

2026 ETHICS FINANCIAL DISCLOSURE ADMINISTRATIVE REVIEW

Background Information on the Public Ethics Law
Financial Disclosure (FD) Filer Identification Criteria

Using the FD Filer Identification Manual

Agency Action - Forms & Process

FD Filing & Training Requirements

How Our Agencies Work Together



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What's in the Public Ethics Law?

- State Ethics Commission to Administer the Law
- Conflict of Interest Provisions
- Financial Disclosure Provisions
- Lobbyist Reporting & Disclosure
- Local Government Requirements
- Advisory Opinion Procedures
- Enforcement & Penalty Provisions



Who is covered by the Public Ethics Law?

- Elected State officials
- State Board and Commission Members
- State Employees

Who files a financial disclosure statement?

1. All Elected State Officials
2. Some State Board & Commission members
3. Some State Employees - *FDS is required if the employee works in a position identified by the agency to file due to the job duties and salary (Grade 16 - \$66,314 as of 7/1/25)*

Financial Disclosure filers are considered to be “public officials” under the Ethics Law. “Public Official” is the term used in the FD Filer Identification Manual.

Public official - *the employee, acting alone or as a member of an executive unit, has discretionary or decision making authority or acts as a principal advisor to one with authority in making State policy in an executive unit or in exercising quasi-judicial, regulatory, licensing, inspecting or auditing functions and the individual’s duties are not essentially administrative and ministerial.*

The State Ethics Commission relies on the agency to identify the positions that meet the salary and job duty criteria to file FDS.

- Request a list of FD filers for the agency to see which positions have already been identified.
- Review all agency Position Descriptions to determine if new positions or existing positions should be identified as FD filers. ***As positions descriptions change, the agency should review for FD filer identification.***
- Consult the FD Filer Identification Manual for relevant information on job duty criteria and salary information. Some positions may meet the job duty criteria to add as an FD Filer, even if the salary is below a Grade 16 (procurement duties).
- Complete the appropriate FD Add/Delete Form and send it to the State Ethics Commission
- Agency notifies employees when they are added as FD filers

Use the FD Filer Identification Manual

- Agencies should use the [FD Filer Identification Manual](#) as a tool to help with all FD processes.
- The Manual includes guidance on identifying which positions should file FDS, how to properly complete the required forms and timelines.
- The Manual is available on the [SEC website](#) under the Financial Disclosure link.

Questions about the FD identification process should be directed to Young Smith, Financial Disclosure Coordinator for SEC.

FD Filer Identification Criteria

"Public Official" = FD Filer
Review Compensation & Duties

Contractual employees: Agency may add a full-time contractual employee as an FD filer if they have the relevant duties and salary requirements and contract is at least 6 months.

Identifying and Adding a Position as a FD Filer

2 Part Test - 1. Salary equivalent to State Grade 16 (\$66,314) and above; and

2. Job duties such as:

- supervising other employees or individuals
- program management,
- decisional recommendations,
- conducting investigations,
- program or unit oversight,
- preparing evaluations, and/or
- advising managerial staff.



Non-Salary Criteria to Add as FD Filer

1. If employee is compensated under State Grade 16 (\$66,314); and
2. Has job duties: - decision making authority or acting as a principal advisor to one with such authority in:
 1. drafting specifications;
 2. for negotiating or executing contracts which commit the State or any executive unit to expend in excess of \$10,000 for an individual contract;
 3. authorized to make corporate credit card purchases in excess of the \$10,000 per transaction amount; or
 4. duties related to any procurement or budgeting activities will also be considered.

Requests to Add and Delete

- Form 8 – Request to Delete Position
- Form 9 – Request to Add Position
- Form 9A / 8A – (combined)
Request to Add Person(s) &
Delete Person(s)



Form 8 – Request to Delete Position

- This form is used when the agency determines that a position that was previously identified as an FD filing position has changed and should no longer be required to file an annual FDS.
- Agency completes Form 8 and provides a copy of the new position description to SEC. Helpful to highlight the changes to the position.
- SEC staff reviews the form and updated position description and makes a recommendation to the SEC. SEC reviews at a meeting to make the determination of approval or denial.
- SEC forwards its determination to DBM for concurrence.
- Agency notified of decision & employee's FD account deactivated by SEC.

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REQUEST TO DELETE POSITION FROM FINANCIAL DISCLOSURE LIST (Form 8)

Use this form to request the deletion of a position (job) from the financial disclosure list applicable to your department or agency. To request the deletion of a person, rather than the position, from the list, use Form 8A. This form will be reviewed at the next meeting of the Commission.

