

PRE-COMPLAINT DISPOSITION AGREEMENT

This Agreement made this 31 day of MAY, 2025, by and between David Horvath, Information Technology Audit Manager, Maryland State Retirement Agency, and Katherine P. Thompson, Staff Counsel to the State Ethics Commission (hereinafter "Staff Counsel").

The State Ethics Commission ("the Commission") is the executive agency of the State of Maryland established by Chapter 513, Acts 1979 for the purpose of enforcing the Maryland Public Ethics Law (General Provisions Article, Title 5, Annotated Code of Maryland), (hereinafter "the Ethics Law") including the provisions of Subtitle 5, Conflicts of Interest.

AGREED STATEMENT OF FACTS

1. David Horvath was, at all times relevant to this matter, employed by the Maryland State Retirement Agency ("SRA"), an executive agency of the State of Maryland, and an employee subject to the conflicts of interest provisions of the Ethics Law. He has not been identified as a financial disclosure filer and is not required to take ethics training.
2. Section 5-506(a)(1)(i) of the Ethics Law prohibits a State employee or official from intentionally using the prestige of his or her office for his or her own private gain or that of another. The Commission, through its published opinions, has interpreted the prestige provision to mean that State employees should not use any State resources, such as State computers, email accounts, or State time for activities unrelated to their State duties. (Op. No. 08.01).
3. On February 6, 2025, SRA made a referral to the Commission for potential violations of the Ethics Law by Mr. Horvath for using State resources to conduct activities related to his service on the Board of the Central Maryland Chapter of the Information Systems Audit and Control Association ("ISACA-CMC"). The Commission placed this matter on the docket at its meeting on March 27, 2025, and directed Staff Counsel to conduct a preliminary inquiry.
4. Mr. Horvath, in his SRA position, conducted activities related to his board service for the outside entity ISACA-CMC, which was transmitted through his State-issued email account using his State computer.
5. Mr. Horvath has been forthright in his cooperation of Staff Counsel's review of this matter.
6. Mr. Horvath is voluntarily entering into this Agreement to admit certain violations of the Ethics Law, to accept certain sanctions, and to resolve the matter now pending against him without the issuance of a complaint and a hearing before the Commission.

NOW THEREFORE, in consideration of the agreed facts contained herein, and effective on the date of the Commission's acceptance of the terms of this Agreement, David Horvath and Katherine P. Thompson, Staff Counsel, agree as follows:

- A. That Mr. Horvath admits that using State resources to conduct activities related to his board service with an outside entity is a violation of the prohibition against using the prestige of one's office for their private gain or that of another contained in § 5-506(a)(1)(i) of the Ethics Law.
- B. Mr. Horvath will not use State resources for non-State activities.
- C. Mr. Horvath understands that violations of the conflicts of interest provisions of the Ethics Law may result in civil fines pursuant to § 5-902 of the Ethics Law. Mr. Horvath further agrees to pay, in lieu of potential fines, the sum of TWO HUNDRED FIFTY and 00/100 DOLLARS (\$250.00) for the above admitted violations of the Ethics Law. That said sum will be paid by check or money order payable to the "State of Maryland" in care of the Commission on or before June 30, 2025. The fee shall be distributed to the Fair Campaign Financing Fund established under § 15-103 of the Fair Campaign Finance Article. If the fee is not paid, it is agreed that the matter will be transferred to the Maryland State Central Collection Unit for the purpose of collecting the monies owed.
- D. This Agreement will serve as a reprimand to Mr. Horvath effective the date of the Commission's acceptance of this Agreement.
- E. The Commission will transmit a copy of this Agreement to the Executive Director of SRA and the Governor of the State of Maryland.
- F. Mr. Horvath waives any formal proceedings and hearing in this matter (if the Commission accepts this Agreement) and agrees that acceptance of this Agreement by the Commission constitutes a final action and finding of violation by the Commission.
- G. Mr. Horvath further agrees that this Agreement and materials related to this matter are not subject to the confidentiality provisions of the Ethics Law and will be public information unless otherwise protected.
- H. Upon execution of this Agreement by Mr. Horvath, Staff Counsel will recommend that the Commission suspend any further proceedings against Mr. Horvath.
- I. In the event the Commission declines to accept this Agreement, both Mr. Horvath and Staff Counsel are relieved of their respective obligations hereunder, and neither this Agreement, nor any admission it may contain, shall be admissible in any subsequent proceeding by the Commission.

- J. That Mr. Horvath and Staff Counsel are entering into this Agreement for the sole purpose of resolving the matters involved in the Commission's preliminary inquiry into this matter and for no other purpose.

IN WITNESS WHEREOF, David Horvath and Katherine P. Thompson, Staff Counsel, State Ethics Commission, have hereunto set their hands.



Katherine P. Thompson, Staff Counsel
State Ethics Commission
45 Calvert Street, 3rd Floor
Annapolis, Maryland 21401
(410) 260-7770



David Horvath



State of Maryland

County of Carroll, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared David Horvath, who made oath in due form of law on this 31st day of May, 2025, that the matters and facts hereinabove set forth in this Agreement are true to the best of their knowledge, information and belief, that it is their voluntary act and that they executed this Agreement for the purposes set forth herein.

[Redacted Signature]
Notary Public

My Commission Expires: 12/11/2028



State of Maryland,

County of Anne Arundel, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Katherine P. Thompson, Staff Counsel to the State Ethics Commission, who made oath on this 13 day of June, 2025, in due form of law that she executed this Agreement for the purposes therein contained.

[Redacted Signature]
Notary Public

My Commission Expires: June 20, 2029



Accepted by the Commission

[Redacted Signature]
Craig D. Roswell, Chair
for the Commission

Date: Jun 12, 2025