

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2014 Legislative Session

BILL NO. 2014-14

Introduced by: Charles County Commissioners

CONFIDENTIAL INFORMATION

Date introduced: 10 / 28 / 2014

Public Hearing: 11 / 18 / 2014 @5:30 p.m.

Commissioners Action: 11 / 18 / 2014

Commissioner Votes: CQK: N, RC: Y, KR: N, DD: Y, BR: N

Pass/Fail: Fail

Effective Date: / /

Remarks: _____

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.

1 COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2
3
4 2014 Legislative Session

5
6 Bill No. 2014-14

7 Chapter No. 27

8 Introduced by Charles County Commissioners

9 Date of Introduction October 28, 2014

10
11 BILL

12
13 AN ACT concerning:

14 Confidential Information

15
16 FOR the purpose of:

17 Prohibiting disclosure of confidential information from closed meetings.

18
19 BY adding:

20 Chapter 27. County Commissioners

21 Section 27-20

22 *Code of Charles County, Maryland*

23 (2013 Edition)

24
25 **SECTION 1.** BE IT ENACTED BY THE COUNTY COMMISSIONERS OF CHARLES
26 COUNTY, MARYLAND, that the Laws of Charles County, Maryland read as follows:

27 CHAPTER 27. COUNTY COMMISSIONERS

28 **27-20. Prohibited conduct and interests.**

29 A. AN OFFICIAL OR EMPLOYEE PRESENT IN ANY PROPERLY CONVENEED AND
30 AUTHORIZED CLOSED SESSION OF THE BOARD OF COUNTY
31 COMMISSIONERS SHALL NOT DISCLOSE CONFIDENTIAL INFORMATION
32 ACQUIRED IN THAT CLOSED SESSION.

Asterisks *** mean intervening code language remaining unchanged
CAPITALS mean language added to the law
[Brackets] mean language deleted from the law

- 1 B. "CONFIDENTIAL INFORMATION" MEANS INFORMATION WHICH IS NOT
2 AVAILABLE TO THE GENERAL PUBLIC UNDER APPLICABLE LAWS,
3 ORDINANCES, AND REGULATIONS AND WHICH IS OBTAINED BY REASON
4 OF THE OFFICIAL'S OR EMPLOYEE'S POSITION WITH THE COUNTY.
- 5 C. ANYONE ENTITLED TO THE INFORMATION WHO WAS NOT PRESENT MAY
6 ASK THOSE WHO WERE PRESENT FOR THE CLOSED SESSION TO DISCLOSE
7 CONFIDENTIAL INFORMATION FROM THE CLOSED SESSION. BUT SUCH
8 DISCLOSURE SHALL BE AUTHORIZED ONLY UPON AN AFFIRMATIVE VOTE
9 BY A MAJORITY OF THE BOARD OF COUNTY COMMISSIONERS.
- 10 D. ANY OTHER PERSON REQUESTING SUCH DISCLOSURE REQUIRES:
- 11 1. THE BOARD OF COUNTY COMMISSIONERS AUTHORIZES SUCH
12 DISCLOSURE UPON AN AFFIRMATIVE VOTE BY A MAJORITY OF
13 THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS
14 PRESENT AT A PROPERLY CONVENED AND AUTHORIZED
15 MEETING OF THE BOARD OF COUNTY COMMISSIONERS; OR
16 2. PURSUANT TO A FINAL ORDER OF A COURT; OR
17 3. PURSUANT TO A FINAL JUDICIAL DETERMINATION THAT
18 INFORMATION CONVEYED OR RECEIVED AT ANY CLOSED
19 SESSION WAS IMPROPERLY CLASSIFIED AS CONFIDENTIAL.
- 20 E. IT IS THE EXPECTATION OF THE BOARD OF COUNTY COMMISSIONERS
21 THAT COMMISSIONERS AND OTHER PERSONS AUTHORIZED TO BE
22 PRESENT AT PROPERLY CONVENED AND AUTHORIZED CLOSED SESSIONS
23 WILL REFRAIN FROM DISCLOSURE OF CONFIDENTIAL INFORMATION
24 RECEIVED AT SUCH CLOSED SESSIONS.
- 25 F. REPRIMAND AND CENSURE. THE COMMISSION MAY, WHEN APPROPRIATE,
26 ISSUE LETTERS OF REPRIMAND OR CENSURE REGARDING UNAUTHORIZED
27 DISCLOSURE OF CONFIDENTIAL INFORMATION. REPRIMAND IS
28 INDICATIVE OF SERIOUS ETHICAL MISCONDUCT OR A PATTERN OF
29 ETHICAL MISCONDUCT. CENSURE REFLECTS THE COMMISSION'S
30 JUDGMENT THAT THE ETHICAL MISCONDUCT FOUND TO HAVE
31 OCCURRED MERITS STRONGER DISAPPROVAL.
- 32

1 **SECTION 2.** BE IT FURTHER ENACTED, that this Act shall take effect forty-five (45)
2 calendar days after it becomes law.

3 Adopted this _____ day of _____, 2014.

COUNTY COMMISSIONERS
CHARLES COUNTY, MARYLAND

Candice Quinn Kelly, President

Reuben B. Collins, II, Esq., Vice President

Ken Robinson

Debra M. Davis, Esq.

Bobby Rucci

ATTEST:

Danielle Mitchell, Clerk to the Commissioners