Name of Department or Agency: _____
Agency Code: _____
Name of Person in Position to be Deleted: _____
Person's E-mail Address: _____
Position or Job Title: _____
PIN Number: _____
State Grade: _____
(Or compensation if not State graded)

REASON OR REASONS FOR DELETION FROM LIST - CHECK ALL THAT APPLY

- Salary or Duties Changed
- Duties Relating to Contracts No Longer Apply

In the space below briefly explain the reasons why the duties of a position no longer require the filing of a financial disclosure statement. Consult the [Financial Disclosure Filer Identification Manual](#) or Commission regulations explaining who must file financial disclosure before preparing this explanation. Clarify whether the duties are being changed or the position is being abolished. **Also, attach a job description or describe in detail the current duties.**

Signature of Department or Agency representative authorized to make this request. (The Head of the Department or Agency involved must authorize Persons making these requests.)

Signature Date

Print Name

Form No. 9 - Request to Add Position(s)

- This form is used when the agency determines that a new or existing position should be identified as an FD filing position.
- Agency completes Form 9 and provides a copy of the position description to SEC.
- SEC staff reviews the form & position description and makes a recommendation to the SEC. SEC reviews at a meeting to make the determination of approval or denial.
- SEC forwards its determination to DBM for concurrence.
- Agency notified of decision. Employee should be advised by agency to file FDS and set up an electronic FD account within 30 days of the add. Employee will also have to take ethics training.

Form 9A - Request to Add Person

- This form is used when a new employee takes a position that was previously determined to be an FD filing position (new hire, promotion) to notify the SEC that the employee is now in an identified FD filer position and should be added to the agency's FD filers list.
- The agency should submit the Form 9A to SEC as soon as the new employee is hired or promoted and include the start date and who they replaced.
- SEC staff will note the start date for the employee on agency FD list.
- Employee should be advised by agency to file FDS within 30 days and set up an electronic FD account. Employee will also have to take ethics training.

Form 8A - Request to Delete Person

- This form is used when an employee leaves the agency or position to notify the SEC staff that the employee is no longer in an identified FD filer position.
- The agency should submit Form 8A to the SEC with any additional contact information for the employee (personal email address, etc.).
- SEC staff will note the last day of service for the employee and may contact the employee to remind them to file last FD End of Service Statment (EOS) within 60 days of last day of State employment.
- Agency should also advise employee of obligation to file EOS within 60 days of leaving and update their account so they receive email notifications.

FDS - Electronic Filing Required

Financial Disclosure forms must be filed electronically through the Commission's FDS system.

<https://efds.ethics.maryland.gov/>

Filers may access the FDS system through the Commission's website - ethics.maryland.gov

FDS of State officials, candidates, and Secretaries of Principal Departments are available for review electronically. State employee FDS forms may only be reviewed and copied at the SEC office.

When are Financial Disclosure Statements required to be filed?

- New employees must file within 30 days of taking the position that requires an FDS. - *Agency notifies the employee*
- Newly identified FD position - must file within 30 days of SEC notifying agency the Add position was approved. - *Agency notifies the employee*
- Incumbent State officials & employees file annually by April 30th - *SEC Electronic FD system will send notices to all accounts*
- Officials & employees leaving State service must file a statement within 60 days of their last day for the preceding year through their last day of State employment. - *Agency notifies the employee. SEC contacts the employee AFTER receiving the Delete Person Form (Form 8A) from agency.*

Financial Disclosure Filers are also required to take Ethics Training



- One-time training requirement.
- Ethics trainings is available online - log into FDS electronic account. Create an account in the training portal using the same email address.
- Live virtual trainings are offered several times a year.
- Ethics training requirement must be completed within 6 months.

What is included on a Financial Disclosure Statement?

- Interests in real property
- Interests in corporations, partnerships, stocks, etc.
- Interests in non-corporate businesses that do business with the State
- Gifts
- Offices, directorships, salaried employment or similar interest in businesses that do business with the State (employee, official, or member of immediate family)
- Debts owed to entities doing business with your Agency
- Information on business or contracts with State, local or quasi-gov't entities and UMMS
- Information on family members employed by the State
- Information on salaried employment of employee and members of the immediate family

Are Financial Disclosure Statements Available for Public Inspection?

- **YES!**
- The person inspecting the document must appear in person, present identification, and register his name, home address, and the identity of the person whose statement was inspected



Enforcement Matters for Failure to File FDS or Take Training

- Employees who do not file the required FDS or take required ethics training will be subject to enforcement action by the Commission
- Complaints are authorized and issued against noncompliant employees – late fees of up to \$500 may be assessed for late FDS
- Before a complaint is issued:
 - Employee is notified several times by Commission staff
 - Agency FD Coordinator is notified of noncompliant employees
 - Commission's Staff Counsel will notify the agency Secretary or Director prior to the enforcement action being presented to the State Ethics Commission and send a list of noncompliant employees

Let's Work Together!

- Agencies and SEC need to work together to make sure the FD process runs smoothly.
- Call or email when you have questions.
- Request an updated agency FD listing to check your records.
- Please, please, please send in the Add and Delete Person forms to keep the agency's FD listing up to date.
- Notify your agency employees when their position required to file FDS or new hires in filing positions – *Use templates from Filer ID Manual*
- Do not send mass emails to all employees about FDS – only email the agency filers.
- Notify SEC if FD Coordinators change in the agency

It's a dynamic process, but it can work when we all work together!