



Baltimore County Executive

Executive Director  
Baltimore County  
Ethics Commission

## **About the Ethics Law**

Baltimore County's Public Ethics Law, contained in [Article 7 of the Baltimore County Code](#) applies to **all** County officials, employees, members of certain Boards and Commissions and lobbyists. The Ethics Law is a uniform code of conduct that ensures all County officials and employees serve the public with fairness and impartiality by prohibiting "conflicts of interest" and other improprieties.

A conflict of interest occurs when a County official or employee's official duties could be used to their own private benefit, the private benefit of their family members, or the private benefit of a business entity in which they have an interest.

The Ethics Law requires many County officials, employees and members of certain Boards and Commissions to file [annual financial disclosure statements](#) in order to help them and members of the public identify potential conflicts of interest.

Use the links below to learn more about the Ethics Law. To ensure full compliance, always check the text of Article 7 of the Baltimore County Code and/or contact the Ethics Commission staff directly for guidance by emailing [ethicscommission@baltimorecountymd.gov](mailto:ethicscommission@baltimorecountymd.gov) or calling 410-887-5904.

## **Key Terms**

***Business Entity*** – any individual or group of individuals engaged in any for-profit or not-for-profit activity. Business entity does not include a governmental entity.

***Business with the County*** – having, bidding on, or negotiating, or reasonably anticipating having, bidding on, or negotiating a contract or combination of contracts involving the commitment of \$5,000 or more in the aggregate of county or county-controlled funds; or being regulated by or otherwise under the authority of an entity, agency, or department of a public official; or being subject to registration as a lobbyist in accordance with Subtitle 5 of this title.

***Financial Interest*** – ownership (including securities) that amounts to more than 3% of a business entity; or that resulted in the receipt of more than \$1,000 in any one of the past three calendar years; or that will result in the receipt of more than \$1,000 in the current year or any future calendar year.

***Gift*** – the transfer of a thing of economic value, in any form, without adequate and lawful consideration (i.e., without giving something of similar value in return, such as monetary payment). Does NOT include political contributions regulated under State Election Law, Title 13 (campaign finance).

**Interest** – means a legal or equitable interest, whether or not subject to an encumbrance or a condition, which is owned or held by a person subject to this title in any way, in whole or in part, jointly or severally, directly or indirectly. Does not include certain financial interests, such as an insurance policy, common trust fund, college savings plan, mutual fund, or pension.

**Lobbying** – communicating in the presence of a public official of the legislative or executive branch of County government for the purpose of influencing legislative or executive action, or engaging in activities with the express purpose of soliciting others to communicate with a public official of the legislative or executive branch of County government for the purpose of influencing legislative or executive action.

**Lobbyist** – a person required to register and report expenses related to lobbying under this subtitle. A person who engages in lobbying must register with the Ethics Commission if he/she expends, exclusive of personal travel and subsistence expenses, in excess of \$100 in furtherance of a lobbying activity; or is compensated in excess of \$500 in connection with a lobbying activity.

**Participated Significantly** – direct participation in a matter that involves County government by a former public official in which the former public official's involvement was or appeared to be significant to a decision, approval, or recommendation concerning the County matter. Includes the participation of a subordinate of the former public official if the subordinate was actually directed in the County issue by the former public official; and is not established by official responsibility (although official responsibility may be a factor in determining the significance of the involvement), knowledge, perfunctory involvement, or involvement on an administrative or peripheral matter.

**Public Official** – any County employee, including an elected official or an appointed official; an individual elected or appointed to serve on any County board, agency, commission or similar entity.

**Qualified Relative** – an individual’s spouse, parent, child, brother or sister.

<b>Restrictions on Participation in County Matters (§ 7-1-301)</b>	
General Prohibition	<p>A public official or a qualified relative of the public official must disqualify themselves from a County matter/role if:</p> <ul style="list-style-type: none"> <li>▪ they have an “interest” in the matter/role;</li> <li>▪ they have a “disqualifying relative” with an “interest” in the matter/role; or</li> <li>▪ they (or their “disqualifying relative”) are affiliated with a “business entity” that is a party to the matter, including having a financial interest in, employment or potential employment arrangement with, existing position with (such as officer, director, trustee, partner or employee), reasonably be expected to result in a conflict of interest for the public official, if the business entity has a direct financial interest in another business entity that is owned by the first business entity, or a direct and/or substantial credit obligation to the business entity.</li> </ul>

<b>Exceptions to § 7-1-301</b>	
County Board or Commission member	This section does not apply to a public official who is a member of a County Board or Commission other than the Board of Appeals
Former Lobbyist	A former regulated lobbyist who becomes a public official may not participate in any case, contract, or other specific matter as a public official for <b>one calendar year</b> after the termination of the registration of the former regulated lobbyist if the former regulated lobbyist previously assisted or represented another party for compensation in the matter.

