COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

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

AN ACT to:
(1) broaden certain restrictions on post-government employment by County employees; and
(2) generally amend the law governing future employment of County employees.

By amending
Montgomery County Code
Chapter 19A, Ethics
Section 19A-13

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Section 19A-13 is amended as follows:


(a) A former public employee must not [[accept employment]] work on or otherwise assist any party, other than a County agency, in a case, contract, or other specific matter for 10 years after the last date the employee significantly participated in the matter as a public employee.

(b) For one year after the effective date of termination from County employment, a former public employee must not enter into any employment understanding or arrangement (express, implied, or tacit) with any person or business [[that contracts with a County agency]] if the public employee significantly participated during the previous 3 years:

(1) [significantly participated] in regulating the person or business; or

(2) [had official responsibility] in any procurement or other contractual activity concerning a contract with the person or business (except a non-discretionary contract with a regulated public utility).

(c) Significant participation means [direct administrative or operating authority to approve, disapprove, or otherwise decide government action with respect to a specific matter, whether the authority is intermediate or final, exercisable alone or with others, and exercised personally or through subordinates] making a decision, approval, disapproval, recommendation, rendering of advice, investigation, or similar action taken as an officer or employee. [It] Significant participation ordinarily does not include program or legislative oversight, or budget preparation, review, or adoption.

Sec. 2. Applicability.
Section 19A-13, as amended by Section 1 of this Act, applies to any [[specific matter or action in which a former]] public employee [[significantly participates as a public employee]] who leaves public employment after this Act takes effect. [[Section 19A-13, as it existed before it was amended by Section 1 of this Act, applies to any other specific matter or action in which a former public employee significantly participated as a public employee before this Act took effect.]]

Approved:

Michael L. Subin, 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