

HOWARD COUNTY ETHICS COMMISSION
3430 Court House Drive
Ellicott City, Maryland 21043
410-313-3084

FINANCIAL DISCLOSURE STATEMENT INSTRUCTIONS (FORM #1)
(For Employees and Officials, including Candidates to be Elected Officials)

(Pursuant to the Howard County Public Ethics Law, Howard County Code, Section 22.200 *et seq.*, which can be found at www.municode.com under Howard County Maryland or on the County website at www.howardcountymd.gov under Board and Commissions/Ethics Commission.)

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. Some schedules on the statement may require knowledge regarding whether an entity does business with the County. You may access that list through the documentation link or obtain a copy from the Ethics Commission.

If you have a question about filing or need other assistance in completing the form, contact Kristen Perry, Executive Secretary, Howard County Ethics Commission, 410-313-3084 or ethicscommission@howardcountymd.gov

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

GENERAL INSTRUCTIONS

A. Persons Required to File Form #1 Statements - Public Ethics Law §§ 22.206(a) & (b).

1. All elected officials and all candidates to be elected officials are required to file this Form #1 financial disclosure statement.
2. Other Persons Required to File Form # 1: All executive exempt positions as listed in § 1.306 “Executive Exempt” of the Howard County Code, all employees authorized to draft specifications for, negotiate or execute a contract which commits the County or any of its boards, agencies or departments to expend in excess of \$2,500.00, and all employees in a managerial or policy-making position as determined by the Ethics Commission, upon recommendation of the employee’s department or agency head.

B. When to File – Public Ethics Law §§ 22.206(f) & (g).

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.
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 1st 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 upon resignation or termination of the position or office.
4. This paragraph applies only to candidates for office as an elected official. Except for a person who has already filed a statement for the appropriate reporting period, a candidate to be an elected official must file the statement for the calendar year immediately preceding the year in which the certificate of candidacy is filed through the date of the certificate of candidacy filed with the Board of Elections for Howard County. A candidate may file the required statement with the Howard County Board of Elections together with that person's certificate of candidacy, or with the Commission prior to filing the certificate of candidacy; and shall file the statement with the Commission. See 22.206 (g)

C. Where to File and Where to Get Forms.

1. The electronic form is accessed through a hyperlink, which will be sent via electronic mail to all County officials and employees required to file a financial disclosure. If you would like to keep a paper copy of your completed financial disclosure, you will have the option to print a copy at the end of the electronic session. If, due to extenuating circumstances, you must file a paper form, you should return the completed forms to the Howard County Ethics Commission, c/o the Howard County Office of Law, at the address above.

D. Glossary of Terms – Public Ethics Law § 22.202

- (a) (1) *Business entity* means a corporation, general or limited partnership, limited liability company, limited liability partnership, sole proprietorship, joint venture, unincorporated association or firm, institution, trust, foundation, or other organization, whether or not operated for profit.
- (2) Business entity does not include a governmental entity.

(b) *Commission* means the Howard County Ethics Commission established under [section 22.203](#) of this subtitle.

(c) (1) *Compensation* means any money or thing of value, regardless of form, received or to be received by any individual covered by this subtitle from an employer for service rendered.

(2) For the purposes of [section 22.207](#) of this subtitle, if lobbying is only a portion of a person's employment, "compensation" means a prorated amount based on the time devoted to lobbying compared to the time devoted to other employment duties.

(d) *County* means Howard County.

(e) *Doing business with* means:

(1) Having or negotiating a contract that involves the commitment, either in a single or combination of transactions, of \$5,000.00 or more of County controlled funds; or

(2) Being regulated by or otherwise subject to the authority of the County; or

(3) Being registered as a lobbyist under [section 22.207](#) of this subtitle.

(f) (1) *Elected official* means any individual who holds an elective office of the County.

(2) *Elected official* does not include the sheriff, state's attorney, register of wills, the clerk of the court, or a member of the Maryland General Assembly.

(g) (1) *Employee* means an individual who is employed by the County or the Howard County Library.

(2) *Employee* does not include an elected local official.

(3) *Employee* does not include an employee of:

(i) The offices of the sheriff, state's attorney, register of wills, or the clerk of the court

(ii) The County health department; or

(iii) The County department of social services.

(h) *Financial interest* means:

(1) Ownership of any interest as the result of which the owner has received, within the past three years, or is presently receiving, or in the future is entitled to receive, more than \$1,000.00 per year; or

(2) Ownership, or the ownership of securities of any kind representing or convertible into ownership, of more than 3 percent of a business entity by a County official or employee, or the spouse of an official or employee.

(i) (1) *Gift* means the transfer of anything of economic value, regardless of the form, without adequate and lawful consideration.

(2) *Gift* does not include a political campaign contribution regulated under the Elections Article of the Annotated Code of Maryland or any other provision of State or local law regulating the conduct of elections or the receipt of political campaign contributions.

(j) *Immediate family* means a spouse and dependent children.

(k) (1) *Interest* means a legal or equitable economic interest, whether or not subject to an encumbrance or a condition, that is owned or held, in whole or in part, jointly or severally, directly or indirectly.

(2) For purposes of [section 22.204](#) of this subtitle, "interest" includes any interest held at any time during the reporting period.

