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§5–702.

(a) Unless exempted under subsection (b) of this section, an entity shall register with the Ethics Commission as provided in this subtitle and shall be a regulated lobbyist for the purposes of this title if, during a reporting period, the entity:

(1) for the purpose of influencing any legislative action or any executive action relating to the development or adoption of regulations or the development or issuance of an executive order:

(i) 1. communicates with an official or employee of the Legislative Branch or Executive Branch in the presence of that official or employee; and

2. except for the personal travel or subsistence expenses of the entity or a representative of the entity, incurs expenses of at least $500 or earns at least $2,500 as compensation for all such communication and activities relating to the communication during the reporting period; or

(ii) 1. communicates with an official or employee of the Legislative Branch or Executive Branch; and

2. earns at least $5,000 as compensation for all such communication and activities relating to the communication during the reporting period;

(2) in connection with or for the purpose of influencing any executive action, spends a cumulative value of at least $100 for gifts, including meals, beverages, and special events, to one or more officials or employees of the Executive Branch;

(3) subject to subsection (b)(4) of this section, is compensated to influence executive action on a procurement contract that exceeds $100,000;

(4) subject to subsection (b)(5) of this section, is compensated by a business entity to influence executive action to secure from the State a business grant or loan with a value of more than $100,000 for the business entity;

(5) spends at least $2,000, including expenditures for salaries, contractual employees, postage, telecommunications services, electronic services, advertising, printing, and delivery services, for the express purpose of soliciting others to communicate with an official to influence legislative action or executive action; or

(6) spends at least $2,500 to provide compensation to one or more entities required to register under this subsection.

(b) (1) The following activities are exempt from regulation under this subtitle:

(i) an appearance as part of the official duties of an elected or appointed official or employee of the State, a political subdivision of the State, or the United States, to the extent that the appearance is not on behalf of any other entity;

(ii) an action of a member of the news media, to the extent that the action is in the ordinary course of gathering and disseminating news or making editorial comment to the general public;

(iii) representation of a bona fide religious organization, to the extent that the representation is for the purpose of protecting the right of its members to practice the doctrine of the organization;

(iv) an appearance as part of the official duties of an officer, a director, a member, or an employee of an association engaged only in representing counties or municipal corporations, to the extent that the appearance is not on behalf of any other entity; or

(v) an action as part of the official duties of a trustee, an administrator, or a faculty member of a nonprofit independent college or university in the State, provided the official duties of the individual do not consist primarily of attempting to influence legislative action or executive action.

(2) The following activities are exempt from regulation under this subtitle if the individual engages in no other acts during the reporting period that require registration:

(i) professional services in drafting bills or in advising clients on the construction or effect of proposed or pending legislation;

(ii) an appearance before the entire General Assembly, or any committee or subcommittee of the General Assembly, at the specific request of the body involved;

(iii) an appearance as a witness before a legislative committee at the specific request of a regulated lobbyist if the witness notifies the committee that the witness is testifying at the request of the regulated lobbyist;

(iv) an appearance before an executive unit at the specific request of the executive unit involved; or

(v) an appearance as a witness before an executive unit at the specific request of a regulated lobbyist if the witness notifies the executive unit that the witness is testifying at the request of the regulated lobbyist.

(3) An elementary, secondary, or postsecondary school student or student organization that communicates as part of a course or student activity is not subject to the registration requirements based on the expense threshold under subsection (a)(1)(i) of this section.

(4) Subsection (a)(3) of this section does not apply to a bona fide salesperson or commercial selling agency employed or maintained by an employer for the purpose of soliciting or securing a procurement contract unless the person engages in acts during the reporting period that require registration under subsection (a)(1) or (2) of this section.

(5) If the person engages in no other act during the reporting period that requires registration, subsection (a)(4) of this section does not apply to:

(i) a bona fide full–time official or employee of a business entity seeking to secure a business grant or loan; or

(ii) a person seeking to secure a business grant or loan for the purpose of locating, relocating, or expanding a business in or into the State.

(c) (1) Except for providing the signed authorization required by § 5–703 of this subtitle and the report required by § 5–705(d) of this subtitle, an entity that compensates one or more regulated lobbyists, and that reasonably believes that all expenditures requiring registration will be reported by the regulated lobbyist or lobbyists, is exempt from the registration and reporting requirements of this subtitle if the entity engages in no other act that requires registration.

(2) If a regulated lobbyist compensated by an entity that is exempt under paragraph (1) of this subsection fails to report the information required by this subtitle, the entity immediately shall become subject to the registration and reporting requirements of this subtitle.

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