



Legislation Text

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: The Council President
At the request of: The Administration (Ethics Board; Office of Inspector General)

A BILL ENTITLED

AN ORDINANCE concerning
Public Ethics Law - Prohibited Interests - Clarifications
FOR the purpose of clarifying expressly that certain prohibitions encompass employment by or financial interests in persons having or negotiating certain "blanket" and other contracts with the City or with any agency of the City; requiring certain disclosures; 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) 6-11
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

◆ 6-11. Prohibited employment, interests.

[(a) In general.]

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

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

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

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

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

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

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

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

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

[(b) Entities contracting with City.]

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

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

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

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

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

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

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

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

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