

**MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE
Ordinance 2018-16**

Introduced By: Mayor Ashby

Date Introduced: October 16, 2018

Amendments Adopted: N/A

Date Adopted: November 6, 2018

Date Effective: November 26, 2018 or upon approval of the State Ethics Commission

AN ORDINANCE concerning

FINANCIAL DISCLOSURE AND ETHICS CODE REVISIONS

FOR the purpose of repealing Ordinance 18-02; amending the ethics ordinance for the Town of Perryville, to make a certain modifications required by the State Ethics Commission to comply with requirements of Maryland law; modifying certain financial disclosure requirements for elected officials and candidates for election to Town office; and matters relating to the Town of Perryville Ethics Ordinance.

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EXPLANATORY STATEMENT: On March 6, 2018, the Commissioners of the Town of Perryville enacted Ordinance No. 2018-02 to revise conflict of interest and financial disclosure provisions of the Town's ethics ordinance to comply with requirements of Maryland law. The taking effect of Ordinance No. 2018-02 was conditioned upon its approval by the State Ethics Commission. The State Ethics Commission has not approved that Ordinance in its entirety so it has not taken effect. The Mayor and Commissioners desire to enact this Ordinance to take the place of the Ordinance repealed.

BY repealing Ordinance No. 2018-02

BY repealing and reenacting, with amendments
Chapter 8 Financial Disclosure and Ethics
Sections 8-4 and 8-5
Code of the Town of Perryville

EXPLANATION:
CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

SECTION 1. BE IT ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that Ordinance No. 2018-02 is repealed.

SECTION 2. AND BE IT FURTHER ENACTED that Sections 8-4 and 8-5 of the Code of the Town of Perryville, Chapter 8, Financial Disclosure and Ethics, are repealed and reenacted, with amendments, to read as follows:

Chapter 8 – FINANCIAL DISCLOSURE AND ETHICS

§ 8-4 Conflicts of Interest.

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(C) Participation Prohibitions. Except as permitted by Commission regulation or opinion, an official or employee may not participate in:

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(4) A FORMER REGULATED LOBBYIST WHO IS OR BECOMES SUBJECT TO THIS CHAPTER AS AN EMPLOYEE OR AN OFFICIAL, OTHER THAN AS AN ELECTED OFFICIAL OR AN APPOINTED OFFICIAL, MAY NOT PARTICIPATE IN A CASE, CONTRACT OR OTHER SPECIFIC MATTER AS AN EMPLOYEE OR OFFICIAL, OTHER THAN AN ELECTED OFFICIAL OR APPOINTED OFFICIAL, FOR ONE CALENDAR YEAR 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.

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(E) Post-employment limitations and restrictions.

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(2) ((Until the conclusion of the next regular term of office that begins after an elected official leaves office, a former member of the Mayor and Commissioners)) A FORMER ELECTED OFFICIAL may not assist or represent another party for compensation, OR

OTHERWISE ACT AS A LOBBYIST, in a matter that is the subject of legislative action FOR ONE CALENDAR YEAR AFTER THE ELECTED OFFICIAL LEAVES OFFICE.

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§ 8-5 Financial Disclosure – Elected Officials and Candidates to be Town Elected Officials.

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(D) Public record.

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(2) Financial disclosure statements shall be made available during normal office hours for examination and copying by the public subject to reasonable fees established by the Town and administrative procedures established by the commission. NOTWITHSTANDING THE FOREGOING, THE COMMISSION MAY NOT MAKE AVAILABLE FOR EXAMINATION AND COPYING BY THE PUBLIC ANY PORTION OF A FINANCIAL DISCLOSURE STATEMENT THAT CONTAINS THE HOME ADDRESS OF AN INDIVIDUAL.

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(F) Contents of statement.

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(8) Sources of earned income.

(i) A statement filed under this section shall include a schedule of the name and address of each place of employment and of each business entity of which the individual or a member of the individual's immediate family was a sole or partial owner and from which the individual or member of the individual's immediate family received earned income, at any time during the reporting period.

(ii) A minor child's employment or business ownership need not be disclosed if the agency that employs the individual does not regulate, exercise authority over, or contract with the place of employment or business entity of the minor child.

(III) FOR A STATEMENT FILED ON OR AFTER JANUARY 1, 2019, IF THE INDIVIDUAL'S SPOUSE IS A REGULATED LOBBYIST, THE STATEMENT SHALL INCLUDE THE NAME AND ADDRESS OF THE ENTITY THAT HAS ENGAGED THE SPOUSE FOR LOBBYING PURPOSES.

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(I) FOR PURPOSES OF THIS SECTION "INTEREST" DOES NOT INCLUDE A MUTUAL FUND OR EXCHANGE-TRADED FUND THAT IS PUBLICLY TRADED ON A NATIONAL SCALE UNLESS THE MUTUAL FUND OR EXCHANGE-TRADED FUND IS COMPOSED PRIMARILY OF HOLDINGS OF STOCKS AND INTERESTS IN A SPECIFIC SECTOR OR AREA THAT IS REGULATED BY THE INDIVIDUAL'S GOVERNMENTAL UNIT.

SECTION 3. AND BE IT FURTHER ENACTED BY THE MAYOR AND COMMISSIONERS OF THE TOWN OF PERRYVILLE that this Ordinance shall become effective (i) at the expiration of twenty (20) days following approval by the Mayor and Commissioners, or (ii) upon approval by the State Ethics Commission, whichever occurs last.

ADOPTED this 16th day of November, 2018.

SEAL:

**MAYOR AND COMMISSIONERS OF
THE TOWN OF PERRYVILLE**

By: Robert R. Asby Jr.
Robert R. Asby Jr., Mayor

ATTEST:

Jackie Sample
Jackie Sample, Town Clerk

Date: 11/16/18