

BALTIMORE COUNTY ETHICS COMMISSION
400 Washington Avenue, Room 219
Towson, Maryland 21204
(410) 887-5904

<http://www.baltimorecountymd.gov/Agencies/ethics/index.html>

FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS (FORM #1)

(Pursuant to the Baltimore County Public Ethics Law, Md. Baltimore County Code (2003),
Article 7, Title 1, Subtitle 4 ("Baltimore County Public Ethics Law"))

A MESSAGE TO THOSE WHO ARE REQUIRED TO FILE DISCLOSURE STATEMENTS

Please read the instructions carefully and be sure to provide all information requested for each interest you disclose on your statement.

If you have any questions about the application of the Law, you may contact the Baltimore County Ethics Commission. Some schedules on the statement may require knowledge regarding whether an entity does business with the County. If you have a question about a particular entity or need other assistance in completing the form, do not hesitate to call the office of the Baltimore County Ethics Commission.

Financial disclosure statements are public records that may be examined or copied by the public.

Thank you for your cooperation.

GENERAL INSTRUCTIONS

A. Persons Required to File Form #1 Statements

All persons holding and candidates for the following County offices or positions are required to file this Financial Disclosure Statement. **We urge you to retain a copy for your file.**

- (1) The County Executive;
- (2) The County Administrative Officer and the Deputy County Administrative Officers;
- (3) The chairman and members of the County Council;
- (4) The County Attorney, the Deputy County Attorney, and an Acting County Attorney or Acting Deputy County Attorney;
- (5) The secretary to the County Executive;
- (6) The secretary to the County Council;
- (7) The administrative assistant to the County Council;
- (8) The Administrative Law Judges of the Office of Administrative Hearings;
- (9) Department heads, deputy department heads, and acting department heads and deputy department heads;
- (10) Office heads, deputy office heads, and acting office heads and deputies;
- (11) The chairman and members of the Board of Appeals;
- (12) The chairman and members of the Board of Liquor License Commissioners;
- (13) The County Auditor and the Deputy Auditor;
- (14) The chairman and members of the Electrical Administrative Board;
- (15) The chairman and members of the Plumbing Board;
- (16) The paid members of boards of all state agencies funded in whole or in part by the county;
- (17) The People's Counsel and the Deputy People's Counsel

B. When to File

1. A person holding an office for which a financial disclosure statement is required, must file on or before April 30th each year during that person's term in office for the immediately preceding calendar year. The statement due April 30, 2016 shall be for the period commencing January 1, 2015 and ending December 31, 2015.

2. A person who does not have a current financial disclosure statement on file and who is appointed to fill a vacancy in a position or office for which a statement must be filed, shall file a statement within 30 days after appointment for the previous calendar year.

3. If a person in a position requiring disclosure leaves the position after January 1 but prior to filing the regular annual statement due April 30th, he or she must file the annual statement (covering the preceding calendar year), plus an additional termination statement covering the part of the current year served. You must file your termination statement within 60 days of leaving your position.

4. This paragraph applies only to candidates for office as a County official. Except for a person who has already filed a statement for the appropriate reporting period, a candidate for nomination or election to County office must file the statement for the calendar year immediately preceding the year in which the certificate of candidacy is filed, together with that person's certificate of candidacy. In each calendar year subsequent to the year in which the certificate of candidacy is filed, except in the year of the election, a statement covering the preceding calendar year shall be filed with the election board on or before April 30th. In the year of the election, a statement covering the preceding calendar year shall be filed on or before April 30th or the last day for the withdrawal of candidacy, whichever is earlier. A candidate who fails to file a required statement and is provided written notice from the election board of the default shall be deemed to have

withdrawn the candidacy if the statement is not filled within 20 days of receipt of the notice.

IMPORTANT NOTICE TO CANDIDATES FOR ELECTION

At the time you file your Financial Disclosure Statement with the Ethics Commission, you will receive a receipt verifying that you have filed a completed Statement.

