



House Bill 1565

Public Ethics and Campaign Activity – County Governing Bodies and County Executives – Planning and Zoning Applications

MACo Position: **OPPOSE**

To: Environment and Transportation and
Ways and Means Committees

Date: March 3, 2020

From: Alex Butler

The Maryland Association of Counties (MACo) **OPPOSES** HB 1565. The bill unnecessarily imposes ethics requirements on county elected officials and candidates for county office. HB 1565 takes ethics provisions adopted by only one jurisdiction, and extends them to every county, with all forms of county government. Local legislation has long been the vehicle for such policy considerations. MACo urges these matters remain a local prerogative.

Under provisions of the Maryland Public Ethics Law, in Prince George's County, an "applicant" or agent of the applicant may not make a payment to a candidate for, or member of, the county council, the county executive of Prince George's County, or a slate that includes a member or the county executive during the pendency of the application for a land use decision. After an application has been filed, county council members who received a campaign contribution from an applicant or representative of the applicant within 36 months prior to the filing of the application cannot participate in the proceeding. HB 1565 would expand these provisions to all counties in Maryland.

Every county makes land use decisions differently, and accordingly, develop their own ethics laws when they seek to exceed the State's standards. HB 1565 would unnecessarily repeal those ethics laws in favor of a uniform standard. Many counties have their own ethics commissions that are best suited to respond to ethics concerns within their respective jurisdictions. The State Ethics Commission does not have jurisdiction over local, county, or municipal officials and employees and cannot accept complaints against those individuals. The State should not intrude upon established local ethics laws and practices.

Accordingly, MACo asks the Committee for an **UNFAVORABLE** report on HB 1565.