

County Council of Howard County, Maryland

2021 Legislative Session

Legislative Day # 12

RESOLUTION NO. 122 - 2021

Introduced by: Chairperson

A RESOLUTION pursuant to the Maryland Public Ethics Law, Sections 5-852 through 5-854 of the General Provisions Article of the Annotated Code of Maryland, approving the forms for the Affidavit as to Contributions to Candidates and Business Engagements with Elected Officials and the Disclosure of Contribution; and generally providing for the approval by the County Council of the forms for the affidavit and the disclosure required under the Maryland Public Ethics Law.

Introduced and read first time on July 6, 2021.

By order Michelle R. Harrod
Michelle R. Harrod, Council Administrator

Read for a second time and a public hearing held on July 21, 2021.

By order Michelle R. Harrod
Michelle R. Harrod, Council Administrator

This Resolution was read the third time and was Adopted , Adopted with amendments , Failed , Withdrawn by the County Council on July 25, 2021.

Certified by Michelle R. Harrod
Michelle R. Harrod, Council Administrator

NOTE: [[text in brackets]] indicates deletions from existing language; TEXT IN SMALL CAPITALS indicates additions to existing language. Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **WHEREAS**, the Maryland Public Ethics Law, Sections 5-852 through 5-854 of the
2 General Provisions Article of the Annotated Code of Maryland, requires that certain applicants for
3 a zoning map amendment, a zoning regulation amendment, or participation in the adoption and
4 approval of a comprehensive zoning plan file an Affidavit as to Contributions to Candidates and
5 Business Engagements with Elected Officials and a Disclosure of Contribution form;

6
7 **WHEREAS**, Section 5-853(e)(1) of the Maryland Public Ethics Law requires that the
8 affidavit and the disclosure be in a form established by the Howard County Solicitor and approved
9 by the County Council.

10 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,
11 Maryland, this 26 day of July, 2021 that the attached form for the Affidavit as to
12 Contributions to Candidates and Business Engagements with Elected Officials and the attached
13 form for the Disclosure of Contribution, are hereby approved as the affidavit and the disclosure to
14 be used as required by the Maryland Public Ethics Law, Sections 5-852 through 5-854 of the
15 General Provisions Article of the Annotated Code of Maryland.

ZONING MATTER: _____

**AFFIDAVIT AS TO CONTRIBUTIONS TO CANDIDATES AND
BUSINESS ENGAGEMENTS WITH ELECTED OFFICIALS**

**As required by the Maryland Public Ethics Law
Annotated Code of Maryland, General Provisions Article
Sections 5-852 through 5-854**

ALL BOLDDED TERMS ARE DEFINED BY SECTION 5-852
MARK EACH PARAGRAPH AS APPLICABLE

1. I, _____, the **Applicant** filing an **Application** in the above zoning matter, to the best of my information, knowledge, and belief HAVE / HAVE NOT made a **Contribution** or contributions having a cumulative value of \$500 or more to the treasurer of a **Candidate** or the treasurer of a **Political Committee** during the 48-month period before the **Application** was filed; and I AM / AM NOT currently **Engaging in Business** with an **Elected Official**.

2. I, the **Applicant** or a **Party of Record** in the above referenced zoning matter, acknowledge and affirm that, if I or my **Family Member** has made a **Contribution** or contributions having a cumulative total of \$500 or more during the 48-month period before the **Application** was filed or during the pendency of the **Application**, I will file a disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was

made, the amount, and the date of the **Contribution**; and that a **Contribution** made between the filing and the disposition of the **Application** will be disclosed within 5 business days after the **Contribution**.

3. I, the **Applicant**, acknowledge and affirm that, if I begin **Engaging in Business** with an **Elected Official** between the filing and the disposition of the **Application**, I will file this Affidavit at the time of **Engaging in Business** with the **Elected Official**.

I SOLEMNLY AFFIRM UNDER THE PENALTIES OF PERJURY and upon personal knowledge that the contents of this Affidavit are true.

(Print full name)

(Sign full name &
indicate legal capacity, if applicable)

(Date)

ZONING MATTER: _____

DISCLOSURE OF CONTRIBUTION

**As required by the Maryland Public Ethics Law
Annotated Code of Maryland, General Provisions Article
Sections 5-852 through 5-854**

ALL BOLDED TERMS ARE DEFINED BY SECTION 5-852

If the **Applicant** or a **Party of Record** or their **Family Member** has made a **Contribution** or contributions having a cumulative value of \$500 or more during the 48-month period before the **Application** is filed or during the pendency of the **Application**, the **Applicant** or the **Party of Record** must file this disclosure providing the name of the **Candidate** or **Elected Official** to whose treasurer or **Political Committee** the **Contribution** was made, the amount, and the date of the **Contribution**.

For a **Contribution** made during the 48-month period before the **Application** is filed, the **Applicant** must file this disclosure when they file their **Application**, and a **Party of Record** must file this disclosure within 2 weeks after entering the above zoning matter.

A **Contribution** made between the filing and the disposition of the **Application** must be disclosed within 5 business days after the **Contribution**.

Any person who knowingly and willfully violates Sections 5-852 through 5-854 of the General Provisions Article of the Annotated Code of Maryland is subject to a fine of not more than \$5,000. If the person is not an individual, each officer and partner who knowingly authorized or participated in the violation is subject to the same penalty.

Applicant or Party of Record: _____
(Print Full Name)

RECIPIENTS OF CONTRIBUTIONS:

NAME	DATE	AMOUNT

I acknowledge and affirm that any **Contribution** I make between the filing of this disclosure and the disposition of the **Application** must be disclosed within 5 business days of the **Contribution**.

(Print full name)

(Sign full name & indicate legal capacity, if applicable)

(Date)

Office of the County Auditor
Auditor's Analysis

Council Resolution No. 122-2021

Introduced: July 6, 2021

Auditor: Brenda Cachuela

Fiscal Impact:

Our office has determined that there is no fiscal impact, as the legislation requires County Council approval of certain forms as required by the Maryland Public Ethics Law.

Purpose:

The purpose of this legislation is to provide for County Council's approval of the Affidavit as to Contributions to Candidates and Business Engagements with Elected Officials and the Disclosure of Contribution. The County Council is required to approve the Affidavit and Disclosure forms pursuant to the Maryland Public Ethics Law.

Other Comments:

Currently, there are three separate forms that need to be filed by certain applicants for zoning changes. The revised forms combine two of the affidavits into one affidavit and keep the disclosure form as a separate form. The forms have also been updated to be more user friendly to facilitate compliance with State law requirements.



**HOWARD COUNTY COUNCIL
AFFIDAVIT OF AUTHORIZATION
TO TESTIFY ON BEHALF OF AN ORGANIZATION**

I, Joel Hurewitz, have been duly authorized by
(name of individual)

Progressive Democrats of Howard County to deliver testimony to the
(name of nonprofit organization or government board, commission, or task force)

County Council regarding CR122-2021 to express the organization's
(bill or resolution number)

support for / opposition to / request to amend this legislation.
(Please circle one.)

Printed Name: Joel Hurewitz

Signature: 

Date: July 20, 2021

Organization: Progressive Democrats of Howard County

Organization Address: 6801 Oak Hall Lane, #6523, Columbia, MD 21045

Number of Members: 81

Name of Chair/President: Nicole Dvorak

This form can be submitted electronically via email to councilmail@howardcountymd.gov no later than 5pm the day of the Public Hearing or delivered in person the night of the Public Hearing before testifying.