



About the Ethics Law

Baltimore's Public Ethics Law, contained in [Article 8 of the City Code](#), applies to **all** City officials, employees, and lobbyists. The Ethics Law ensures that City officials and employees serve the public with fairness and impartiality by restricting "conflicts of interest," among other provisions.

A conflict of interest occurs when a public servant's official duties overlap with their own private interests, with the interests of their family members, or with the interests of entities with which they or a family member are affiliated.

The Ethics Law requires many officials and employees to [file annual financial disclosure statements](#) in order to help them and members of the public identify potential conflicts of interest.

Use the links below to learn more about the Ethics Law. To ensure full compliance, always check the [text of Article 8](#) and/or contact Ethics Board staff directly for guidance by emailing ethics@baltimorecity.gov or calling 443-984-3690.

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Key Terms

KEY TERMS

Public Servant – any City official or employee.

Official – any City elected official, head of Department, head of bureau/division, or any other individual with similar decision-making authority. Also includes individuals with decision-making authority in quasi-judicial, regulatory, licensing, inspecting, or auditing functions.

Disqualifying Relative – an individual’s spouse, parent, child, or sibling.

Interest – legal or economic interest, regardless of encumbrance (e.g., a mortgage), that is owned or held wholly or partly, jointly or severally, or directly or indirectly. Does not include certain financial interests, such as an insurance policy or pension.

Business Entity – any person or organization engaged in any for-profit or not-for-profit business or other organized activity.

Business with the City – any one (1) or combination of sales, purchases, leases, or contracts that total \$5,000 or more cumulatively and that are made to/from/with the City, OR to/from/with a person in connection with a City contract.

Financial Interest – ownership (including securities) that amounts to more than 3% of a business entity, OR that resulted in the receipt of more than \$1,000 in any one of the past three calendar years, OR that will result in the receipt of more than \$1,000 in the current year or any future calendar year.

Gift – transfer of any thing or service of economic value without adequate consideration (i.e., without giving something of similar value in return, such as monetary payment). Does NOT include political contributions regulated under State Election Law, Title 13 (campaign finance).

Lobbyist – a person who communicates with a public servant for the purpose of influencing legislative or executive action and who, in connection with that communication, expends \$100 or more for gifts, incurs expenses of \$500 or more, OR earns \$2,500 or more in compensation.

Restrictions on Participation in City Matters

I. Restrictions on Participation in City Matter (§ 6-6 to § 6-10)	
General Prohibition	A public servant must disqualify themselves from a City matter/role if: ▪ they have an “interest” in the matter/role; ▪ they have a “disqualifying relative” with an “interest” in the matter/role; OR ▪ they (or their “disqualifying relative”) are affiliated with a “business entity” that is a party to the matter, including having a financial interest in, employment or potential employment arrangement with, existing position with (such as partner, officer, director, trustee, employee, or agent), or a direct and/or substantial credit obligation to the business entity.
Former Lobbyists	Former lobbyists may not participate in a City case, contract, or other specific matter as an official for 1 calendar year after the termination of their lobbyist registration if they were lobbying on/for the matter during their time as lobbyist. <u>Exception:</u> Former lobbyists may still generally participate as board members.
Exceptions	
Exemptions	The restrictions outlined above do not apply if the public servant’s involvement: ▪ Is allowed by a rule, regulation, or advisory opinion of the Ethics Board; ▪ Satisfies requirements for certain industry representation on boards; or ▪ Is a purely “ministerial” activity – i.e., the role does not influence or affect any decision-making related to the matter involved.
Permitted Participation Despite Conflict of Interest	Despite disqualifying conflicts, a public servant may still be able to participate if: ▪ Disqualification would leave a board or other body with less than a quorum capable of acting; ▪ The public servant is required by law to act; or ▪ The public servant is the only individual authorized to act. Public servant must disclose the conflict to the public and the Ethics Board prior to participation.
Service on City’s Behalf	These restrictions do not apply to a public servant serving as a trustee or director of a business entity working with the City as long as: ▪ The City has an economic or programmatic interest in the entity; and ▪ The public servant: • Serves as part of their official City duties; • Receives no money or other payments for their service; and • Does not participate in any matter in which the public servant or any “disqualifying relative” has a “financial interest.”

