



Legislation Details (With Text)

File #: 15-0498 **Version:** 0 **Name:** Public Ethics Law - Prohibited Gifts - Duplicative Exemptions
Type: Ordinance **Status:** Enacted
File created: 3/23/2015 **In control:** City Council
On agenda: **Final action:** 6/11/2015
Enactment date: **Enactment #:** 15-372

Title: Public Ethics Law - Prohibited Gifts - Duplicative Exemptions
FOR the purpose of consolidating certain overlapping and redundant exemptions for gifts related to the payment of expenses for a speaking engagement or for participation on a panel; correcting, clarifying, and conforming related provisions; providing for a special effective date; and generally relating to ethics in the public sector.

Sponsors: City Council President (Administration)

Indexes: Exemptions, Gifts, Law, Prohibited, Public Ethics

Code sections:

Attachments: 1. 15-0498~1st Reader, 2. Ethics 15-0498, 3. City Solicitor 15-0498, 4. 15-0498~3rd Reader

Date	Ver.	Action By	Action	Result
6/15/2015	0	Mayor	Signed by Mayor	
6/8/2015	0	City Council	Approved and Sent to the Mayor	
6/1/2015	0	City Council	Advanced to 3rd Reader, for Final Passage	
6/1/2015	0	Judiciary and Legislative Investigations	Recommended Favorably	
5/19/2015	0	Judiciary and Legislative Investigations	Recommended Favorably	Pass
5/4/2015	0	Judiciary and Legislative Investigations	Scheduled for a Public Hearing	
3/26/2015	0	The City Council	Refer to Board of Ethics	
3/26/2015	0	The City Council	Refer to City Solicitor	
3/23/2015	0	City Council	Assigned	
3/23/2015	0	City Council	Introduced	

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 the Inspector General)

A BILL ENTITLED

AN ORDINANCE concerning
Public Ethics Law - Prohibited Gifts - Duplicative Exemptions

FOR the purpose of consolidating certain overlapping and redundant exemptions for gifts related to the payment of expenses for a speaking engagement or for participation on a panel; 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) 6-28(3), (5), and (6)
Baltimore City Code
(Edition 2000)

BY repealing

Article 8 - Ethics
Section(s) 6-28(7) and 6-30
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

◆ 6-28. Qualified exemptions.

Subject to ◆◆6-29 {◆Exemption limitations◆} of this subtitle, the prohibitions in ◆◆6▲27 {◆Acceptance prohibited◆} of this subtitle do not apply to the unsolicited receipt of:

...

(3) in return for a speaking engagement or participation on a panel at a meeting, reasonable expenses, ACTUALLY INCURRED AND VERIFIABLE, for food, travel, lodging, CHILD OR DEPENDANT CARE, and scheduled entertainment of the public servant, but only if:

- (i) the expenses are associated with the meeting; and
- (ii) to the extent the expenses are anticipated to exceed \$500, the public servant has notified the Ethics Board before attending the meeting;

...

(5) a specific gift or class of gifts that the Ethics Board exempts on a written finding that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of City business; OR

(6) gifts from a spouse, parent, child, or sibling[; or].

[(7) honoraria, to the extent provided in §§6-30 {Honoraria} of this subtitle.]

[§ 6-30. Honoraria.]

[(a) Honorarium defined.]

[(1) Honorarium means the payment of money or anything of value for:

(i) speaking to, participating in, or attending a meeting or other function; or

(ii) writing an article that has been or is intended to be published.]

[(2) Honorarium does not include payment for writing a book that has been or is intended to be published.]

[(b) Permitted honoraria.]

[Subject to §§6-29 {Exemption limitations} of this subtitle, a public servant may accept an honorarium if:

(1) the honorarium consists of gifts described in §6-28(2) of this subtitle; or

(2) the honorarium is limited to reasonable expenses, actually incurred and verifiable, for:

(i) the public servant's meals, travel, and lodging; and

(ii) care for a child or dependent adult.]

[(c) Prohibited honoraria.]

[Other than as allowed by subsection (b) of this section, a public servant may not accept an honorarium, even if not otherwise disqualified under §§6-29 {Exemption limitations} of this subtitle, if:

(1) the payor of the honorarium has an interest that might be affected substantially and materially, in a manner distinguishable from the public generally, by the performance or nonperformance of the public servant's official duties; and]

(2) the offer of the honorarium is in any way related to the public servant's official duties.]

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

dlr14-940(2)~intro/18Mar15
art8/Gifts - Speaker, Panels/aa:me

dlr14-940(2)~intro/18Mar15
??3??
art8/Gifts - Speaker, Panels/aa:me