

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council of Howard County, Maryland

2026 Legislative Session

Legislative Day No. 1

Bill No. 6 -2026

Introduced by: David Yungmann

SHORT TITLE: Howard County Ethics Commission – Members Service on Other Boards and Commissions – Prohibition

AN ACT prohibiting members of the Howard County Ethics Commission from serving on other Howard County Boards or Commissions while serving as a current member of the Howard County Ethics Commission; and generally relating to the Howard County Ethics Commission.

Introduced and read first time _____, 2026. Ordered posted and hearing scheduled.

By order _____
Michelle Harrod, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2026.

By order _____
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2026 and Passed ___, Passed with amendments ____, Failed ____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this _____ day of _____, 2026 at ___ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved by the County Executive _____, 2026

Calvin Ball, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

Section 1. *Be It Enacted* by the County Council of Howard County, Maryland, that the Howard County Code is amended as follows:

By amending:

Title 22. "General Provisions"

Subtitle 2. "Howard County Public Ethics Law"

Section 22.203. "Administration"

Title 22 General Provisions

Subtitle 2. Howard County Public Ethics Law

Sec. 22.203. Administration.

(a) There is a Howard County Ethics Commission that consists of five members, appointed by the County Executive with the concurrence of the County Council.

(b) In addition to the qualifications set forth for board and commission members generally in title 6, subtitle 3 of this Code, members of the Ethics Commission shall not:

(1) Serve more than two consecutive terms;

(2) Hold or be a candidate for any elected or appointed Office of the United States, the State, any political subdivision or incorporated municipality of the State, or of any political party;

(3) Be an employee of the County or of any political party; [[and]]

(4) Be otherwise required to file a lobbying registration pursuant this subtitle[.]; AND

(5) SERVE ON ANY OTHER HOWARD COUNTY BOARD OR COMMISSION.

(c) (1) The Commission shall elect a chairman from among its members.

(2) The term of the chairman is one year.

(3) The chairman may be reelected.

(d) A majority vote of the Commission shall consist of three or more votes. A quorum consists of three members present.

1 (e) (1) The County Solicitor shall assist the commission in carrying out the Commission's duties;

2 (2) If a conflict of interest under section 22.204 of this subtitle or other conflict prohibits
3 the County Solicitor from assisting the Commission in a matter, the County shall
4 provide sufficient funds for the Commission to hire independent counsel for the
5 duration of the conflict.

6 (f) The County Solicitor shall designate an Executive Secretary who shall attend all meetings.

7 (g) The Commission is the advisory body responsible for interpreting this subtitle and advising
8 persons subject to this subtitle regarding its application.

9 (h) The Commission shall hear and decide, with the advice of the County Solicitor or other
10 legal counsel if appropriate, all complaints filed regarding alleged violations of this subtitle
11 by any person.

12 (i) The Commission shall keep on file the minutes of its proceedings in accordance with State
13 of Maryland's Open Meetings Act. The Commission, or an office designated by the
14 Commission, shall retain as a public record all forms submitted by any person under this
15 subtitle for the longer of:

16 (1) Four years after receipt; or

17 (2) If the person is an elected official, the entirety of the person's term.

18 (j) The Commission shall conduct a public information and education program regarding the
19 purpose and implementation of this subtitle.

20 (k) On or before October 1 of each year, the Commission shall:

21 (1) Certify to the state ethics commission that the County is in compliance with the
22 requirements of the General Provisions Article, title 5, subtitle 8 of the Annotated Code
23 of Maryland for Elected Local Officials; and

24 (2) Submit to the local governing body a report on the administration of the Public Ethics
25 laws by the Commission in compliance with the requirements of the General
26 Provisions Article, title 5, subtitle 8 of the Annotated Code of Maryland.

27 (l) The Commission shall:

(1) Determine if changes to this subtitle are required to be in compliance with the requirements of the General Provisions Article, title 5, subtitle 8, of the Annotated Code of Maryland; and

(2) Forward any recommended changes and amendments to the County Council for enactment.

(l) The Commission shall:

(1) Determine if changes to this subtitle are required to be in compliance with the requirements of the State Government Article, title 15, subtitle 8, of the Annotated Code of Maryland; and

(2) Forward any recommended changes and amendments to the County Council for enactment.

(m) (1) Any person subject to this subtitle may request an advisory opinion from the Commission concerning the application of this subtitle.

(2) The Commission shall respond promptly to a request for an advisory opinion and shall provide interpretations of this subtitle based on the facts provided or reasonably available to the Commission within 60 days of the request.

(3) In accordance with all applicable State and County laws regarding public records, the Commission shall publish or otherwise make available to the public copies of the advisory opinions, with the identities of the subjects deleted.

(4) The Commission may adopt additional policies and procedures related to the advisory opinion request process.

(n) (1) Any person may file a complaint with the Commission alleging a violation of any of the provisions of this subtitle.

(2) A complaint shall be in writing and under oath; and

(3) The Commission may refer a complaint to the County Solicitor, or other legal counsel if appropriate, for investigation and review.

- 1 (4) The Commission may reject without further proceedings any complaint which it deems
2 to be plainly frivolous or which, assuming the facts alleged were true, does not state a
3 violation of this subtitle.
- 4 (5) The Commission may dismiss a complaint if, after receiving an investigative report,
5 the Commission determines that there are insufficient facts upon which to base a
6 determination of a violation.
- 7 (6) If there is a reasonable basis for believing a violation has occurred, the subject of the
8 complaint shall be given an opportunity for a hearing conducted in accordance with the
9 applicable County Rules of Procedure.
- 10 (7) A final determination of a violation resulting from the hearing shall include findings of
11 fact and conclusions of law.
- 12 (8) Upon finding a violation, the Commission may take any enforcement action provided
13 for in section 22.208 of this subtitle.
- 14 (9) (i) After a complaint is filed and until a final finding of a violation by the Commission,
15 all actions regarding a complaint are confidential.
- 16 (ii) A finding of a violation is public information.
- 17 (10) The Commission may adopt additional policies and procedures related to complaints,
18 complaint hearings, the use of independent investigators and staff, the use of witness
19 and document subpoenas, and cure and settlement agreements.
- 20 (o) The Commission may grant exemptions to or modifications of the conflict of interest and
21 financial disclosure provisions of this subtitle to officials or employees serving as members
22 of County boards and commissions, when the Commission finds that the exemption or
23 modification would not be contrary to the purposes of this subtitle, and the application of
24 this subtitle would:
- 25 (1) Constitute an unreasonable invasion of privacy; and
- 26 (2) Significantly reduce the availability of qualified persons for public service.
- 27 (p) The Commission may:

1 (1) Assess a late fee of \$2.00 per day up to a maximum of \$250.00 for a failure to timely
2 file a financial disclosure statement required under section 22.206 of this subtitle; and

3 (2) Assess a late fee of \$10.00 per day up to a maximum of \$250.00 for a failure to file a
4 timely lobbyist registration or lobbyist report required under section 22.207 of this
5 subtitle.

6 (q) (1) The Executive Secretary or a designee, on behalf of the Commission, may issue
7 subpoenas:

8 (i) For the attendance of witnesses to testify; or

9 (ii) To produce documents and other evidence relevant and necessary to the
10 administration and enforcement of this subtitle.

11 (2) A subpoena shall be served by hand-delivering or mailing by certified mail a copy
12 either to the person named or to an agent authorized by appointment or by law to
13 receive service for the person named.

14 (3) A subpoena may be judicially enforced.

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17 ***Section 2. And Be It Further Enacted*** by the County Council of Howard County, Maryland that this Act
18 *shall become effective 61 days after its enactment.*
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