<b>Restrictions on Other Employment and Financial Interests (§ 7-1-302)</b>	
General Prohibition	<p>A public official may not be employed by, or have a “financial interest” in:</p> <ul style="list-style-type: none"> <li>▪ an entity subject to the authority of that public official or the public official’s agency, board or commission with which the public official is affiliated; or</li> <li>▪ an entity that is negotiating or has entered a contract with the agency, board or commission with which the public official is affiliated or an entity that is a subcontractor on a contract with the agency, board or commission.</li> </ul> <p>A public official may not:</p> <ul style="list-style-type: none"> <li>▪ hold any employment relationship if that employment relationship would impair the impartiality and independent judgment of the public official; or</li> <li>▪ be employed by, have a financial interest in, or be affiliated with a private entity that is established or created by the County for the purpose of receiving public funds.</li> </ul>
<b>Exceptions to § 7-1-302</b>	
Board Regulation	<p>Does not apply to an employment or financial interest allowed by regulation of the Ethics Commission if:</p> <ul style="list-style-type: none"> <li>▪ employment does not create or appear to create a conflict of interest; or</li> <li>▪ the financial interest is disclosed.</li> </ul>
Industry Representative	Does not apply to an individual appointed to a regulatory or licensing unit where the unit is required to contain representatives from a certain industry.
Ministerial duties	Does not apply to the public official performing ministerial duties; if the private employment or financial interest does not create or appear to create a conflict of interest.

<b>Employment of Public Official by Party to Contract (§ 7-1-303)</b>	
General Prohibition	A public official may not be employed by an entity that is a party to a contract that binds or purports to bind the County if the duties of the public official include matters substantially relating to or affecting the subject matter of the contract.

<b>Representation Restrictions (§ 7-1-304)</b>	
General Prohibition	<p>An elected official may not, for contingent compensation, assist or represent a party in any matter before or involving any agency of the county or state government.</p> <p>A public official who is not an elected official may not, for contingent compensation, assist or represent a party in any matter before or involving any agency of the county.</p> <p>This representation does not apply to:</p> <ul style="list-style-type: none"> <li>▪ a judicial or quasi-judicial proceeding, including a proceeding before an administrative law judge in the state Office of Administrative Hearings, or a matter preliminary, incidental, or collateral to a judicial or quasi-judicial proceeding; or</li> <li>▪ in a matter before or involving the Workers' Compensation Commission, the Maryland Automobile Insurance Fund, or the Criminal Injuries Compensation Board</li> </ul>

<b>Exceptions to § 7-1-304</b>	
Administrative Law Judges or members of the Board of Appeals	This section does not apply to Administrative Law Judges or members of the Board of Appeals.
Former Public Officials	<p>Former public officials may not assist or represent a party, other than the county or in the State in a case, contract or other specific matter for compensation if:</p> <ul style="list-style-type: none"> <li>▪ the matter involves county government; and</li> <li>▪ the former public official participated significantly in the matter as a public official</li> </ul> <p>Former public officials may not provide information that the former public official has obtained by reason of his or her employment with the county, which is:</p> <ul style="list-style-type: none"> <li>▪ protected by the attorney-client privilege;</li> <li>▪ confidential as a matter of law; or</li> </ul>

	<ul style="list-style-type: none"> <li>▪ exempt from disclosure under the state Public Information Act.</li> </ul>
Former County Executive, County Administrative Officer or head of an office or department of County government	Former County Executive, former County Administrative Officer or former head of an office or department of county government may not assist or represent a party, other than the county or in the State, in a case, contract or other specific matter for compensation for <b>one calendar year</b> following the former employee's termination of employment with the county.

