

**COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

**2024 Legislative Session**

**Bill 2024-02**

**CODE OF ETHICS**

**Introduced by Charles County Commissioners**

FOR the purpose of Adopting changes to the local Code of Ethics to remain in compliance with the public ethics laws of the State of Maryland. BY repealing and reenacting, with amendments, Chapter 170 – ETHICS, CODE OF Section 3: Definitions; Section 5: Prohibited conduct and interests. Section 6: Financial disclosure by local elected officials and candidates to be local elected officials, officials, and employees, *Code of Charles County, Maryland*.

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**Date introduced:** 01/30/2024

**Public Hearing:** 03/19/2024 Virtual and In-Person @ 6:00 p.m.

**Commissioners Action:** 03/19/2024

**Commissioner Votes:** RBC: Y, GB: Y, TC: Y, AS: Y, RP: Y

**Pass/Fail:** Pass

**Effective Date:** 05/03/2024

**Remarks:** \_\_\_\_\_

NOTE: CAPITALS indicate matter added to existing text.  
[Brackets] indicate matter deleted from existing law.

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2 **COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**

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4 **2024 Legislative Session**

5 Bill No.: 2024-02

6 Chapter No.: 170

7 Introduced by: Charles County Board of Commissioners

8 Date of Introduction: January 30, 2024

9  
10 **BILL**

11 AN ACT concerning

12 **CODE OF ETHICS**

13  
14 FOR the purpose of

15 Adopting changes to the local Code of Ethics to remain in compliance with the public  
16 ethics laws of the State of Maryland.

17  
18 BY repealing and reenacting, with amendments,

19 Chapter 170 – ETHICS, CODE OF

20 Section 3: Definitions;

21 Section 5: Prohibited conduct and interests.

22 Section 6: Financial disclosure by local elected officials and candidates to be local elected  
23 officials, officials and employees.

24 *Code of Charles County, Maryland*

25 *(2021 Edition)*

26  
27  
28 **SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS OF**  
29 **CHARLES COUNTY, MARYLAND, that the Laws of Charles County, Maryland read**  
30 **as follows:**

31 Chapter 170. Ethics, Code of

32 \* \* \* \* \*

Asterisks \*\*\* mean intervening code language remaining unchanged  
CAPITALS mean language added to the law  
[Brackets] mean language deleted from the law

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§170-3 Definitions.  
In this chapter, the following terms have the meanings indicated.

\* \* \* \* \*

**“HOME OR PRINCIPAL ADDRESS” MEANS THE DWELLING LOCATION AT WHICH AN INDIVIDUAL NORMALLY RESIDES FOR THE MAJORITY OF EACH WEEK AND INCLUDES THE PHYSICAL ADDRESS, MAILING ADDRESS, STREET ADDRESS, PARCEL IDENTIFICATION NUMBER, PLOT IDENTIFICATION NUMBER, LEGAL PROPERTY DESCRIPTION, NEIGHBORHOOD NAME, AND LOT NUMBER, GPS COORDINATES, AND ANY OTHER DESCRIPTIVE PROPERTY INFORMATION THAT MAY REVEAL THE HOME ADDRESS.**

**“SECONDARY OR DESIGNATED SECOND HOME” MEANS A RESIDENTIAL HOME THAT IS SOLELY OWNED BY THE INDIVIDUAL, AND THAT THE INDIVIDUAL RESIDES IN AT LEAST 15 DAYS OUT OF THE YEAR OR 10% OF THE TOTAL TIME THAT THE PROPERTY IS RENTED.**

\* \* \* \* \*

§170-5 Prohibited conduct and interests.

\* \* \* \* \*

B. Employment and financial, interest restrictions.

(1) Except as permitted by regulation of the Commission when the interest is disclosed or when the employment does not create a conflict of interest or appearance of conflict, an official or employee may not:

- (a) Be employed by or have a financial interest in any entity:
  - (1) Subject to the authority of the official or employee or the County agency, Board, or Commission with which the official or employee is affiliated;
  - (2) That is negotiating or has entered a contract with the agency, board, or commission with which the official or employee is affiliated; [or]
  - (3) Hold any other employment relationship that would impair the impartiality or independence of judgment of the official or employee[.] , **OR**
  - (4) A FORMER LOCAL LOBBYIST WHO BECOMES A COUNTY OFFICIAL, BOARD OR COMMISSION MEMBER OR EMPLOYEE MAY NOT PARTICIPATE IN A CASE, CONTRACT OR OTHER SPECIFIC MATTER FOR 1 CALENDAR YEAR AFTER TERMINATEING THEIR LOCAL LOBBYING REGISTRATION IF THEY PREVIOUSLY ASSISTED ANOTHER PARTY TO THE MATTER.**

\* \* \* \* \*

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§170-6 Financial disclosure by local elected officials and candidates to be local elected officials, officials and employees.

\* \* \* \* \*

D. Candidates to be elected officials.

\* \* \* \* \*

(4) If a candidate fails to file a statement required by this section after written notice is provided by the Charles County Board of Election Supervisors at least [20] 8 days before the last day for the withdrawal of candidacy, the candidate is deemed to have withdrawn the candidacy.