Restrictions on Other Employment and Financial Interests

II. Restrictions on Other Employment and Financial Interests (§ 6-11 to § 6-22)	
General Prohibition	A public servant may not be employed by, (including sitting on the board of), or have a “financial interest” in, any person that is: ▪ Subject to the authority of the public servant or the public servant’s agency; ▪ Negotiating or has entered into: • A contract with the City or a City agency if: ○ The contract benefits, or will be administered by, the public servant’s agency; ○ The contract is worth more than \$1,000 and the public servant’s duties substantially relate to or affect the contract; OR ○ For any other contract, the public servant fails to timely disclose to the Ethics Board and appropriate procurement agencies the nature of their employment or financial interest. A public servant may not hold any other employment relationship that would impair the public servant’s impartiality or judgement. <u>No Contingent Compensation:</u> A public servant may not assist or represent a party for contingent compensation in any matter before or involving any City agency. <u>Post-Employment Restrictions:</u> After leaving City service, a public servant may never represent/assist party (other than the City) for compensation in any matter that involves City government and on which public servant participated while employed by the City. May not represent/assist party in any legislative action for 1 year after leaving City employment.
Exceptions	
Board Regulation	Does not apply to an employment or financial interest allowed by Ethics Board rule or regulation if: ▪ Employment does not create or appear to create a conflict of interest; ▪ Financial interest is disclosed in the required manner.
Industry Representative	Does not apply to an individual appointed to a regulatory or licensing unit where the unit is required to contain representatives from a certain industry.
New Board Members	Does not apply to board members holding employment or financial interests at the time of appointment, if properly disclosed before confirmation to the appointing authority, Ethics Board (by affidavit), and the City Council (if applicable).
Service on City’s Behalf	Does not apply to a public servant who is a trustee or director of a business entity working with the City. Must otherwise qualify under the similar exception to “Restrictions on Participation” (see above).

Extraordinary Circumstances	Does not apply if Ethics Board determines that not granting an exemption would limit the City's ability to recruit/hire highly or uniquely qualified individuals for public service. • This exemption must be requested by relevant agency, and approved by Mayor.
Permitted Transactions	Does not apply if the public servant is performing the following: ▪ Uncompensated appearance before agency on behalf of constituents or while performing any other public duty; ▪ Accepting/using any benefit or facility otherwise available to citizens (i.e., can't use official position to secure benefit/facility for private use). ▪ Selling real property to City, if at market rate (as determined by 2 appraisers) and if related records are open to public inspection.

Restrictions on Gifts

III. Restrictions on Gifts (§ 6-26 to § 6-31)	
Gift means the transfer of any thing or service of economic value without adequate consideration, i.e., without giving something of similar value in return, such as monetary payment. Does NOT include political contributions regulated under State Election Law, Title 13 (campaign finance). • Significant Gift means a gift over \$20.	
General Prohibition	A public servant may not directly or indirectly solicit or accept any gift—on their own or another’s behalf—from any person that the public servant knows or should know: ▪ Does/seeks to do business (regardless of amount) with the public servant’s agency or with another person who has a contract with/is negotiating a contract with the public servant’s agency; ▪ Engages/seeks to engage in activity regulated/controlled by the public servant’s agency; ▪ Is or was, within preceding 12 months, a lobbyist on matters within the public servant’s jurisdiction; ▪ Has a financial interest that might be materially affected by the public servant’s official duties (different from the effect on the public at large); or ▪ Is officially affiliated with any person described above, i.e., is an owner, partner, officer, director, trustee, employee, or agent of such a person. A public servant also may not accept gifts from the above persons.
Exceptions	
Exemptions for Specific Gifts	The following (if unsolicited) are exempt from the prohibition on gifts, but only if they are unsolicited and if they: 1) would not tend to impair the public servant’s impartiality/independent judgment; or 2) if gift is significant (over \$20), the gift was not designed to or would not give the appearance of impairing the public servant’s impartiality/independent judgment. • Food or drink consumed in presence of donor (e.g., receptions) • Insignificant monetary value: ○ \$20 or less for a single gift ○ \$60 or less cumulatively for a series of gifts from same person during reporting period, i.e., calendar year. • As part of speaking engagement/participation on panel, if: ○ Food, lodging, childcare/dependent care, or scheduled entertainment; ○ The expenses are actually associated with the engagement; and ○ If the expenses are expected to exceed \$500, public servant has notified the Ethics Board. • Tickets/free admission given to elected official to attend charitable, cultural, or political event, if given by the person sponsoring the event as a courtesy to the Office. • Gifts from spouse, parent, child, or sibling. • Gifts/class of gifts exempted by Ethics Board (see below)

