



Legislation Text

File #: HCC-197-FY23, **Version:** 1

Submitted by: Laura Reams
Submitting Department: City Clerk
Agenda Section: Consent

Item Title:
Hyattsville Ordinance 2022-08: Updates to Ethics Code

Suggested Action:

I move the Mayor and Council adopt Hyattsville Ordinance 2022-08, an Ordinance whereby the City of Hyattsville amends its ethics provisions to conform to recent updates to State law as to financial reporting and conflicts of interest (SECOND READING & ADOPTION).

Summary Background:

During the 2021 legislation season, the Maryland General Assembly enacted House Bill 363 and House Bill 1058. These bills have added new laws to the Maryland Public Ethics Law and require local governments to incorporate the changes into their municipal codes. The provisions in the City's Ethics Code are mandated by the State legislature and subject to review by the State Ethics Commission for conformance with state law.

The required changes are reflected in Hyattsville Ordinance 2022-08 and are summarized below.

- Current and former public officials and employees are prohibited from disclosing or using confidential information acquired by their public position for the economic benefit of the official or employee or that of another person.
- Inclusion of a non-retaliation clause for any individual reporting or participating in an investigation of an ethics violation.
- Requirement for the public posting of financial disclosure statements or a summary of the statements online. Statements shall be redacted to mitigate the risk of identity theft and full, unaltered statements will remain available via the City Clerk's office.
- Amendments to the Financial Disclosure Statement Form include:
 - o Requirement for elected officials and staff to report any gift in excess of \$20 or a series of gifts total \$100 or more from the Maryland Municipal League (MML) or the Maryland Association of Counties (MACO).
 - o Disclosure of a financial or contractual relationship with State government, local government in the State or a quasi-governmental entity (created by State statute and performing a public function) of the State or local government. This statement must include a description of the relationship, subject matter of the relationship, and the consideration (payment).
 - o An individual required to disclose an interest in a business must also list names the business is trading as or doing business as.
 - o Reporting of business interest greater than 10% held either directly or indirectly by the individual completing the form.

- An interest held by a trust or an estate during the reporting period in which the individual completing the form was a beneficiary or a settlor.

The City's Ethics Commission reviewed the proposed ordinance during their December 13, 2022, meeting.

Next Steps:

The Council must adopt the State mandated changes in the Ethics Ordinance. A first reading was held on December 19, 2022, with adoption scheduled for January 3, 2023. The ordinance will be effective 20 days after adoption.

The Ethics Commission will work with the City Attorney and City Clerk's Office to make the required revisions to the Financial Disclosure Statement.

Fiscal Impact:

N/A

City Administrator Comments:

The changes to the Ethics Ordinance are State mandated and recommended for adoption.

Community Engagement:

Legal notice of the ordinance will be posted in the Prince George's Post and on the City's website.

Strategic Goals:

Goal 1 - Ensure Transparent and Accessible Governance

Legal Review Required?

Complete