

July 7, 2000  
Re: IO-00-110

You inquired whether and to what extent you may participate in a candidate's campaign for election to an Annapolis city office.

As an employee of a local entity, you have a right under state law, to ". . .freely participate in any political activity and express any political opinion". See Annotated Code of Maryland, Article 24, Political Subdivisions, §13-103. That same law, §13-105, provides that you may not engage in political activity while on the job during working hours or advocate the overthrow of the government by unconstitutional or violent means. Finally, §13-104 provides that these restrictions are the only restrictions that may be imposed upon local government employees, notwithstanding any local law to the contrary.

Therefore, the Public Ethics Laws may not prohibit or restrict your political activities in any way. However, §3-104(a) of the ethics law would prohibit you from using your county title, prestige or authority for private gain. So while you may solicit campaign contributions or speak in support of a candidate, you may not identify yourself as a special assistant to the county executive while you are engaged in these activities. This provision is not a restriction on your political activities, it is rather, a restriction on the use of your county title.

Other provisions of the ethics law, such as §3-101(non-participation) or §3-107(disclosure of confidential information) may impact your participation as a county employee in matters in which you have an interest, even if that interest is political in nature. Again, these provisions would not restrict your political activity in any way, but could only limit your official participation in specific matters. Please feel free to contact the ethics commission if you have concerns or questions about specific matters. Thank you for your inquiry.

Sincerely,

Betsy K. Dawson  
Executive Director