



*Anne Arundel County
Ethics Commission*

June 3, 2009

By Electronic Mail Only

Re: AO-09-38

You inquired whether members of the county council who use alarms in their homes or businesses would be prohibited from participating in the consideration and vote on [Bill 41-09](#). The ethics commission advises that those council members may participate fully in the legislation, unless they also have an interest in an “alarm business” as defined in that bill.

Bill 41-09 creates a new regulatory scheme for alarm businesses and the users of alarms provided by those businesses. The bill creates a typical regulatory scheme- registration and record keeping, alarm system standards; civil penalties for false alarms and regulatory violations, and monitoring and reviewing procedures.

The relevant ethics law provision, [§7-5-110](#), provides that:

(c) **Presumed conflicts of interest.** It shall be presumed that *an interest disqualifies* a County Councilmember from participating in legislative action in any of the following circumstances:

(1) having or acquiring an interest in an enterprise that would be affected by the Councilmember's vote on proposed legislation *unless the interest is common to all members of:*

(i) a profession or occupation of which the Councilmember is a member; or

(ii) *the general public or a large class of the general public;*

Members of the county council who use alarms in their home and businesses share this interest with a large class of the general public. For this reason, and in the absence of any more particularized interest in an alarm business, members of the county council who use alarms, may fully participate in this legislation.

Thank you for your inquiry. Please call if you have any additional questions.

The Anne Arundel County Ethics Commission