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

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

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

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

2. be a candidate for a federal, state, or county elective office without resigning the quasi-judicial position; or]

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

(b) In this Section:

1. County quasi-judicial official means:

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

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

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

(D) a member of the Board of Registration;

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

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

(G) a member of the Ethics Commission;

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

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

(J) a member of the Merit System Protection Board;
(K) a member of the Sign Review Board;

(L) a member of the Historic Preservation Commission;

(M) a member of the Contract Review Committee;

(N) the Chief Administrative Officer;

(O) a hearing examiner in the Office of Zoning and Administrative Hearings; and

(P) any Public Hearing Officer in the Office of the County Executive.

(2) Political organization means:

(A) an “authorized candidate campaign committee” as defined in the state election law;

(B) a “partisan organization” as defined in the state election law;

(C) a “political committee” as defined in the state election law;

(D) a “political action committee” as defined in the state election law;

and

(E) a “political party” as defined in the state election law.

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

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

(A) is registered, or is required to register, as a lobbyist on a matter that is or could be considered by the official;

(B) owns or operates a business that is regulated by the official;

(C) does business with or has a matter pending before the official's agency;

or

(D) has an identifiable economic interest, different from that of the general public, that the official may substantially affect in performing the official's duties.
Approved:

Blair G. Ewing, President, County Council

Approved:

Douglas M. Duncan, County Executive

This is a correct copy of Council action.

Mary A. Edgar, CMC, Clerk of the Council