Ethics Board Approved	The Ethics Board may exempt specific gifts/classes of gifts if it makes a written finding that acceptance would not be detrimental to the impartial conduct of City business. Includes: • Certain pharmaceutical samples given to City health facilities; • Certain free admissions to events sponsored/conducted by educational institutions or on behalf of State government groups. (See Regulation 06.28.5); The Ethics Board may also approve the solicitation of gifts for the exclusive benefit of a governmental or charitable function on a case-by-case basis and upon written request. (See Regulation 06.26.1).
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Other Prohibited Conduct

Other Prohibited Conduct (§ 6-36 to § 6-39)	
Prestige of Office	A public servant may not intentionally use the prestige of their office or position for their own private gain or that of another, unless for usual and customary constituent services.
Disclosure of Confidential Information	Except as official duty requires, a public servant may not disclose or use, for their own benefit or that of another, confidential information that the public servant acquired in their public position and that is not available to the public.
Participation in Procurement	Any person (or employer of that person) who assists a City agency in any manner in the contract procurement process may not: ▪ Bid on or submit a response for that contract; or ▪ Assist/represent another person in bidding or submitting a response for that contract.
Employment of Relatives by Elected Officials	No elected official may use public funds to employ a relative of self or of any other elected official. “Relative” means: ▪ Spouse; ▪ Child, stepchild, foster child, or ward; ▪ Parent or stepparent; ▪ Sibling or stepsibling; ▪ Mother-in-law or father-in-law; ▪ Son-in-law or daughter-in-law; ▪ Grandparent; or ▪ Grandchild.

Financial Disclosure Requirements

Who Must File?	
As a general matter, the following public servants must file financial disclosure statements: • All City elected officials; • Officials and many non-clerical employees of City agencies and instrumentalities; ▪ <i>“Non-clerical” means any compensated public servant who is not employed solely in a secretarial, clerical, or custodial capacity.</i> • Members of most City boards and commissions; AND • Individuals filling procurement, enforcement, and legislative liaison functions. • Candidates for qualifying elected positions. Please review Article 8, § 7-7 to § 7-9 for a list of the specific entities and individuals required to file.	
General Provisions	
Annual Disclosure Statement	Each qualifying non-elected official/employee must file statement: • On or before April 30 of each year; • Must cover the preceding calendar year; • Must be signed under oath/affirmation, subject to the penalties of perjury. Each qualifying elected official must file on or before January 31 of each year.
Entry/Initial Disclosure Statement	New official/employee filling a qualifying position must file statement: • Within 30 days of appointment/start date; • Must cover preceding calendar year; • Must cover same information as annual statement <i>*Exception: No entry statement required if already filed disclosure statement for previous calendar year in another position, if disclosure was as extensive as City’s.</i>
Departure Disclosure Statement	Official/employee departing a qualifying position must file a statement: • Within 60 days of departure; • Must cover preceding calendar year (if not already filed), and period of current calendar year up to departure. <i>*Exception: Not departure statement required if official/employee taking new position for which annual statement is required, if that statement is as extensive as City’s.</i>
Candidates for Elected Office Disclosure Statement	Candidate for qualifying elected position must file statement: • Initially, no later than filing certificate of candidacy; • Annually thereafter, up through year of election, • On or before April 30, OR • The last day for withdrawal of candidacy under State Election Law Art., § 5-502. • Must be filed with Board of Elections, which must forward to Ethics Board.