<b>Restrictions on Solicitation and Acceptance of Gifts (§ 7-1-305)</b>	
A <i>gift</i> is the transfer of a thing of economic value, in any form, without adequate and lawful consideration. Does NOT include political contributions regulated under State Election Law, Title 13 (campaign finance).	
General Prohibition	<p>A public official may not solicit any gift. A public official may not directly solicit or facilitate the solicitation of a gift, on behalf of another person, from a regulated lobbyist.</p> <p>A public official may not knowingly accept a gift, directly or indirectly, from an entity that the public official knows or has reason to know:</p> <ul style="list-style-type: none"> <li>▪ does/seeks to do business (regardless of amount) with the public official's office, agency, board or commission;</li> <li>▪ engages/seeks to engage in activity regulated/controlled by the public official's office, agency, board or commission;</li> <li>▪ has a financial interest that might be affected substantially and materially, in a manner distinguishable from the public generally, by the performance or nonperformance of the public official's official duties; or</li> </ul> <p>is a regulated lobbyist with respect to matters within the jurisdiction of the public official.</p>
<b>Exceptions to § 7-1-305</b>	
General Exemptions	<p>A public official may accept any of the below-listed gifts unless: the gift would tend to impair the impartiality and independent judgment of the public official; the gift would give the appearance of impairing the impartiality and independent judgment of the public official; or the public official believes or has reason to believe that the gift is designed to impair the impartiality and independent judgment of the public official.</p> <ul style="list-style-type: none"> <li>▪ Meals or beverages received and consumed by the public official in the presence of the donor or sponsoring entity</li> <li>▪ Ceremonial gifts or awards of insignificant monetary value</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Unsolicited gifts of nominal value</li> <li>▪ Unsolicited gifts that are not meals or alcoholic beverages and that do not exceed \$20 in cost, from a regulated lobbyist</li> <li>▪ Trivial gifts of informational value</li> <li>▪ Gifts in return for participation on a panel or a speaking engagement at a meeting, reasonable expenses for food, travel, lodging, or scheduled entertainment of the public official if the expenses are associated with the meeting, except that, if such expenses for a public official are to be paid by a regulated lobbyist and are anticipated to exceed \$500, the public official shall notify the Ethics Commission before attending the meeting</li> <li>▪ As to a member of the County Council, reasonable expenses for food, travel, lodging, or scheduled entertainment to attend a legislative conference if the member's attendance is approved by the chairman of the County Council</li> <li>▪ Tickets or free admission extended to an elected official as a courtesy or ceremony to the office, to attend a charitable, cultural, or political event</li> <li>▪ A specific gift or class of gifts exempted from subsection (b) of this section by the Ethics Commission upon a written finding that acceptance of the gift or class of gifts would not be detrimental to the impartial conduct of government, and the gift is purely personal and private in nature</li> <li>▪ A gift from an individual related to the public official by blood or marriage or any other individual who is a member of the household of the public official.</li> </ul> <p>A public official may not accept an honorarium unless the honorarium is limited to reasonable expenses for the public official's meals, travel, and lodging, and reasonable and verifiable expenses for care of a child or dependent adult, that are actually incurred; or the honorarium consists of gifts described in subsection (c)(2)(ii) through (iv) of this section.</p>
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<b>Other Prohibited Conduct (§ 7-1-306 - §7-1-311)</b>	
Prestige of Office	A public official may not intentionally use the prestige of office for that public official's private gain or that of another, unless for the performance of usual and customary constituent services.
Disclosure of Confidential Information	<p>Except in the discharge of an official duty, a public official may not disclose or use confidential information acquired by reason of the public official's public position and not available to the public:</p> <ul style="list-style-type: none"> <li>▪ for personal economic benefit; or</li> <li>▪ for the economic benefit of another</li> </ul>
Employment of Assistants	Any individual or a person that employs an individual who assists a county agency in drafting of specifications, an invitation for bids, or a request for proposals for procurement may not:

to County Agencies	<ul style="list-style-type: none"><li>▪ submit a bid or proposal for that procurement; or</li><li>▪ assist or represent another person, directly or indirectly, who is submitting a bid or proposal for that procurement.</li></ul>
Employment of County Council Members	No person shall serve as a member of the County Council while the person holds any other office or employment for profit of or under the county or the state.