



ETHICS LAW – CONFLICTS OF INTEREST

The General Assembly enacted the State Ethics Law in 1979 (Ch. 513, Acts of 1979). The purpose of the law is to protect the public's confidence and trust in government by assuring the impartiality and independent judgment of State officials and employees. The confidence and trust of the people erodes when the conduct of County business is subject to improper influence *or even the appearance* of improper influence.

The Maryland Public Ethics Law requires local jurisdictions to enact provisions that are similar to the State Public Ethics Law. Md. Code Ann., *State Govt.*, §§ 15-803 ó 15-808. The Queen Anne's County Commissioners have complied with this requirement through the passage and amendments to the Queen Anne's County Public Ethics Law.¹ The Queen Anne's County Ethics Commission administers the County's Public Ethics Law (Chapter 8 of the Queen Anne's County Code).

If you have any questions regarding conflicts of interest, please call the Ethics Commission staff at 410-758-4406 or write to the Ethics Commission at 107 N. Liberty Street, Centreville, MD, 21617.²

All officials, employees, members of all Queen Anne's County Boards and Commissions are subject to the provisions of the Conflicts of Interest section in the Public Ethics Law.³

CONFLICT OF INTEREST - DEFINED

A conflict of interest is a situation that exists whenever an individual's private interest could affect the performance of his/her official duties. Conflicts of interest can occur in a variety of situations including but not limited to: relation to actions an individual takes in any official capacity; personal activities in which the individual uses the fact of his/her County affiliation to gain a benefit; and gifts offered or received.

Prohibited Conduct

To prevent conflicts of interest from affecting the operation of the County's business, the Public Ethics Law prohibits Queen Anne's County officials, board and commission members, and employees from the following:

- Acting on behalf of the County in any matter that would have a direct financial impact on them, a family member, or on a business entity in which they or a family member have an interest;
- Being employed by or having a financial interest in an entity that is subject to the individual's authority or the governmental unit with which the individual is affiliated, or doing business with the individual or with the governmental unit with which the official is affiliated;
- Holding any other employment or contractual relationship that could *or could appear* to impair their impartiality or independence of judgment;
- Representing any party for a contingent fee, or lobbying for compensation, before any County body;
- Soliciting or accepting gifts;
- Acting, within two years following County service, as a compensated representative of another individual in connection with any specific matter in which he/she participated substantially as a County official or employee; or
- Intentionally use the prestige of their office, or any confidential information acquired in their official County position, for their own private gain or that of another.

ENFORCEMENT & PENALTIES

Any individual found to have violated the Public Ethics Law may be subject to disciplinary or other appropriate action as prescribed in the Public Ethics Law.

The Commission may:

- Issue a cease and desist order against any individual found in violation of the Public Ethics Law; and
- Seek enforcement in the Circuit Court of Queen Anne's County.

A County official or employee found to be violation of the Public Ethics Law shall be referred to the County Human Resources Office for a determination of disciplinary action.

An individual who knowingly and willingly violates the Ethics Law may be found guilty of a civil violation, and on conviction, is subject to a fine of up to \$1000.

¹ The Queen Anne's County Public Ethics Law can be found at: <http://www.qac.org/depts/ethics/ethicshome.htm>.

² This information sheet is intended as a general summary of the Conflicts of Interest provision, and not to be read as a substitute for the law itself.

³ The Conflicts of Interest provision in the Public Ethics Law is § 8-11.