

Bill No. 11-01  
Concerning: Ethics - Political Activities -  
Quasi-Judicial Officers  
Revised: 11-2-01 Draft No. 4  
Introduced: March 6, 2001  
Enacted: November 6, 2001  
Executive: November 19, 2001  
Effective: February 10, 2002  
Sunset Date: None  
Ch. 23, Laws of Mont. Co. 2001

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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By: Council President at the request of the County Ethics Commission

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**AN ACT** to:

- (1) prohibit certain quasi-judicial officers and employees from engaging in certain political activities; and
- (2) generally amend the law regarding political activities by County officers and employees.

By adding

Montgomery County Code  
Chapter 19A  
Section 19A-16A

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1       **Sec 1. Section 19A-16A is added as follows:**

2       **19A-16A. Political activities of quasi-judicial officials.**

3       **(a) A County quasi-judicial official must not:**

4           **(1) solicit or accept from a person within the official's jurisdiction a financial**  
 5           **contribution for any political candidate, political organization or ballot**  
 6           **question (other than a ballot question which directly affects the official's**  
 7           **agency); or**

8           **(2) [[be a candidate for a federal, state, or county elective office without**  
 9           **resigning the quasi-judicial position; or]]**

10          **[[3]] solicit from a person within the official's jurisdiction an endorsement of**  
 11          **or opposition to a political candidate.**

12       **(b) In this Section:**

13          **(1) County quasi-judicial official means:**

14           **(A) a member or alternate member of the Animal Matters Hearing Board;**

15           **(B) a member of the County Board of Appeals;**

16           **(C) a member of the Board of Electrical Examiners;**

17           **(D) a member of the Board of Registration;**

18           **(E) a member or alternate member of the Commission on Landlord-Tenant**  
 19           **Affairs;**

20           **(F) a voting member of the Commission on Common Ownership**  
 21           **Communities;**

22           **(G) a member of the Ethics Commission;**

23           **(H) a voting member of the Fire and Rescue Commission;**

24           **(I) a member of a [[commission panel]] case review board of the Human**  
 25           **[[Relations]] Rights Commission;**

26           **(J) a member of the Merit System Protection Board;**

- 27           (K) a member of the Sign Review Board;  
 28           (L) a member of the Historic Preservation Commission;  
 29           (M) a member of the Contract Review Committee;  
 30           (N) the Chief Administrative Officer;  
 31           (O) a hearing examiner in the Office of Zoning and Administrative  
 32               Hearings; and  
 33           (P) [[the]] any Public Hearing Officer in the Office of the County  
 34               Executive.

35           **(2) Political organization means:**

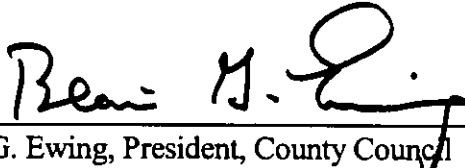
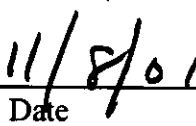
- 36           (A) an “authorized candidate campaign committee” as defined in the  
 37               state election law;  
 38           (B) a “partisan organization” as defined in the state election law;  
 39           (C) a “political committee” as defined in the state election law;  
 40           (D) a “political action committee” as defined in the state election law;  
 41               and  
 42           (E) a “political party” as defined in the state election law.

43           **(3) Candidate has the same meaning as in the state election law.**

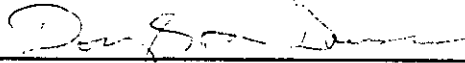
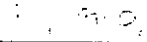
44           **(4) Person within the official's jurisdiction means an individual who:**

- 45           (A) is registered, or is required to register, as a lobbyist on a matter that is  
 46               or could be considered by the official;  
 47           (B) owns or operates a business that is regulated by the official;  
 48           (C) does business with or has a matter pending before the official's agency;  
 49               or  
 50           (D) has an identifiable economic interest, different from that of the general  
 51               public, that the official may substantially affect in performing the  
 52               official's duties.

53 *Approved:*

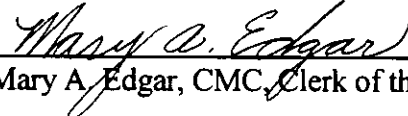
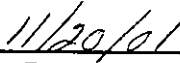
54    
Blair G. Ewing, President, County Council Date

55 *Approved:*

56    
Douglas M. Duncan, County Executive Date

57 *This is a correct copy of Council action.*

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Mary A. Edgar, CMC, Clerk of the Council Date