E. Public record.

**(6) FOR STATEMENTS FILED AFTER JANUARY 1, 2019, THE COMMISSION OR OFFICE DESIGNATED BY THE COMMISSION MAY NOT PROVIDE PUBLIC ACCESS TO AN INDIVIDUAL'S HOME ADDRESS, TO INCLUDE ANY SECONDARY HOME, THAT THE INDIVIDUAL HAS DESIGNATED AS THE INDIVIDUAL'S HOME ADDRESS.**

\* \* \* \* \*

G. Contents of Statement

\* \* \* \* \*

(2) Interests in Corporations and Partnerships

\* \* \* \* \*

(b)For each interest reported under this subsection, the schedule shall include:

\* \* \* \* \*

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[(5) Any other names that the business is trading as or doing business as.  
[Added 5-18-2022 by Bill No. 2022-02]]

\* \* \* \* \*

(3) Interests in business entities doing business with the County.

\* \* \* \* \*

(b) For each interest reported under this subsection, the schedule shall include:

\* \* \* \* \*

[(5) Any other names that the business is trading as or doing business as.  
[Added 5-18-2022 by Bill No. 2022-02]]

\* \* \* \* \*

**(11) AN INDIVIDUAL WHO IS REQUIRED TO DISCLOSE THE NAME OF A  
BUSINESS UNDER THIS SECTION SHALL DISCLOSE ANY OTHER NAMES  
THAT THE BUSINESS IS TRADING AS OR DOING BUSINESS AS.**

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**SECTION 2.** BE IT FURTHER ENACTED, THAT THIS ACT SHALL TAKE EFFECT FORTY-FIVE (45) CALENDAR DAYS AFTER IT BECOMES LAW.

ADOPTED THIS 19<sup>th</sup> DAY OF MARCH 2024.


**COUNTY COMMISSIONERS  
CHARLES COUNTY, MARYLAND**



Reuben B. Collins, President



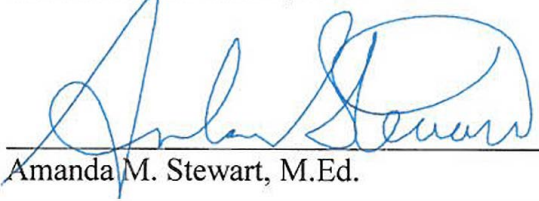
Ralph Patterson, Vice President



Gilbert "B.J." Bowling, III



Thomasina M. Coates, M.S.



Amanda M. Stewart, M.Ed.

ATTEST:



Carol A. DeSoto, Clerk to the Commissioners

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**COMMISSION MEMBERS:**  
CRAIG D. ROSWELL, *Chair*  
BONNIE A. KIRKLAND  
MARIELA OLIVARES  
JAMES N. ROBEY, JR.  
GENEAU M. THAMES

## STATE ETHICS COMMISSION

45 CALVERT STREET, 3<sup>rd</sup> FLOOR  
ANNAPOLIS, MARYLAND 21401  
410-260-7770 / 1-877-669-6085  
FAX: 410-260-7746

JENNIFER K. ALLGAIR  
*Executive Director*  
WILLIAM J. COLQUHOUN  
*General Counsel*  
KATHERINE P. THOMPSON  
*Staff Counsel*  
ANA L. HENRY  
*Assistant General Counsel*  
PANSY S. WATSON  
*Assistant Counsel*

April 4, 2024

### CONFIDENTIAL

*Sent via email to: [adamsw@Charlescountymd.gov](mailto:adamsw@Charlescountymd.gov)*

Wesley Adams, Charles County Attorney  
200 Baltimore Street  
La Plata, MD 20646

Re: Charles County Proposed Ethics Ordinance

Dear Mr. Adams:

At its April 4, 2024 meeting, the State Ethics Commission reviewed proposed changes to the Charles County Public Ethics Law, which you forwarded to the Commission for approval in compliance with Subtitle 8 of the Maryland Public Ethics Law (Md. Code Ann., Gen. Prov., Title 5 (Supp. 2023)). As you are aware, legislation (HB 363 and 1058) enacted during the 2021 General Assembly session mandated some changes to county and municipal ethics laws and county boards of education ethics regulations and policies. The State Ethics Commission revised its local government regulations in COMAR 19A.04 in January 2022 to reflect the changes in the Public Ethics Law and to incorporate changes made by HB 363 and 1058.

The State Ethics Commission approved the proposed changes to the ethics ordinance for your jurisdiction as being at least equivalent to State law for local employees for conflict of interest provisions. The Commission approved other changes to the Charles County Ethics Ordinance as being at least equivalent to State law for financial disclosure provisions for local elected officials and candidates for local elected office. The State Ethics Commission also determined that the Charles County Ethics Ordinance is similar to the provisions of the Maryland Public Ethics Law for conflict of interest and financial disclosure provisions applicable to local elected officials, local employees and local appointed officials. The lobbying provisions of the Charles County Ethics Ordinance are also substantially similar to the provisions of the Maryland Public Ethics Law.

The State Ethics Commission's review was in accord with the Commission's review authority pursuant to Subtitle 8 of the Maryland Public Ethics Law and consisted of a comparison of the proposed revisions to the review criteria of COMAR 19A.04. The review was also in accord with the Commission's understanding of the requirements stated in the Court of Appeals decision in *Seipp v. Baltimore City Board of Elections*, 377 Md. 362, 833 A.2d 551 (2003), as discussed in

Opinion No. 06-01 of the Commission's Advisory Opinions.

Charles County must submit all future changes to its ethics ordinance for review and approval in compliance with Subtitle 8 of the Maryland Public Ethics Law and COMAR 19A.04. In addition, certification is an annual requirement. Certification is due each year by October 1<sup>st</sup>. Your next certification is due October 1, 2024. Please contact our office if you have any questions regarding this or any other matter. Thank you for your work on this project.

Sincerely,

A handwritten signature in cursive script that reads "Pansy S. Watson".

Pansy S. Watson  
Assistant Counsel