Public Inspection	Ethics Board must: • Provide for public inspection of disclosure statements; • Redact official/employee's home address; • Record identity and contact info of persons inspecting statements; and • Record names of officials/employees whose statements are inspected.
Late Fees and Other Penalties	Ethics Board may charge fees for late filings; currently \$10 per day .
Contents	
Generally, the following “interests” of the public servant during the reporting period are required to be disclosed, as well as certain interests that are “attributable” to the public servant. “Attributable interests” are those held: ▪ By the public servant's spouse, parent, child, or sibling, IF the public servant directly or indirectly controlled the interest; ▪ By a business entity in which the public servant holds an equity interest of 30% or more; or ▪ By a trust or estate in which the public servant holds a reversionary interest, is a beneficiary, or, if a revocable trust, was a settlor. <i>There are certain exclusions for blind trusts.</i> Please review Article 8, § 7-16 to § 7-29 for detailed content requirements, or call/email the Ethics Board for assistance.	
Real Property	Must include a schedule of each interest in real property, including interests held by attributable business entity. Schedule must include: ▪ Identity of property and nature of interest held (e.g., ownership or rental interest); ▪ Identity of other person(s) with an interest in the property; ▪ Date and manner of acquisition; ▪ Description of any transfer of the interest during the reporting period.
Business Entities	Must include a schedule of each interest in a business entity (e.g., corporation, partnership, limited liability company, or any other business entity) <i>whether or not that entity does business with or is regulated by the City</i>. Schedule must include: ▪ The name and principal address of the business entity; ▪ The nature and amount of interest held, including any conditions/encumbrances; ○ Equity interests may be reported by percentage of equity interest held and/or number of shares held, depending on type of entity. ▪ Date and manner of acquisition; and ▪ Description of any transfer of the interest during the reporting period.
Gifts	Must include a schedule of each significant gift (more than \$20) accepted by the public servant, or someone else at direction of public servant, that was given directly or indirectly by any person the public servants knows or should have known was: ▪ A lobbyist; ▪ A person regulated by the City; or ▪ A person doing business with the City.

	Schedule must include: ▪ The nature and value of each gift; and ▪ The identity of the person from whom the gift was received. Exceptions: Need not disclose: ▪ Gifts from spouse, parent, child, or sibling; ▪ Campaign contributions otherwise reported as required by law; or ▪ Tickets/free admission to charitable, cultural, or political event if given to elected official as courtesy or as ceremony to office.
Offices, Employment, etc.	Must include a schedule of each office, directorship (e.g. board membership), salaried employment, and other similar interest: ▪ Held by the public servant or by the public servant's spouse, child, parent, or sibling in any business entity that: ○ Was a lobbyist; ○ Was regulated by the City; OR ○ Was doing business with the City. ▪ Must include directorship held by public servant in any business entity. Schedule must include: ▪ The name and address of the principal office of the business entity; ▪ The title and nature of the position or interest; ▪ The date when the position or interest began; ▪ If applicable, the name of each agency with which the entity is doing business, by which it is regulated, or in connection with which it is a lobbyist; ▪ If applicable, the nature of the entity's relationship to the City, and ▪ If the position or interest is held by someone other than the public servant, the identity of the individual who held the position or interest.
Indebtedness	Must include a schedule of each debt that was owed: ▪ By the public servant or ▪ By the public servant's spouse, parent, child, or sibling, IF the public servant was involved in the transaction giving rise to the debt, To any business entity that was: • A lobbyist; • Regulated by the public servant's agency; or • Doing business with the public servant's agency. Schedule must include: ▪ The identity of the person to whom the debt was owed; ▪ The date the debt was incurred; ▪ The amount owed at the end of the reporting period; ▪ The terms of payment; ▪ The extent to which the principal was increased or decreased during the reporting period; and ▪ Any security given. <i>*Exceptions: Does not apply to retail credit accounts, retail installment sales accounts, or utility accounts.</i>

Family Employed by City	Must include a schedule of any spouse, parent, child, or sibling employed by the City at any time during the reporting period. Schedule must include: ▪ The individual's name and relationship to the public servant; and ▪ The agency and position in which the individual was employed.
Sources of Income: General	Must include a schedule of other earned income for the public servant and for public servant's spouse/children, including: ▪ Each place of compensated employment during the reporting period; and ▪ Each business entity in which the public servant, spouse, or child was a sole or partial owner, and from which they received earned income. Schedule must include: ▪ The name and address of employer or business entity; ▪ For each family member, that individual's name and relationship to the public servant; and ▪ If the individual's spouse is a lobbyist, any entity that has engaged the spouse for lobbying purposes.
Sources of Income: Substantial Interests of Elected Officials	Applicable only to elected officials: If official or their spouse holds an equity interest of 30% or more in one or more business entities, must disclose name and address of any person making payments to those entities if that person is: ▪ A lobbyist; ▪ A person regulated by the City; or ▪ A person doing business with the City, AND IF ○ Payment(s) is more than \$1,000 in aggregate, or ○ Payment constitutes 5% or more of entity's gross income, if entity's gross income is less than \$20,000.