(3) *Interest* does not include:

(i) An interest held in the capacity of a personal agent, custodian, fiduciary, or personal representative, trustee, unless the holder has an equitable interest in the subject matter;

(ii) An interest in a time or demand deposit in a financial institution

(iii) An interest in an insurance policy, endowment policy or annuity contract under which an insurer promises to pay a fixed amount of money either in a lump sum or periodically for life or a specified period;

(iv) A common trust fund or a trust which forms part of a pension or profit sharing plan which 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; or

(v) A college savings plan under the Internal Revenue Code; or

(vi) A mutual fund that is publicly traded on a national scale unless the mutual fund is composed primarily of holdings of stocks and interests in a specific sector or area that is regulated by the department in which you are employed.

(l) *Lobbyist* means a person required to register and report expenses related to lobbying under [section 22.207](#) of this subtitle.

(m) *Lobbying* means:

(1) Communicating in the presence of a County official or employee with the intent to influence any official action of that official or employee; or

(2) Engaging in activities with the express purpose of soliciting others to communicate with a County official or employee with the intent to influence that official or employee.

(n) *Official* means an elected official, an employee of the County, or a person appointed to or employed by the County or any County agency, board, commission, or similar entity:

(1) Whether or not paid in whole or in part with County funds; and

(2) Whether or not compensated.

(o) *Person* includes an individual or business entity.

(p) *Qualified relative* means a spouse, parent, child, brother or sister.

FORM INSTRUCTIONS

SCHEDULE A. Real Property 22.206(j)(1)

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 Maryland**. 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. 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.

Answer the Questions 1 through 11c as appropriate. The Ethics Law requires for each property to be disclosed that you give the location (either by address or lot description), 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.

If your spouse or immediate family member owns property solely in their name, you do not need to disclose the property UNLESS you have a financial interest as defined in 22.202(h).

SCHEDULE B. Interests in Corporations/Partnerships 22.206(j)(2)

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. On this schedule you will disclose corporate stocks, corporate bonds, and partnerships. You do **NOT** need to disclose:

- a bank account or certificate of deposit (CD);
- a money market fund if the fund has assets of at least \$10,000,000 (which virtually all money funds do);
- an insurance policy or annuity contract;
- a Plan such as a 403(b), 401(a), 401(k) and 457 deferred compensation plans (*e.g.* Nationwide Retirement Plans) offered through Howard County Government or a private employer;
- a common trust fund or trust that forms part of a pension or a profit-sharing plan that has more than 25 participants and which is determined by the IRS to be a qualified trust or college savings plan under the IRS Code. This would include the Maryland College Savings Plans, such as 529 Investment accounts;
- Mutual funds traded on a national scale unless the mutual fund is composed primarily of holdings of stocks and interests in a specific sector or area that is regulated by the department in which you are employed.
- Individual retirement accounts, Simplified Employee Pension Plans (SEP) or other retirement mechanisms unless these accounts are composed primarily of interests in a specific sector or area that is regulated by the department in which you are employed.

SCHEDULE C. Interests in Non-Corporate Business Entities Doing Business with the County 22.206 (j)(3)

List all interests in any business entity that does business with the County, other than interests reported in Schedule B.

For each interest in any non-corporate business entity doing business with the County, you must give the name and address of the entity, the nature and extent of your interest, the amount of your interest, other interests held in the entity, and any encumbrances or conditions. If the interest was acquired during the calendar year, provide the date and manner of acquisition, the identity of the person from whom you acquired the interest, and the nature and amount of consideration.

SCHEDULE D. Gifts 22.206(j)(4)

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 during the reporting period from or on behalf of, directly or indirectly, any one person who does business with the County.

The following gifts need not be reported:

1. Gifts received from your spouse, children and parents.
2. Political campaign contributions that are regulated in accordance with the election laws.

SCHEDULE E. Offices, Directorships, Salaried Employment, and Similar Interests 22.206(j)(5)

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.

SCHEDULE F. Debts 22.206(j)(6)

Report all debts you owed during the reporting period to any financial entity doing business with the County. A list of financial institutions doing business with the County is available at the link listed on page 1 of this instruction sheet. This includes debts by a member of the immediate family of the individual filing if the individual was involved in the transaction giving rise to the liability.

Exclude retail credit accounts (which includes store and bank charge accounts. For example, you do not need to list Department Store credit cards, or credit cards issued by Banks). You must, however, include installment loans, mortgages, car loans, or other time-fixed liabilities owed to a financial entity doing business with the County.

SCHEDULE G. Family Members Employed by the County 22.206(j)(7)

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. Sources of earned Income/Employment and Business Ownership 22.206(j)(8)

Answer Questions 1 and 2 as appropriate listing the name and address of any places of employment (other than Howard County Government 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. The schedule need not disclose a minor child's employment or business ownership, if the agency that employs the individual does not regulate, exercise authority over, or contract with the place or

employment or business entity of the minor child.

SCHEDULE I. Other 22.206(j)(9)

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.

Certification

Section 22.206(e) provides that an electronic filer's submission of the electronic disclosure form is made expressly under the penalties for perjury.

Unknown Information

Section 22.206(m) of the Public Ethics Law requires you 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, write "unknown" in response to that question on the statement and provide a written statement of the efforts made to obtain the information. Unknown is different that "Not Applicable." If a section is not applicable, write "N/A."

Note: Alternate formats will be provided upon request for persons with disabilities.

REMEMBER: FINANCIAL DISCLOSURE STATEMENTS MUST BE SUBMITTED BY APRIL 30th of each year.

(Rev: 07/09/2021)