RETAIN THIS RECEIPT. It must be filed with the Board of Supervisors of Elections along with your Certificate of Candidacy. If you file your Certificate after *May 15th of the year in which the election is held*, **this receipt must be presented to the election board at the time you file your certificate.**

C. Where to File and Where to Get Forms.

Baltimore County Ethics Commission
The Historic Courthouse
400 Washington Avenue, Room 219
Towson, Maryland 21204
Telephone (410) 887-5904
OR

Scan and forward via email: ethicscommission@baltimorecountymd.gov

D. Glossary of Terms.

Business entity means:

- (1) An entity of any form, whether or not operated for profit.
- (2) "Business entity" includes a corporation, partnership, limited liability partnership, joint stock association, limited liability company, professional service corporation, sole proprietorship, joint venture, unincorporated association or firm, institution, trust, foundation, or any other entity recognized under any applicable law.
- (3) "Business entity" does not include a governmental entity.

Commission means the Baltimore County Ethics Commission established under Article 3, Title 3 of the Baltimore County Code, 2003.

Compensation means consideration given, or to be given, regardless of form, to a person subject to this title from an employer for services rendered.

Doing business with the County means:

- (1) Having, bidding on, or negotiating, or reasonably anticipating having, bidding on, or negotiating a contract or combination of contracts involving the commitment of \$5,000 or more in the aggregate of county or county-controlled funds;
- (2) Being regulated by or otherwise under the authority of an entity, agency, or department of a public official; or

- (3) Being subject to registration as a lobbyist in accordance with Article 7, Title 1, Subtitle 5 of the Baltimore County Code (2003).

Financial interest means:

- (1) Ownership of an interest as the result of which the owner has received within the past 3 years, is currently receiving, or in the future is entitled to receive a cumulative total or more than \$1,000; or
- (2) (a) Ownership of more than 3% of a business entity by:
 - (i) a public official; or
 - (ii) the spouse of a public official; or
- (b) Ownership of securities of any kind that represent, or are convertible into, ownership of more than 3% of a business entity by:
 - (i) a public official; or
 - (ii) the spouse of a public official.

Gift means:

- (1) The transfer of a thing of economic value, in any form, without adequate and lawful consideration.
- (2) "Gift" does not include the solicitation, acceptance, or receipt of political campaign contributions regulated by the Maryland Fair Election Practices Act, or any other provisions of state or local law regulating the conduct of elections or political campaign contributions.

Honorarium means:

- (1) The payment of money or anything of value for:
 - (a) speaking to, participating in or attending a meeting or other function; or
 - (b) writing an article that has been or intended to be published.
- (2) "Honorarium" does not include payment for writing a book that has been or is intended to be published.

Immediate family means a spouse and dependent children.

Interest means:

- (1) A legal or equitable interest, whether or not subject to an encumbrance or a condition, which is owned or held by a person subject to Article 7, Title 1 of the Baltimore County Code, 2003 in any way, in whole or in part, jointly or severally directly or indirectly.
- (2) "Interest" does not include:
 - (a) Interest held by a person acting in the capacity of a personal representative, agent, custodian, fiduciary, or trustee, unless the person has an equitable interest in the subject matter;
 - (b) An interest in a time or demand deposit in a financial institution;
 - (c) An interest in an insurance or endowment policy or annuity contract under which an insurer promises to pay a fixed number of dollars either in a lump sum or periodically for life or some other specified period;
 - (d) A common trust fund or a trust that forms part of a pension or profit-sharing plan that has more than 25 participants and which has been determined by the Internal Revenue Service to be a qualified trust under the Internal Revenue Code of 1954; or
 - (e) A college savings plan under the Internal Revenue Code.
- (3) "Interest" includes any interest held during the reporting period.

(Note: Interest includes a family home)

Lobbying means communicating with a public official of the legislative or executive branch of county government, in the presence of that public official, for the purpose of influencing legislative or executive action.

Lobbyist means:

- (1) A person who engages in lobbying and who, within a reporting period:
 - (a) For the purpose of influencing legislative action:
 - (i) Communicates with a public official of the legislative or executive branch and:
 - (ii) (A) Incurs \$100 or more of expenses, cumulatively, not including personal travel and subsistence expenses; or
 - (B) Receives \$500 or more as compensation;
 - (b) For the purpose of influencing executive action:

