

SENATE BILL 185

G2, P1

(PRE-FILED)

5lr0041
CF HB 166

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – State Ethics Commission)**

Requested: September 18, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland Public Ethics Law – State Officials of and Candidates to be State**
3 **Officials of the Judicial Branch – Conflicts of Interest and Financial Disclosure**
4 **Statements**

5 FOR the purpose of requiring the Commission on Judicial Disabilities, the Judicial Ethics
6 Committee, or another body designated by the Supreme Court of Maryland to
7 administer and implement certain provisions of law relating to conflicts of interest
8 and financial disclosure statements for candidates to be State officials of the Judicial
9 Branch and maintain and make available for public inspection the records and
10 financial disclosure statements of State officials of the Judicial Branch and
11 candidates to be State officials of the Judicial Branch; repealing a requirement that
12 the Supreme Court of Maryland transmit copies of certain financial disclosure
13 statements to the State Ethics Commission; and generally relating to conflicts of
14 interest and financial disclosure statements for State officials of and candidates to
15 be State officials of the Judicial Branch.

16 BY repealing and reenacting, with amendments,
17 Article – General Provisions
18 Section 5–104, 5–606, and 5–610
19 Annotated Code of Maryland
20 (2019 Replacement Volume and 2024 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
22 That the Laws of Maryland read as follows:

23 **Article – General Provisions**

24 5–104.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) Except as provided in subsections (b) and (c) of this section and in § 5–871 of this title, this title shall be administered and implemented by the Ethics Commission.

(b) The Joint Ethics Committee, acting as an advisory body, shall administer and implement Subtitle 5 of this title as it applies to members of the General Assembly.

(c) The Commission on Judicial Disabilities, the Judicial Ethics Committee, or another body designated by the Supreme Court of Maryland, acting as an advisory body, shall administer and implement Subtitles 5 and 6 of this title as those subtitles apply to State officials of the Judicial Branch **AND CANDIDATES TO BE STATE OFFICIALS OF THE JUDICIAL BRANCH.**

5–606.

(a) (1) (i) Except as provided in paragraph (3) of this subsection, the Ethics Commission and the Joint Ethics Committee shall maintain the statements submitted under this subtitle and, during normal office hours, make the statements available to the public for examination and copying.

(ii) Except as provided in paragraph (2) of this subsection, the Ethics Commission and the Joint Ethics Committee may charge a reasonable fee and adopt administrative procedures for the examination and copying of a statement.

(2) Except as provided in paragraph (3) of this subsection, for statements submitted on or after January 1, 2019, the Ethics Commission shall make freely available to the public on the Internet, through an online registration program, a financial disclosure statement required under § 5–601(a) of this subtitle and a preliminary disclosure required under § 5–602(c) of this subtitle that is filed by:

(i) a State official;

(ii) a candidate for office as a State official; or

(iii) a secretary of a principal department in the Executive Branch.

(3) The Ethics Commission and the Joint Ethics Committee may not:

(i) provide public access to a portion of a statement that is filed after January 1, 2019, and that includes an individual's home address that the individual has identified as the individual's home address; or

(ii) post on the Internet information related to consideration received that is reported under § 5–607(j) of this subtitle.

(b) (1) The Ethics Commission and the Joint Ethics Committee shall maintain a record of:

(i) the name and home address of each individual who examines or copies a statement under this section; and

(ii) the name of the individual whose statement was examined or copied.

(2) On the request of the individual whose statement was examined or copied, the Ethics Commission or the Joint Ethics Committee shall forward to that individual a copy of the record specified in paragraph (1) of this subsection.

(C) THE COMMISSION ON JUDICIAL DISABILITIES, THE JUDICIAL ETHICS COMMITTEE, OR ANOTHER BODY DESIGNATED BY THE SUPREME COURT OF MARYLAND SHALL:

(1) MAINTAIN THE RECORDS OF STATE OFFICIALS OF THE JUDICIAL BRANCH AND CANDIDATES TO BE STATE OFFICIALS OF THE JUDICIAL BRANCH; AND

(2) MAKE THE STATEMENTS SUBMITTED UNDER THIS SUBTITLE AVAILABLE FOR PUBLIC INSPECTION.

5–610.

(a) In accordance with its administrative authority over the Judicial Branch under the Maryland Constitution, the Supreme Court of Maryland shall adopt and administer rules that require each individual specified in § 5–601(b) of this subtitle to file a statement periodically that discloses, as a public record, the information concerning the individual's financial affairs that the court considers necessary or appropriate to promote continued trust and confidence in the integrity of the Judicial Branch.

(b) (1) (i) Except as provided in subparagraph (ii) of this paragraph, each candidate for nomination for or election to a judgeship shall file the statement specified in subsection (a) of this section no later than the time the candidate files a certificate of candidacy.

(ii) This paragraph does not require the filing of a statement for any year covered in full by a statement filed by the individual under subsection (a) of this section.

(2) The statement shall:

(i) cover the calendar year immediately preceding the year in which the certificate of candidacy is filed; and

(ii) be filed with the election board with which the certificate of candidacy is filed.

1 (3) An election board may not accept a certificate of candidacy or certificate
2 of nomination of a candidate covered by this subsection unless the candidate has filed each
3 statement required by this section.

4 (4) An election board, within 30 days after receiving a statement under this
5 subsection, shall forward the statement to the entity designated by the Supreme Court of
6 Maryland to receive the statements filed under subsection (a) of this section.

7 [(c) Within 30 days after receiving a statement under this section, the Supreme
8 Court of Maryland or its designee shall transmit a copy of the statement to the Ethics
9 Commission.]

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2025.