

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

Senate Bill 618

(Senators Watson and Salling)

Education, Energy, and the Environment

Government, Labor, and Elections

Public Ethics - Members of the General Assembly - State and Local Government
Employment Exemption

This bill authorizes the Joint Ethics Committee on Legislative Ethics to exempt a member, candidate for election to, or member-elect of the General Assembly from the prohibition against receiving earned income from an Executive Branch unit or political subdivision of the State if the individual (1) has served at least one full elected term in the General Assembly or on the governing body of a political subdivision of the State; (2) has, in the position, objectively satisfied the minimum education, licensure, and experience requirements needed for an exemption; and (3) complies with the provisions of the Maryland Public Ethics Law prohibiting the intentional use of the prestige of office for private gain or influence, as specified. The Joint Committee on Legislative Ethics must issue an opinion to provide guidance to the members of the General Assembly on compliance with the provisions of the bill, including necessary actions that a member should take to avoid a conflict of interest and factors that the committee will consider when determining if an exemption should be granted. **The bill takes effect January 13, 2027.**

Fiscal Summary

State Effect: The bill does not materially affect State governmental operations or finances.

Local Effect: The bill does not materially affect local governmental operations or finances.

Small Business Effect: None.

Analysis

Current Law: The Maryland Public Ethics Law sets out requirements, prohibitions, and procedures that affect State officials in the Legislative, Executive, and Judicial branches of government for the purpose of maintaining people’s trust in government and protecting

against the improper influence and appearance of improper influence of government. The Maryland Public Ethics Law is administered by the State Ethics Commission with the Joint Committee on Legislative Ethics and the Commission on Judicial Disabilities.

Among the requirements, prohibitions, and procedures of the Maryland Public Ethics Law are provisions regarding conflicts of interest for a member, candidate for election to, or member-elect of the General Assembly.

Generally, a member, candidate, or member-elect of the General Assembly is prohibited from receiving earned income from an Executive Branch unit or a political subdivision of the State. However, a member, candidate, or member-elect of the General Assembly may receive an exemption from the Joint Ethics Committee if the earned income is for: (1) educational instruction provided by the member, candidate, or member-elect; (2) a position that is subject to a merit system hiring process; (3) a human services position; or (4) a career promotion, change, or progression that is a logical transition from a pre-existing relationship, as specified. The prohibition does not apply to compensation derived from (1) employment as a nonelected law enforcement officer or a fire or rescue squad worker or (2) a transaction or relationship that existed before the individual filed a certificate of candidacy for election to the General Assembly (as a nonincumbent) or was not appointed to fill a vacancy.

Provisions of the Maryland Public Ethics Law regulating conflicts of interest generally prohibit an official or employee from intentionally using the prestige of office for private gain or influence. Specifically, a State official or employee may not use the prestige of office (1) for their private gain or that of another, or (2) to influence, except as part of the official duties of the official or employee or as a usual and customary constituent service without additional compensation, the award of a State or local contract to a specific person. A public official or employee may not use resources or the title of the public official or employee to solicit a political contribution, and a State official may not use public resources to solicit a political contribution.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 636 (Delegate Harrison, *et al.*) - Government, Labor, and Elections.

Information Source(s): State Ethics Commission; Department of Legislative Services

Fiscal Note History: First Reader - February 18, 2026
jg/mcr Third Reader - March 25, 2026
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