- (i) Communicates with public officials of the executive branch; and
 - (ii) Expends a cumulative value of \$100 or more on meals, beverages, special events, or gifts for public officials of the executive branch; or
- (c) For the purpose of influencing the comprehensive rezoning process:
- (i) Engages in lobbying; and
 - (ii) Expends money, irrespective of the amount, on a public official for meals, beverages, special events, or gifts.
- (2) “Lobbyist” does not include an individual who strictly:
- (a) Provides professional services in drafting bills or in advising and rendering opinions to clients regarding the construction and effect of proposed or pending County Council actions;
 - (b) Appears before the County Council at the specific invitation or request of the Council, provided the individual does not engage in any other activity in connection with the passage or defeat of County Council actions;
 - (c) Appears at public hearings of the County Council or a county agency, board or commission, if the individual does not:
 - (i) Engage in other lobbying activities in connection with the passage or defeat of County Council actions or the approval or disapproval of actions of the county agency, board, or commission; and
 - (ii) Expend money on food, entertainment, or other gifts for a public official in connection with the appearance;
 - (d) Makes appearances as part of the official duties of a duly elected or appointed official or employee of the state or a political subdivision of the state, or of the United States, provided the appearance is not on behalf of another entity;
 - (e) Is a publisher or member of the press, radio, or television working in the ordinary course of the business of disseminating news or making editorial comment to the general public, provided the individual does not engage in other lobbying that would directly and specifically benefit the economic, business, or professional interests of the individual or the individual’s employer;
 - (f) Appears before the County Council at the specific invitation or request of a registered lobbyist, provided no other lobbying act is undertaken, and provided the witness identifies to the Council that the individual is testifying at the request of the lobbyist;
 - (g) Makes appearances as part of the official duties of an officer, director, member, or employee of an association engaged exclusively in lobbying for counties and

municipalities and not on behalf of another entity; or

- (h) Represents a bona fide religious organization solely for the purpose of protecting the right of its own members to practice the doctrine of the organization.

Person includes an individual or a business entity.

Public official means:

- (1) An employee of the county, including an elected official or an appointed official and an individual elected or appointed to serve on any county board, agency, commission, or similar entity.
- (2) "Public official" includes an individual listed under paragraph (1) of this subsection whether or not the individual is compensated or whether or not the individual is compensated with county funds.
- (3) "Public official" does not include an employee of:
 - (a) the offices of the Sheriff, State's Attorney, Register of Wills or Clerk of the Court;
 - (b) the Health Department; or
 - (c) the Department of Social Services.

Qualified Relative means a spouse, parent, child, brother, or sister.

Reporting period means the period covered by the Statement. An annual financial disclosure statement covers the calendar year preceding the April 30th filing deadline; thus the report due in 2015 covers the period from and including January 1, 2015, to and including December 31, 2015. A termination statement covers the portion of the current year served by the filer, beginning on January 1st to the last day the position is held.

Tenants by the Entirety means an undivided equal ownership interest with survivorship rights in real property with one's spouse.

E. Attributable Interest.

Certain property and business interests not directly held by a person may be attributed to him or her and must be reported on the financial disclosure statement. The circumstances under which attribution occurs are as follows:

1. Ownership of a 30% or greater equity interest in any business entity during the reporting period which business entity holds a property or business interest which the filer would be required to report on Schedule A, B, or C if owned directly. This limited attribution does not reduce or affect in any way the requirement for disclosure on Schedule A of real property held by a partnership even if the filer holds less than a 30% interest in the partnership.

2. If the filer's spouse or child holds a property or business interest which the filer would have to report on Schedule A, B, or C, if owned directly, and if the filer exercised direct or indirect control over that interest at any time during the reporting period.

3. If at any time during the reporting period the filer (a) held a reversionary interest in a trust or estate or (b) was the beneficiary of a trust or estate or (c) was the settlor of a revocable trust, then any interest held by the trust or estate which the filer would have to report on Schedule A, B, or C, if owned directly. A trust, within the meaning of this section, does not include a common trust fund or a trust which forms part of a pension or profit-sharing plan that has more than 25 participants and is a qualified trust in accordance with §§401 and 501 of the Internal Revenue Code.

F. Unknown Information.

The Public Ethics Law requires a filer to disclose interests and information "if known" for the calendar year for which the required statement is to be filed. If you claim not to know information requested on the form, state "unknown" in response to that question on the statement. Information in the public records or otherwise obtainable is not "unknown," and must be reported.

G. Blind Trust

A filer having an interest relating to a blind trust should contact the Commission about the filing requirements.

