



MONTGOMERY COUNTY ETHICS COMMISSION

MEMORANDUM

July 19, 2022

To: Gabe Albornoz, President
Montgomery County Council

From: Robert W. Cobb, Staff Director/Chief Counsel, Ethics Commission *RWC*

Subject: Public comment/additional recommendations for Bill 17-22

In the context of the Public Hearing on July 26, 2022, concerning Bill 17-22, Public Ethics Law amendments, I wanted to bring to your attention recommendations for additional ethics related changes to County law that will be addressed to the Government Operations Committee when it takes up consideration of Bill 17-22.

When the county creates a new County Board, Committee, or Commission (BCC), as it recently did through Bill 16-21, establishing the Building Performance Improvements Board (BPIB), a conflict of interest issue is presented when persons are appointed to the BCC from groups of persons whose employers or businesses are affected by matters before the BCC – even where the express intent of the legislation is to have persons from such groups appointed to the BCC. If, in establishing a BCC, the intent is for members to represent the constituent groups from which they are appointed while serving on the BCC, the organization's mandate should make this clear. The Ethics Commission believes Bill 16-21 establishing the BPIB should be amended to clarify that the members are to represent the views of the groups from which they are appointed.

Another recommendation for Bill 17-22 will be to specifically include the Police Accountability Board and Administrative Charging Committee (established through Bill 49-21) as entities whose members are required to complete public financial disclosure statements.

Also, the Ethics Commission recommends that Section 2-148 of the County Code be amended to specify that BCC members are to receive ethics training as a part of their orientation as BCC members. A corresponding change to the Public Ethics Law should be considered.

I would be happy to provide further information about these recommendations.

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