



ADVISORY OPINION 91-1

During the recent election campaign (November 1991), a Conflict of Interest Statement was signed by an agent for one of the candidates, and the Ethics Commission was asked for an advisory opinion as to its validity.

There is nothing in the City Code that speaks to the subject of permitting someone other than the candidate him- or herself to sign the Conflict of Interest Statement. In addition, there are no Maryland statutes or cases that address this issue. Therefore, it would be self-defeating to permit someone other than the candidate to sign the Statement. To do so would be to lose accountability. For example, a candidate could say later that he never authorized the agent to sign the document, or that the agent did not have possession of all the necessary facts. For this reason, it is the opinion of the Ethics Commission that a Conflict of Interest Statement signed by someone other than the candidate is invalid. The Committee is also of the opinion that it might be useful to add language to the City's Code to clarify and emphasize that the Statement must be signed by the candidate him- or herself.

Mary Armstrong, Member

Mary Hollomand, Member

Lou Stengard, Member

Robert C. Smaldore, Chairman