FORM INSTRUCTIONS

Identifying Information

Print or type your complete name and identify the department or agency in which you serve (including identification of the division, branch, or other unit if applicable). Include a complete current agency address where you can be sent correspondence and identify your agency position. Non-incumbent candidates should enter an address where they may be sent correspondence. Also fill in the year of the reporting period. Regular annual reports or reports by new officials will cover from January 1 through the last day of the preceding calendar year. Termination reports will cover from the first day of the current calendar year until your last day in your position. The last line of the general information block ("Office for which Certificate of Candidacy...") needs to be completed only during an election year and then only by individuals who are running for an elective office covered by the financial disclosure program. Please include your County e-mail address, if you have one.

Signature

You must file the financial disclosure statement under oath, and willful and false filing is subject to the penalties of perjury as provided in § 9-101, Criminal Law Article, Annotated Code of Maryland.

Checklist

Complete by checking the "yes" or "no" box as to each statement. Do not leave any statement unanswered. Note that each statement corresponds to a Schedule. If you have questions as to the meaning of a statement, review the corresponding Schedule and instructions for a more detailed description of the interests involved.

SCHEDULE A. Real Property

Real property held by the filer or by a partnership, limited liability partnership, or limited liability company in which the filer has an interest must be disclosed, if it is held at any time during the reporting period. You must report real property whether it is located in or outside of Baltimore County. Partnership property must be disclosed, without regard to the extent of the filer's interest in the partnership. You must also report any interest you have in leasehold property, for example, property in which you are tenant, including business offices and personal residences. You must report your personal residence if it is owned directly by you, attributable to you or rented by you. **If the property is your primary residence, you may enter the lot and block legal description instead, if you wish.** Note also that all appropriate information (e.g., date, seller, etc.) must be reported for land you own whether or not you have constructed improvements on it.

Schedule A deals with real property interests only; do **not** report here your interests in business entities. If real property held by an entity is attributable to you, or is a partnership, limited liability partnership, or limited liability company property, list the real property on this Schedule. Report your interest in the entity on Schedule B, C, or H (whichever is appropriate) if it falls within the reporting requirements of those Schedules.

Please answer the Questions 1 through 11c as appropriate. The Ethics Law requires for each property to be disclosed that you give the location, the type of property, the nature and extent of your interest, the identity of other persons holding an interest in the property, encumbrances, date and manner of acquisition, the identity of the person from whom you acquired the property, and the nature and amount of consideration. Additionally if you transferred the property during the calendar year, the name of the person to whom you transferred the property, the portion of interest transferred and the amount of consideration received is required to be disclosed.

SCHEDULE B. Interests in Corporations/Partnerships

Report all interests in any corporation, partnership, limited liability partnership or limited liability company held by you during the reporting period, whether or not the entity does business with the County. Examples of frequently disclosed items on this schedule are corporate stocks, corporate bonds, partnerships, and interests in mutual funds (not the individual holdings of the mutual funds). Filers are **not** required to disclose holdings in an Internal Revenue Service qualified trust or college savings plan. This would include the State of Maryland §401(a), §401(k) and §457 (deferred compensation) plans. This would also include Maryland College Savings Plans, such as 529 investment accounts. Other possible qualified retirement accounts include 403(b) plans. The filer must determine whether the plan in which they participate meets the requirements for exemption from disclosure. (See definition of "interest" in glossary of terms.)

Please answer the Questions 1 through 8C as appropriate. The Ethics Law requires for each interest to be disclosed that you give the name and address of the entity, the nature and extent of your interest, the amount of the interest, other interests held in the entity, and any encumbrances or conditions. Additionally, if the interest was acquired during the calendar year, the date and manner of acquisition, the identity of the person from whom you acquired the interest, and the nature and amount of consideration will need to be disclosed. If the acquisition solely consists of an addition to an existing, public traded corporate interest acquired by dividend or dividend reinvestment is less than \$500, you need not provide any additional information.

As to an equity interest in a corporation, you may satisfy Question 5 by reporting, instead of a dollar amount: (1) the number of shares held; and (2) unless the corporation's stock is publicly traded, the percentage of equity interest held. As to an equity interest in a partnership, limited liability partnership, or limited liability company, you may satisfy Question 5 by reporting, instead of a dollar amount, the percentage of equity interest held.

