



# MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

<b>Subject</b> Financial Disclosure	<b>Number</b> [19-11] <u>25-12</u>
<b>Originating Department</b> Office of the Chief Administrative Officer	<b>Effective Date</b>

Montgomery County Regulation on  
**FINANCIAL DISCLOSURE STATEMENTS EXECUTIVE BRANCH**

Issued by: County Executive

Regulation No. 25-12

Authority: Montgomery County Code (2004) Section 19A-17

Supersedes: Executive Regulation 19-11

Council Review: Method (2) under Code Section 2A-15

Register Vol. 29 Issue 11 (Nov. 2012)

Effective Date: \_\_\_\_\_

Comment Deadline: November 30, 2012

**Summary:** This regulation designates those public employees that the County Executive requires to file a public, limited public, or confidential financial disclosure statement. This amendment constitutes the annual revision of this regulation, and establishes a process for identifying specific employees who must file a financial disclosure statement.

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**Background:** The Montgomery County Public Ethics Law authorizes the County Executive to designate certain public employees who must file a financial disclosure statement. The County Executive must find that requiring these employees to file a financial disclosure statement will promote trust and confidence in County government.

## **Section 1. Purpose.**

The filing of a financial disclosure statement by each of the following public employees is desirable to promote the trust and confidence of the citizens of the County in the government of Montgomery County.

## **Section 2. List Of Employees Who Must File Financial Disclosure Statements.**

### **A. Definitions.**



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(1) **Public Employee or employee** has the same meaning ascribed to it in Chapter 19A of the Montgomery County Code.

- B. **Annual List.** By January 15 of each year, the Chief Administrative Officer must submit to the Ethics Commission a list identifying each **public employee** who must file a financial disclosure statement under Section 3.
- C. **Updated List of employees not previously identified.** The Chief Administrative Officer must also submit to the Ethics Commission updated lists identifying each **public employee** who must file an initial financial disclosure statement under Section 19A-18(f) even though the **employee** or the **employee's** position is not identified in the attached schedule. The Chief Administrative Officer or designee should submit this information to the Ethics Commission within 15 days after the employee or the employee's position first meets the criteria for filing a financial disclosure statement under Section 19A-17(c).
- D. **List Contents.** The lists described in this section must identify each **employee** by name, position, e-mail address, work phone number, and work location. For confidential filers, the list must also identify the person who will review the employee's financial disclosure statement. For public and limited public filers, the list must identify a contact person.
- E. **Employees holding more than one position in the prior year.** If the **employee** held more than one position during the previous year, the Chief Administrative Officer must indicate which position requires the **employee** to file the financial disclosure statement. If the **employee** held more than one position during the previous year requiring the filing of a financial disclosure statement, the Chief Administrative Officer must identify that **employee** by the last held position requiring the filing of a financial disclosure statement.

### Section 3. Requirement.

- A. **Public employees must file.** A **public employee** holding one of the positions identified in the attached schedule at any time during the previous year must file a sworn, financial disclosure statement (public, limited public (LP), or confidential (conf), as indicated) under the Montgomery County Public Ethics Law, Article IV, Financial Disclosure. Positions designated as "LP" must file a limited public financial disclosure statement under § 19A-17 (a) (6), and, if indicated, a confidential financial disclosure statement.



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The Chief Administrative Officer may waive the filing requirement for an employee holding one of the positions identified in the attached schedule during the previous year if the duties of that position changed such that the employee did not perform any duties meeting the criteria for filing a financial disclosure statement under Section 19A-17(c) at any time during the previous year. The Chief Administrative Officer should recommend an amendment in the next iteration of the attached schedule to reflect the corrected filing status of the position.

- B. **Voting Members.** Members of identified boards, commissions, and committees required to file include all voting members, regardless of whether the member is appointed ex-officio.
- C. **Public and limited public filers.** The Chief Administrative Officer may require public and limited public filers to file their financial disclosure statements with the Chief Administrative Officer, or designee, by the same date that confidential filers must file their financial disclosure statements with their reviewers. The Chief Administrative Officer must forward these financial disclosure statements to the Ethics Commission within 30 days after receipt.

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Isiah Leggett  
County Executive

APPROVED AS TO FORM AND LEGALITY

OFFICE OF THE COUNTY ATTORNEY

BY: Ed Kottler

DATE: 10/18/12