



## ETHICS LAW - GIFTS

The General Assembly enacted the State Ethics Law in 1979 (Ch. 513, Acts of 1979). The purpose of the law is to protect the public's confidence and trust in government by assuring the impartiality and independent judgment of State officials and employees. The confidence and trust of the people erodes when the conduct of County business is subject to improper influence *or even the appearance* of improper influence.

The Maryland Public Ethics Law requires local jurisdictions to enact provisions that are similar to the State Public Ethics Law. Md. Code Ann., *State Govt.*, §§ 15-803 ó 15-808. The Queen Anne's County Commissioners have complied with this requirement through the passage and amendments to the Queen Anne's County Public Ethics Law.<sup>1</sup> The Queen Anne's County Ethics Commission administers the County's Public Ethics Law (Chapter 8 of the Queen Anne's County Code).

If you have any questions regarding gifts, please call the Ethics Commission staff at 410-758-4406 or write to the Ethics Commission at 107 N. Liberty Street, Centreville, MD, 21617.<sup>2</sup>

**All officials, employees, members of all Queen Anne's County Boards and Commissions are subject to the provisions of the Gifts section in the Public Ethics Law.<sup>3</sup>**

### GIFTS - DEFINED

A gift is anything of economic value, regardless of form, without adequate and lawful consideration. Specifically, a gift is defined as anything, tangible or otherwise worth \$20 or more in value.

### Prohibited Conduct

Generally, a County official or employee may not accept any gift of more than \$20 in value or cumulative gifts totaling more than \$100 in any one year from any individual who:

- Has a contract with, or is negotiating a contract with the County;
- Is subject to the authority of the official or employee's agency; or
- Is a lobbyist subject to registration under the Public Ethics Law.

Additionally, a County official or employee may not accept any gift if:

- The gift would tend to, or could appear to tend to impair the impartiality and independent judgment of the recipient; or
- The recipient believes, or has reason to believe that the gift is designed to impair the impartiality and independent judgment of the individual receiving the gift.

There are specific qualified exceptions to this rule as outlined in the Public Ethics Law.

### ENFORCEMENT & PENALTIES

Any individual found to have violated the Public Ethics Law may be subject to disciplinary or other appropriate action as prescribed in the Public Ethics Law.

The Commission may:

- Issue a cease and desist order against any individual found in violation of the Public Ethics Law; and
- Seek enforcement in the Circuit Court of Queen Anne's County.

A County official or employee found to be violation of the Public Ethics Law shall be referred to the County Human Resources Office for a determination of disciplinary action.

An individual who knowingly and willingly violates the Ethics Law may be found guilty of a civil violation, and on conviction, is subject to a fine of up to \$1000.

<sup>1</sup> The Queen Anne's County Public Ethics Law can be found at: <http://www.qac.org/depts/ethics/ethicshome.htm>.

<sup>2</sup> This information sheet is intended as a general summary of the Gifts provision, and not to be read as a substitute for the law itself.

<sup>3</sup> The Gifts provision in the Public Ethics Law is § 8-12.