Finally, if you transferred the interest during the calendar year, the name of the person to whom you transferred the interest (if known), the portion of interest transferred and the amount of consideration received.

SCHEDULE C. Interests in Non-Corporate Business Entities

Report all interests in any non-corporate business entity **not** disclosed on Schedule B that does business with the County. A sole proprietorship is the type of entity that is included on this Schedule.

Please answer the Questions 1 through 6C as appropriate. The Ethics Law requires for each interest in any non-corporate business entity doing business with the County that you give the name and address of the entity, the nature and extent of your interest, the amount of the interest, other interests held in the entity, and any encumbrances or conditions. Additionally, if the interest was acquired during the calendar year, the date and manner of acquisition, the identity of the person from whom you acquired the interest, and the nature and amount of consideration will need to be disclosed.

Finally, if you transferred the interest during the calendar year, the name of the person to whom you

transferred the interest (if known), the portion of interest transferred and the amount of consideration received.

SCHEDULE D. Gifts

You must report each gift in excess of \$20 in value, or a series of gifts from any one person totaling \$100 or more, received by you at any time during this reporting period or by any other person at your direction, from or on behalf of, directly or indirectly, any person who does business with the County or is regulated by the County, or is registered or required to register under the lobbying title of the Public Ethics Law for each gift, answer Questions 1 through 4. Generally, gifts received by members of your immediate family will be considered as gifts received by you for reporting purposes. You should note if the gift was received by a spouse or dependent child.

The following gifts need not be reported:

1. Gifts received from your spouse, children and parents.
2. Political campaign contributions regulated in accordance with the provisions of the Elections Article or any other provision of State law regulating the conduct of elections or the receipt of political campaign contributions. Contributions to legal defense funds are generally considered to be gifts under the Ethics Law.
3. A ticket or free admission extended to an elected official as a courtesy or ceremony to the office to attend a charitable, cultural, or political event.

SCHEDULE E. Offices, Directorships, Salaried Employment, and Similar Interests

List on this schedule the name and address of the principal office of each business entity doing business with the County in which, at any time during the reporting period, you or a member of your immediate family (spouse and dependent children) held an office, directorship, salaried employment, or similar interest. Also list any other similar interests (such as being a partner) held by you or a member of your immediate family during the reporting period, and not otherwise disclosed on this Schedule, in any business entity doing business with the County. For example, the presidency of a corporation or a partnership in a law firm should be reported, as should employment as an engineer in a consulting firm that is a partnership. For each office, directorship, and employment to be disclosed, answer Questions 1 through 6.

SCHEDULE F. Debts

Report all debts you owed during the reporting period to any entity doing business with the County. Exclude retail credit accounts (which includes store and bank charge accounts). You must, however, include installment loans, mortgages, car loans, or other time-fixed liabilities owed to an entity doing business with the County.

Please answer Questions 1 through 7 for each debt to be disclosed. The Ethics Law requires that you identify the person or entity to whom the debt is owed, the date the debt was incurred, the terms of payment of the debt, the amount of the debt owed as of the last day of the calendar year, the extent to which the principal amount of the debt increased or decreased during the calendar year, and a description of any security given for the debt. Additionally, if this transaction resulted in a debt being owed by your spouse or dependent child, you need to identify your spouse and/or child and describe the transaction.

SCHEDULE G. Family Members Employed by the County

Please answer Questions 1 through 3 as appropriate listing all members of your immediate family (spouse and dependent children) who were employed by the County in any capacity at any time during the reporting period. Include the name of the agency where employed.

SCHEDULE H. Employment and Business Ownership

Please answer Questions 1 and 2 as appropriate listing the name and address of any places of employment, and of business entities wholly or partially owned by you, your spouse or a dependent child, and from which

income was earned during the reporting period whether or not the entity did business with the County. For example: salaried employment, individual consulting activities, private practices, and business activities involving income-producing real property. With regard to dependent children only, you need report only earned income from employment or an interest in a business entity if that employment or business entity did business in excess of \$10,000 with the County or was regulated by the County. For example, if your dependent child had summer employment as a lifeguard or in a local restaurant, you need not report that child's employment.

SCHEDULE I. Optional

You may use this Schedule for any interest or transactions you have not been required to disclose on Schedule A through H but wish to disclose. This Schedule may also be used to further explain any prior entry.

**Alternate formats will be provided upon request for persons with disabilities