

Bill No. 36-02
Concerning: Ethics - Employment
Restrictions
Revised: 3-13-03 Draft No. 4
Introduced: October 29, 2002
Enacted: April 1, 2003
Executive: April 11, 2003
Effective: July 11, 2003
Sunset Date: None
Ch. 5, Laws of Mont. Co. 2003

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

By: Council President at the request of the County Ethics Commission

AN ACT to:

- (1) broaden certain restrictions on post-government employment by County employees;
and
- (2) generally amend the law governing future employment of County employees.

By amending

Montgomery County Code
Chapter 19A, Ethics
Section 19A-13

Boldface

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]]

* * *

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by amendment.

Deleted from existing law or the bill by amendment.

Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:

1 **Sec. 1. Section 19A-13 is amended as follows:**

2 **19A-13. Employment of former public employees.**

3 (a) A former public employee must not [[accept employment]] work on or
4 otherwise assist any party, other than a County agency, in a case,
5 contract, or other specific matter for 10 years after the last date the
6 employee significantly participated in the matter as a public employee.

7 (b) For one year after the effective date of termination from County
8 employment, a former public employee must not enter into any
9 employment understanding or arrangement (express, implied, or tacit)
10 with any person or business [[that contracts with a County agency]] if
11 the public employee significantly participated during the previous 3
12 years:

13 (1) [significantly participated] in regulating the person or business; or

14 (2) [had official responsibility] in any procurement or other
15 contractual activity concerning a contract with the person or
16 business (except a non-discretionary contract with a regulated
17 public utility).

18 (c) Significant participation means [direct administrative or operating
19 authority to approve, disapprove, or otherwise decide government
20 action with respect to a specific matter, whether the authority is
21 intermediate or final, exercisable alone or with others, and exercised
22 personally or through subordinates] making a decision. approval.
23 disapproval. recommendation. rendering of advice. investigation. or
24 similar action taken as an officer or employee. [It] Significant
25 participation ordinarily does not include program or legislative
26 oversight, or budget preparation, review, or adoption.

27 **Sec. 2. Applicability.**

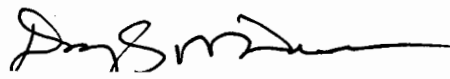
28 Section 19A-13, as amended by Section 1 of this Act, applies to any [[specific
29 matter or action in which a former]] public employee [[significantly participates as a
30 public employee]] who leaves public employment after this Act takes effect.
31 [[Section 19A-13, as it existed before it was amended by Section 1 of this Act,
32 applies to any other specific matter or action in which a former public employee
33 significantly participated as a public employee before this Act took effect.]]

34 *Approved:*

35 
Michael L. Subin, President, County Council

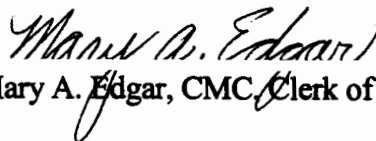
April 4, 2003
Date

36 *Approved:*

37 
Douglas M. Duncan, County Executive

April 11, 2003
Date

38 *This is a correct copy of Council action.*

39 
Mary A. Edgar, CMC, Clerk of the Council

April 14, 2003
Date