

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2020, Legislative Day No. 29

Bill No. 93-20

Introduced by Ms. Lacey

By the County Council, October 19, 2020

Introduced and first read on October 19, 2020
Public Hearing set for and held on November 16, 2020
Bill AMENDED on December 7, 2020
Public Hearing on AMENDED bill set for and held on December 21, 2020
Bill Expires January 22, 2021

By Order: JoAnne Gray, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: Public Ethics – Definitions
2
3 FOR the purpose of adding a definition of “usual and customary constituent services”; and
4 generally relating to public ethics.
5

6 BY adding: § 7-1-101(25)
7 Anne Arundel County Code (2005, as amended)
8

9 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
10 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:
11

12 **ARTICLE 7. PUBLIC ETHICS**

13 **TITLE 1. IN GENERAL**

14
15
16 **7-1-101. Definitions.**

17
18 In this article, the following words have the meanings indicated unless a different
19 definition is adopted for a particular provision or the context clearly requires a different
20 meaning.
21

22 ~~(25) “USUAL AND CUSTOMARY CONSTITUENT SERVICES” MEANS:~~

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Underlining indicates amendments to bill.
~~Strikeover~~ indicates matter stricken from bill by amendment.

1 ~~———— (I) ACTIONS MADE ON BEHALF OF AN ANNE ARUNDEL COUNTY CITIZEN BY~~
2 ~~COUNTY COUNCILMEMBERS, OR THEIR DESIGNEES, WITH OR WITHOUT THE PRESENCE OF~~
3 ~~THE CITIZEN, INCLUDING ADVOCACY, COMMUNICATIONS, INQUIRY, AND OVERSIGHT, SO~~
4 ~~LONG AS THE COUNCILMEMBERS, OR THEIR DESIGNEES DO NOT, DIRECTLY OR~~
5 ~~INDIRECTLY, THREATEN REPRISAL OR PROMISE FAVORITISM FOR THE PERFORMANCE OR~~
6 ~~NONPERFORMANCE OF ANOTHER PERSON’S DUTIES OR REQUEST ANOTHER PERSON TO~~
7 ~~ABUSE OR EXCEED THE DISCRETION AVAILABLE TO THAT PERSON UNDER LAW; OR~~
8

9 ~~———— (II) ACTIVITIES ON BEHALF OF A BUSINESS ENTITY THAT IS LOCATED IN THE~~
10 ~~COUNTY OR THAT CONTRIBUTES TO THE ECONOMIC WELL BEING OF THE COUNTY SO~~
11 ~~LONG AS THE ACTIVITIES DO NOT VIOLATE THE RESTRICTIONS ON PARTICIPATION~~
12 ~~CONTAINED IN § 7-5 101.~~
13

14 (25) (I) “USUAL AND CUSTOMARY CONSTITUENT SERVICES” MEANS ACTIONS TAKEN
15 BY COUNTY COUNCILMEMBERS OR THEIR DESIGNEES ON BEHALF OF AN ANNE ARUNDEL
16 COUNTY RESIDENT OR A BUSINESS ENTITY THAT IS LOCATED IN THE COUNTY OR THAT
17 CONTRIBUTES TO THE WELL-BEING OF THE COUNTY, AND INCLUDES:
18

19 1. REQUESTING INFORMATION FROM A GOVERNMENTAL AGENCY RELATING
20 TO ACTIVE OR POTENTIAL LEGISLATION OR THE GOVERNMENTAL AGENCY’S PROCESSES,
21 PROCEDURES, OR SIMILAR MATTERS;
22

23 2. PROVIDING OPINIONS RELATING TO INFORMATION RECEIVED FROM A
24 GOVERNMENTAL AGENCY FOR THE PURPOSE OF CONSIDERING OR TAKING LEGISLATIVE
25 ACTION;
26

27 3. SCHEDULING AND PARTICIPATING IN MEETINGS FOR PURPOSES OF INQUIRY
28 WITH A GOVERNMENTAL AGENCY, WITH OR WITHOUT THE PRESENCE OF THE RESIDENT
29 OR BUSINESS ENTITY;
30

31 4. INQUIRING ABOUT AN ISSUE ON BEHALF OF A RESIDENT RELATING TO A
32 GOVERNMENTAL AGENCY OR A COUNTY EMPLOYEE; AND
33

34 5. WRITING LETTERS OF RECOMMENDATION FOR EMPLOYMENT OR ADMISSION
35 TO AN EDUCATIONAL INSTITUTION.
36

37 (II) FOR THE PURPOSES OF THIS DEFINITION, A COUNCILMEMBER OR A
38 COUNCILMEMBER’S DESIGNEE MAY NOT:
39

40 1. ENGAGE IN AN ACTION IF THE COUNCILMEMBER, A QUALIFYING RELATIVE
41 OF THE COUNCILMEMBER, OR A BUSINESS ASSOCIATE OF THE COUNCILMEMBER HAS AN
42 INTEREST IN THE MATTER THAT IS DIFFERENT FROM THAT OF THE PUBLIC IN GENERAL;
43

44 2. ADVOCATE FOR OR REPRESENT A RESIDENT OR BUSINESS ENTITY IN A
45 JUDICIAL OR QUASI-JUDICIAL PROCEEDING OR COMMUNICATE WITH A DECISION-MAKING
46 EMPLOYEE OF A JUDICIAL OR QUASI-JUDICIAL BODY OFF THE RECORD AND OUT OF THE
47 PRESENCE OF THE PARTIES;
48

49 3. DIRECTLY OR INDIRECTLY THREATEN REPRISAL OR PROMISE FAVORITISM
50 FOR THE PERFORMANCE OR NONPERFORMANCE OF AN EMPLOYEE’S DUTIES OR REQUEST
51 AN EMPLOYEE TO ABUSE OR EXCEED THE DISCRETION AVAILABLE TO THAT EMPLOYEE
52 UNDER LAW; OR
53

54 4. EXHIBIT FAVORITISM FOR ONE RESIDENT OVER ANOTHER IN THE SAME OR
55 SIMILAR CIRCUMSTANCES.

1 SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days
2 from the date it becomes law.

AMENDMENTS ADOPTED: December 7, 2020

READ AND PASSED this 21st day of December, 2020

By Order:



JoAnne Gray
Administrative Officer

PRESENTED to the County Executive for his approval this 22nd day of December, 2020



JoAnne Gray
Administrative Officer

APPROVED AND ENACTED this 29th day of December, 2020



Stuart Pittman
County Executive

EFFECTIVE DATE: February 12, 2021

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 93-20. THE ORIGINAL OF WHICH IS RETAINED IN THE
FILES OF THE COUNTY COUNCIL.



JoAnne Gray
Administrative Officer