Lobbying

Registration Required	
Definitions	<i>Compensation</i> – where lobbying is only part of a person’s employment, means prorated amount based on time devoted to lobbying. <i>Executive Action</i> – any official action/nonaction that is taken by a public servant and that is not “legislative action.” <i>Legislative Action</i> – any official action/nonaction relating to any bill, resolution, nomination, appointment, report, or other matter within the jurisdiction of the City Council; or any bill or resolution presented to the Mayor for approval or veto. <i>Lobby</i> – any act that requires registration under Subtitle 8. <i>Reporting Period</i> – all/any part of January 1 through December 31 of year during which person is registered or required to be registered as a lobbyist.
Registration Required	A person engaged in any of the following must register with Ethics Board: • <u>Legislative lobbying</u>: communication with a public servant for the purpose of influencing any legislative action, AND in furtherance of/connection with such communication/activities: ▪ Expends \$100 or more for gifts, including meals, beverages, or special events on one or more public servants; ▪ Incurs any expenses of \$500 or more; <u>or</u> ▪ Earns \$2,500 or more in compensation. • <u>Executive lobbying</u>: communication with a public servant for the purpose of influencing any executive action, AND in furtherance of/connection with such communications/activities: ▪ Expends \$100 or more for gifts, including meals, beverages, or special events on one or more public servants. • <u>Grass Roots Lobbying</u>: for purpose of influencing any legislative or executive action, solicits others to communicate with a public servant, AND in furtherance of/connection with such activities: ▪ expends \$1,000 or more, including expenditures for salaries, contractual employees, postage, telecommunications services, electronic services, advertising, printing, or delivery services. • <u>Executive Order Lobbying</u>: for purpose of influencing regulations or an executive order, communicates with a public servant, AND in furtherance of/connection with such communications/activities: ▪ Expends \$100 or more for gifts, including meals, beverages, or special events, to 1 or more public servants; ▪ Incurs any expenses of \$500 or more; or ▪ Earns \$2,500 or more in compensation.

	• <u>Procurement Lobbying</u>: for purpose of influencing any procurement contract greater than \$50,000, communicates with a public servant, AND in furtherance of/connection with such communications/activities: ▪ Expends \$100 or more for gifts, including meals, beverages, or special events, to 1 or more public servants; ▪ Is compensated for his/her service. <i>*Exception for bona fide salesperson/selling agency who is employed to secure procurement contract.</i> • <u>Business Grant/Loan Lobbying</u>: for purpose of influencing executive action to secure a business grant/loan that exceeds \$50,000 communicates with a public servant, AND in furtherance of/connection with such communications/activities: ▪ Expends \$100 or more for gifts, including meals, beverages, or special events, to 1 or more public servants; ▪ Is compensated for his/her service. <i>*Exception for bona fide full-time official/employee of the business entity seeking the grant/loan, OR a person seeking a grant/loan for purpose of relocating/expanding to the City.</i> Separate registration is required for each principal/person on whose behalf the lobbyist is acting.
Lobbyist's Employer Must Authorize	Any person that engages a lobbyist for the purpose of lobbying must provide a written authorization for the lobbyist to act on the person's behalf. Contents of the statement/authorization must include: ▪ The person's full legal name and business address; ▪ The Lobbyist's full name and business address; ▪ The period during which the lobbyist is authorized to act; and ▪ The legislative action, executive action, or other matter on which the lobbyist is authorized to act. Employer of lobbyist is exempt from registering if they reasonably believe that the lobbyist they employ will register as required and timely report all expenses. If their employed lobbyist fails to report, the exemption immediately terminates and employer becomes subject to registrations and reporting requirements.
Content of Registration	The registration must be filed on the form provided by the Ethics Board and include: ▪ The lobbyist's full legal name and business address; ▪ The full legal name and business address of each other person that will be lobbying on the lobbyist's behalf; ▪ The full legal name, address, and nature of business of the person on whose behalf the lobbyist is acting; ▪ A statement of whether, because of the lobbyist's registration and reporting, the person on whose behalf the lobbyist is acting will be the exempt from registration; and ▪ The identification, by formal designation, if known, of the legislative action, executive action, or other matter on which the lobbyist is acting or expects to act.

