

---

**By: Chairman, Economic and Environmental Affairs Committee (Departmental - Ethics, State Commission on)**

Requested: October 30, 1996

Introduced and read first time: January 8, 1997

Assigned to: Economic and Environmental Affairs

---

A BILL ENTITLED

1 AN ACT concerning

2 **Gift Disclosure - Lobbyists**

3 FOR the purpose of providing an exception to the lobbyist gift disclosure requirements as  
4 to gifts to certain family members of the regulated lobbyist; and specifying certain  
5 conditions for this exception.

6 BY repealing and reenacting, with amendments,  
7 Article - State Government  
8 Section 15-704  
9 Annotated Code of Maryland  
10 (1995 Replacement Volume and 1996 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - State Government**

14 15-704.

15 (a) (1) A regulated lobbyist shall file with the Ethics Commission, under oath  
16 and for each registration, a separate report concerning the regulated lobbyist's lobbying  
17 activities:

18 (i) by May 31 of each year, to cover the period from November 1 of  
19 the previous year through April 30 of the current year; and

20 (ii) by November 30 of each year, to cover the period from May 1  
21 through October 31 of that year.

22 (2) If the regulated lobbyist is not an individual, an authorized officer or  
23 agent of the regulated lobbyist shall sign the report.

24 (3) If a prorated amount is reported as compensation, it shall be labeled as  
25 prorated.

26 (b) [A] SUBJECT TO SUBSECTION (F) OF THIS SECTION, A report required by  
27 this section shall include:

2

1 (1) a complete, current statement of the information required under §  
2 15-703(b) of this subtitle;

3 (2) total expenditures in connection with influencing executive action or  
4 legislative action in each of the following categories:

5 (i) total compensation paid to the regulated lobbyist, excluding:

6 1. expenses reported under this paragraph; and

7 2. salaries, compensation, and reimbursed expenses for the  
8 regulated lobbyist's staff;

9 (ii) unless reported under subparagraph (i) of this paragraph:

10 1. office expenses of the regulated lobbyist; and

11 2. professional and technical research and assistance;

12 (iii) publications that expressly encourage communication with one or  
13 more officials or employees;

14 (iv) witnesses, including the name of each and the fees and expenses  
15 paid to each;

16 (v) meals and beverages for officials, employees, or members of the  
17 immediate families of officials or employees;

18 (vi) special events, including parties, meals, athletic events,  
19 entertainment, or other functions to which were invited all members of:

20 1. the General Assembly;

21 2. either house of the General Assembly; or

22 3. a standing committee of the General Assembly;

23 (vii) 1. food, lodging, and scheduled entertainment of officials and  
24 employees for a meeting, if given in return for participation in a panel or speaking  
25 engagement at the meeting; and

26 2. if more than \$200 of the expenses reported in item 1 of this  
27 subparagraph are for any one official or employee at any meeting, the individual's name  
28 and the amount spent;

29 (viii) other gifts to or for officials, employees, or members of the  
30 immediate families of officials or employees; and

31 (ix) other expenses;

32 (3) as to expenditures reported in paragraph (2)(vi) and (vii) of this  
33 subsection, the date, location, and total expense of the regulated lobbyist for the event or  
34 meeting; and

35 (4) subject to subsections (d) and (e) of this section, the name of each  
36 official, employee, or member of the immediate family of an official or employee, to or for

3

1 whom, during a reporting period, one or more gifts with a cumulative value of \$75 or  
 2 more are given, regardless of whether a gift is attributable to more than one entity and  
 3 whether or not in connection with lobbying activities, by the regulated lobbyist or any  
 4 entity acting on behalf of the regulated lobbyist, however, except as provided in paragraph  
 5 (2)(vii)2 of this subsection, expenses reported in paragraph (2)(vi) and (vii) of this  
 6 subsection need not be allocated to an individual.

7 (c) (1) This subsection applies only to a regulated lobbyist, other than an  
 8 individual, that is organized and operated for the primary purpose of attempting to  
 9 influence legislative action or executive action.

10 (2) In addition to the other reports required under this section, a regulated  
 11 lobbyist subject to this subsection shall report the name and permanent address of each  
 12 entity that provided at least 5% of the regulated lobbyist's total receipts during the  
 13 preceding 12 months.

14 (3) For the purpose of the reporting and registration requirements of this  
 15 subtitle, receipts of a regulated lobbyist subject to this subsection include funds spent on  
 16 the regulated lobbyist's behalf, at its direction, or in its name.

