

# SENATE BILL 90

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(PRE-FILED)

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By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Ethics Commission, State)**

Requested: September 30, 2013

Introduced and read first time: January 8, 2014

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Ethics – Regulated Lobbyists – Certification to Authorize Lobbying**  
3 **and Electronic Filing of Registration**

4 FOR the purpose of requiring a certain regulated lobbyist to certify under oath or  
5 affirmation that the regulated lobbyist is authorized to engage in lobbying for a  
6 certain entity; providing for the contents of the certification; authorizing a  
7 regulated lobbyist registration to be filed electronically; requiring an  
8 electronically filed registration to include a certain certification made by an  
9 electronic signature; making conforming changes; and generally relating to  
10 public ethics and the regulation of lobbyists.

11 BY repealing and reenacting, with amendments,  
12 Article – State Government  
13 Section 15–702 and 15–703(c) and (f)(1)  
14 Annotated Code of Maryland  
15 (2009 Replacement Volume and 2013 Supplement)

16 BY repealing and reenacting, without amendments,  
17 Article – State Government  
18 Section 15–703(a)  
19 Annotated Code of Maryland  
20 (2009 Replacement Volume and 2013 Supplement)

21 BY adding to  
22 Article – State Government  
23 Section 15–703(g)  
24 Annotated Code of Maryland  
25 (2009 Replacement Volume and 2013 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – State Government**

4 15–702.

5 (a) [(1) An entity that engages a] **A regulated lobbyist ENGAGED BY AN**  
6 **ENTITY** for the purpose of lobbying shall [provide a signed authorization for] **CERTIFY**  
7 **UNDER OATH OR AFFIRMATION THAT** the regulated lobbyist **IS AUTHORIZED** to  
8 **[act] ENGAGE IN LOBBYING FOR THE ENTITY.**

9 [(2) If the entity is a corporation, an authorized officer or agent, other  
10 than the regulated lobbyist, shall sign the authorization.]

11 (b) The [authorization to act] **CERTIFICATION** required by subsection (a) of  
12 this section shall include:

13 (1) the full legal name and business address of the entity [and of the  
14 regulated lobbyist];

15 **(2) THE NAME, CONTACT INFORMATION, AND OFFICIAL TITLE OF**  
16 **THE REPRESENTATIVE OF THE ENTITY WHO AUTHORIZED THE REGULATED**  
17 **LOBBYIST TO ENGAGE IN LOBBYING FOR THE ENTITY;**

18 **(3) THE FULL LEGAL NAME OF THE REGULATED LOBBYIST;**

19 [(2)] **(4)** subject to subsequent modification, the period during which  
20 the regulated lobbyist is authorized to act; and

21 [(3)] **(5)** the proposal or subject on which the regulated lobbyist  
22 represents the entity.

23 15–703.

24 (a) (1) At the times specified in subsection (d) of this section, each  
25 regulated lobbyist shall register with the Ethics Commission on a form provided by the  
26 Ethics Commission.

27 (2) A regulated lobbyist shall register separately for each entity that  
28 has engaged the regulated lobbyist for lobbying purposes.

29 (c) If applicable, each registration shall include the [authorization]  
30 **CERTIFICATION** required by § 15–702 of this subtitle.

1 (f) (1) Except as provided in paragraph (2) of this subsection, each  
2 registration shall terminate on the earlier of:

3 (i) the October 31 following the filing of the registration; or

4 (ii) an earlier termination date specified in [an authorization]  
5 **THE CERTIFICATION** filed with respect to that registration under § 15-702 of this  
6 subtitle.

7 **(G) (1) AN INDIVIDUAL MAY FILE A REGISTRATION UNDER THIS**  
8 **SECTION ELECTRONICALLY AND WITHOUT ADDITIONAL COST TO THE**  
9 **INDIVIDUAL WHO FILES THE REGISTRATION.**

10 **(2) A REGISTRATION FILED ELECTRONICALLY UNDER**  
11 **PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE THE OATH AND**  
12 **AFFIRMATION REQUIRED UNDER § 15-702 OF THIS SUBTITLE MADE BY AN**  
13 **ELECTRONIC SIGNATURE THAT:**

14 **(I) IS A PART OF THE REGISTRATION FORM OR ATTACHED**  
15 **TO AND MADE PART OF THE REGISTRATION FORM; AND**

16 **(II) IS MADE EXPRESSLY UNDER THE PENALTIES FOR**  
17 **PERJURY.**

18 **(3) AN OATH OR AFFIRMATION SIGNED ELECTRONICALLY UNDER**  
19 **PARAGRAPH (2) OF THIS SUBSECTION SUBJECTS THE INDIVIDUAL MAKING THE**  
20 **OATH OR AFFIRMATION TO THE PENALTIES FOR PERJURY TO THE SAME EXTENT**  
21 **AS AN OATH OR AFFIRMATION MADE BY AN INDIVIDUAL IN PERSON BEFORE AN**  
22 **INDIVIDUAL AUTHORIZED TO ADMINISTER OATHS.**

23 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
24 **October 1, 2014.**