Time for Registering	Initially, a lobbyist must register within 5 days after first engaging in any act that requires registration. Annually, a lobbyist must file a new registration on or before January 1 of each year if, on that date, the lobbyist is engaged/expects to be engaged in lobbying.
Registration Filing Fee	Lobbying registration must be accompanied by a fee of \$100 . It shall be adjusted annually in accordance with the City Fee Policy and as approved by the Board of Estimates.
Registration Termination	Automatic termination: • Earlier of December 31; or • The date specified in employer's written authorization. Termination by lobbyist if: • Ceases all lobbying activity; • Files notice of termination with Ethics Board, and • Within 30 days, files all required reports. Required termination upon appointment as public servant: • Must immediately cease lobbying upon appointment; • Within 30 days files notice of termination with Ethics Board and all required reports.
Activity Reports	
Semi-annual reports must be filed with the Ethics Board for the reporting period for which the lobbyist is registered or required to be registered. <u>Deadlines</u> ▪ <u>On or before July 31</u>, covering the immediately preceding January 1 through June 30; and ▪ <u>On or before January 31</u>, covering all of the immediately preceding January 1 through December 31. <u>Requirements</u> ▪ Filed on the form required by Ethics Board; and ▪ Signed under oath or affirmation, subject to the penalties of perjury. ○ <i>If the lobbyist is not an individual, then an authorized officer or agent of the lobbyist must sign the report.</i> <u>Content</u> • See Article 8, § 8-17 through § 8-21, and the Lobbying Report form on the Ethics Board website for detailed content requirements, including: ○ Registration information; ○ Compensation; ○ Expenses; ○ Gifts and gift receipts; and ○ Business transactions with certain City officials.	
Exemptions	
<u>General Exemptions:</u> Subtitle 8's lobbying provisions do not apply to the following activities:	

- Appearances as part of the official duties of an **elected or appointed official** or employee of the City, State, United States, any other state, or a political subdivision of these, if not on behalf of any other person;
- Actions of a **member of the news media**, if in the ordinary course of gathering and disseminating news or making editorial comment to the general public;
- Representation of a **bona fide religious organization**, so long as it is for the purpose of protecting the rights of its members to practice; or
- Appearances as part of the official duties of an **officer, director, member, or employee** of an association engaged exclusively in representing the State, counties, or municipal corporations, so long as the appearance is not on behalf of any other person.

Qualified Exemptions:

- Appearances on Request:
 - Before the City Council, before a committee or subcommittee of the City Council, or before a City agency at their specified request; or
 - Similar appearance, at the specific request of a lobbyist, if the witness notifies the body that they are testifying at the request of the lobbyist.
- Student Activities: An elementary, secondary, or postsecondary school student is not subject to the registration requirements based on the expense threshold if the lobbying is part of a course or other student activity.

Lobbying Prohibited Conduct

Contingent Compensation	Lobbyist may not lobby on behalf of any person for compensation that is dependent on passage/defeat/enactment of any legislative or executive action.
Gifts	Lobbyist may not make a gift to a public servant if the gift's acceptance or solicitation would otherwise violate Subtitle 6, Conflicts of Interest.
Loans	Unless in the ordinary course of lobbyist's business as/for a banking institution, lobbyist may not make or facilitate the making of any loan of money, goods, or services to a public servant.
Fund Raisers	A lobbyist who is an individual may not engage in any charitable fund-raising activity at the request of a public servant.
Bell Ringing	A lobbyist may not initiate or encourage the introduction of legislation for the purpose of opposing that legislation.
Requesting Endorsement	A lobbyist may not ask a public servant to recommend to a potential client the lobbyist's services or the services of any other lobbyist.
Veracity and Candor Required	When interacting with public servants in course of lobbying, lobbyist must not make false statements, and must affirmatively identify self as lobbyist and identify person on whose behalf they are lobbying.