17 (d) (1) [In] SUBJECT TO SUBSECTION (F) OF THIS SECTION, IN addition to  
 18 any other report required under this section, a regulated lobbyist shall file, with the  
 19 report required by subsection (a) of this section, a report disclosing the name of any  
 20 member of the General Assembly or member of the immediate family of a member of the  
 21 General Assembly who has benefited during the reporting period from a gift of a ticket or  
 22 admission to any event for which other persons are charged a fee exceeding \$15, whether  
 23 or not in connection with lobbying activities, allowed under § 15-505(c)(2)(vii) of this title  
 24 from the regulated lobbyist.

25 (2) The disclosure required by this subsection shall be under oath or  
 26 affirmation, on a form issued by the Ethics Commission, and shall include:

27 (i) the name and business address of the regulated lobbyist;

28 (ii) the name of each recipient of a ticket or admission;

29 (iii) the date and value of each gift of a ticket or admission, and the  
 30 identity of the entity or entities to which the gift is attributable; and

31 (iv) the total cumulative value of gifts of tickets or admissions,  
 32 calculated as to each recipient.

33 (3) The regulated lobbyist may:

34 (i) declare on the form required under paragraph (3) of this  
 35 subsection that a gift of a ticket or admission was given for purposes not related to the  
 36 regulated lobbyist's lobbying activities; and

37 (ii) explain the circumstances under which the gift was given.

38 (4) Gifts of tickets or admissions reported by a regulated lobbyist under this  
 39 subsection need not be counted or reported by the regulated lobbyist for purposes of  
 40 disclosure under subsection (b)(4) of this section.

1 (e) (1) (i) Subject to SUBSECTION (F) OF THIS SECTION AND TO the  
2 provisions of subparagraph (ii) of this paragraph, in addition to any other report required  
3 under this section, a regulated lobbyist shall file, with the report required by subsection  
4 (a) of this section, a report disclosing the name of any State official of the Executive or  
5 Legislative Branch or member of the immediate family of a State official of the Executive  
6 or Legislative Branch who has benefited during the reporting period from gifts of meals  
7 or beverages, whether or not in connection with lobbying activities, allowed under §  
8 15-505(c)(2)(i) of this title from the regulated lobbyist.

9 (ii) The name of a member of the General Assembly or member of the  
10 immediate family of a member of the General Assembly shall be disclosed under  
11 subparagraph (i) of this paragraph only if the gift of a meal or beverage to the individual  
12 costs \$15 or more.

13 (2) Gifts reported by name of recipient under subsection (b)(2)(vii) of this  
14 section and special events listed under subsection (b)(2)(vi) of this section need not be  
15 allocated for the purposes of disclosure under paragraph (1) of this subsection.

16 (3) The disclosure required by this subsection shall be under oath or  
17 affirmation, on a form issued by the Ethics Commission, and shall include:

18 (i) the name and business address of the regulated lobbyist;

19 (ii) the name of each recipient of a gift of a meal or beverages;

20 (iii) the date and value of each gift of a meal or beverages, and the  
21 identity of the entity or entities to which the gift is attributable; and

22 (iv) the total cumulative value of gifts of meals or beverages, calculated  
23 as to each recipient.

24 (4) The regulated lobbyist may:

25 (i) declare on the form required under paragraph (3) of this  
26 subsection that a gift of a meal or beverages was given for purposes not related to the  
27 regulated lobbyist's lobbying activities; and

28 (ii) explain the circumstances under which the gift of a meal or  
29 beverages was given.

30 (5) Gifts of meals or beverages reported by a regulated lobbyist under this  
31 subsection need not be counted or reported by the regulated lobbyist for purposes of  
32 disclosure under subsection (b)(4) of this section.

33 (F) (1) THIS SECTION DOES NOT REQUIRE THE DISCLOSURE BY A  
34 REGULATED LOBBYIST OF ANY GIFT TO THE REGULATED LOBBYIST'S IMMEDIATE  
35 FAMILY, IF THE GIFT IS:

36 (I) PURELY PERSONAL AND PRIVATE IN NATURE AND NOT  
37 RELATED TO THE REGULATED LOBBYIST'S LOBBYING ACTIVITIES; AND

38 (II) FROM THE REGULATED LOBBYIST'S PERSONAL FUNDS AND  
39 NOT ATTRIBUTABLE TO ANY OTHER ENTITY OR ENTITIES.

5

1                   (2) GIFTS THAT ARE OTHERWISE EXCEPTED FROM DISCLOSURE BY  
2 PARAGRAPH (1) OF THIS SUBSECTION MAY BE REQUIRED BY THE COMMISSION TO  
3 BE DISCLOSED TO THE COMMISSION OR THE PUBLIC IF THE COMMISSION  
4 DETERMINES THAT DISCLOSURE IS NECESSARY TO FULFILL THE POLICIES SET  
5 FORTH IN § 15-101 OF THIS TITLE.

6                   [(f)] (G) The Ethics Commission may require a regulated lobbyist to file any  
7 additional report the Ethics Commission determines to be necessary.

8                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 1997.