions; and providing for a special effective date.

BY authority of

General Provisions Article
Section 5-809(b)(2)
Maryland Code

BY repealing and re-ordaining, with amendments

Article 8 - Ethics
Section(s) 7-2(a), 7-27 (catchline)
Baltimore City Code
(Edition 2000)

BY renumbering current

Article 8 - Ethics
Section 7-28 to Section 7-29
Baltimore City Code
(Edition 2000)

BY adding

Article 8 - Ethics
Section(s) 7-28
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:

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.

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Baltimore City Code

Article 8. Ethics

Subtitle 7. Financial Disclosure

PART I. GENERAL PROVISIONS

§ 7-2. General filing requirements.

(a) *Annual filing required.*

(1) *IN GENERAL.*

Except as otherwise specified in this subtitle, each statement must be filed with the Ethics Board on or before April 30 of each year.

(2) *ELECTED OFFICIALS.*

ELECTED OFFICIALS MUST FILE THE STATEMENT REQUIRED BY THIS SUBTITLE ON OR BEFORE JANUARY 30 OF EACH YEAR.

PART III. CONTENTS OF STATEMENTS

§ 7-27. Sources of [earned] income: EARNED INCOME.

....

§ 7-28. SOURCES OF INCOME: SUBSTANTIAL INTERESTS OF ELECTED OFFICIALS.

(A) *SUBSTANTIAL INTEREST DEFINED.*

IN THIS SECTION, "SUBSTANTIAL INTEREST" MEANS HOLDING AN EQUITY INTEREST OF 30% OR MORE IN A BUSINESS ENTITY.

~~(B) *DISCLOSURE OF CERTAIN PAYMENTS REQUIRED.*~~

~~IF THE ELECTED OFFICIAL HAS A SUBSTANTIAL INTEREST IN A BUSINESS ENTITY, REGARDLESS OF WHETHER THAT ENTITY DOES BUSINESS WITH THE CITY, THE STATEMENT MUST INCLUDE THE NAME AND ADDRESS OF ANY PERSON PAYING THAT ENTITY \$20 OR MORE IN THE AGGREGATE DURING THE REPORTING PERIOD.~~

(B) *SCOPE OF SECTION.*

THIS SECTION ONLY APPLIES TO PAYMENTS RECEIVED FROM ANY PERSON THAT THE ELECTED OFFICIAL KNOWS OR SHOULD KNOW WAS:

(1) A LOBBYIST;

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1 (2) A PERSON REGULATED BY THE CITY; OR

2 (3) A PERSON DOING BUSINESS WITH THE CITY.

3 (C) DISCLOSURE OF CERTAIN PAYMENTS.

4 (1) ELECTED OFFICIALS HOLDING A SUBSTANTIAL INTEREST IN 1 ENTITY.

5 IF THE ELECTED OFFICIAL OR THE ELECTED OFFICIAL'S SPOUSE HAS A SUBSTANTIAL
6 INTEREST IN A BUSINESS ENTITY, THE STATEMENT MUST INCLUDE THE NAME AND
7 ADDRESS OF ANY PERSON DESCRIBED IN SUBSECTION (B) OF THIS SECTION WHO,
8 DURING THE REPORTING PERIOD, PAID THAT ENTITY:

9 (I) \$1,000 OR MORE IN THE AGGREGATE; OR

10 (II) AN AMOUNT THAT IN THE AGGREGATE CONSTITUTES 5% OR MORE OF THE
11 GROSS INCOME OF THAT ENTITY, IF THE GROSS INCOME IF THAT ENTITY IS LESS
12 THAN \$20,000.

13 (2) ELECTED OFFICIALS HOLDING A SUBSTANTIAL INTEREST IN MULTIPLE ENTITIES.

14 IF THE ELECTED OFFICIAL OR THE ELECTED OFFICIAL'S SPOUSE HAS A SUBSTANTIAL
15 INTEREST IN MULTIPLE BUSINESS ENTITIES, THE STATEMENT MUST INCLUDE THE NAME
16 AND ADDRESS OF ANY PERSON DESCRIBED IN SUBSECTION (B) OF THIS SECTION, WHO
17 DURING THE REPORTING PERIOD, PAID THOSE ENTITIES:

18 (I) \$1,000 OR MORE IN THE AGGREGATE; OR

19 (II) AN AMOUNT THAT IN THE AGGREGATE CONSTITUTES 5% OR MORE OF THE
20 GROSS INCOME OF THOSE ENTITIES, IF THE GROSS INCOME OF THOSE BUSINESS
21 ENTITIES IS LESS THAN \$20,000.

22 (D) CONFIDENTIAL INFORMATION.

23 NOTHING IN THIS SECTION IS MEANT TO REQUIRE THE DISCLOSURE OF ANY INFORMATION
24 THAT IS OTHERWISE CONFIDENTIAL BY LAW.

25 **§ 7-29. [§ 7-28.] Additional information.**

26 The statement may include a schedule of additional interests or information that the public
27 servant chooses to disclose.

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

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

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

President, Baltimore City Council

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

Chief Clerk

Approved this _____ day of _____, 20__

Mayor, Baltimore City