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**By: Senator Collins (Chairman, Joint Committee on Legislative Ethics) and Senator Miller**

Introduced and read first time: February 2, 1996

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Ethics Law - Financial Disclosure and Lobbyist Reporting - Special Events**

3 FOR the purpose of providing that an official need not include as a gift on the financial  
4 disclosure statement attendance at certain events that are otherwise reported by  
5 regulated lobbyists; altering certain lobbyist reporting requirements as to certain  
6 functions to include events to which all members of a county or regional delegation  
7 of the General Assembly are invited; generally relating to lobbyist reporting;  
8 providing that a presiding officer of the Senate or House of Delegates shall be  
9 deemed an ex officio member of a standing committee of the presiding officer's  
10 chamber; and generally relating to financial disclosure and lobbyist disclosure.

11 BY repealing and reenacting, without amendments,

12 Article - State Government  
13 Section 15-607(a)  
14 Annotated Code of Maryland  
15 (1995 Replacement Volume)

16 BY repealing and reenacting, with amendments,

17 Article - State Government  
18 Section 15-607(e) and 15-704  
19 Annotated Code of Maryland  
20 (1995 Replacement Volume)

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

23 **Article - State Government**

24 15-607.

25 (a) A statement that is required by § 15-601(a) of this subtitle shall contain  
26 schedules disclosing the information and interests specified in this section, if known, for  
27 the individual making the statement for the applicable period under this subtitle.

28 (e) (1) This subsection does not apply to a gift received from a member of the  
29 immediate family, another child, or a parent of the individual.

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1 (2) The statement shall include a schedule of each gift, specified in  
2 paragraph (3) of this subsection, received during the applicable period:

3 (i) by the individual or by another entity at the direction of the  
4 individual; and

5 (ii) directly or indirectly, from or on behalf of an entity that is:

6 1. a regulated lobbyist;

7 2. regulated by the State; or

8 3. otherwise an entity doing business with the State.

9 (3) The schedule shall include:

10 (i) each gift with a value of more than \$25, EXCEPT THAT THE  
11 STATEMENT NEED NOT INCLUDE AS A GIFT ATTENDANCE AT A SPECIAL EVENT  
12 THAT IS REPORTED BY A REGULATED LOBBYIST UNDER § 15-704(B)(2)(VI) OF THIS  
13 TITLE; and

14 (ii) each of two or more gifts with a cumulative value of \$100 or more  
15 received from one entity during the applicable period.

16 (4) For each gift subject to this subsection, the schedule shall include:

17 (i) the nature and value of the gift; and

18 (ii) the identity of the entity from which, directly or indirectly, the gift  
19 was received.

20 (5) This subsection does not authorize any gift not otherwise allowed by law.

21 15-704.

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

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

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

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

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

33 (b) A report required by this section shall include:

34 (1) a complete, current statement of the information required under §  
35 15-703(b) of this subtitle;

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

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

- 4 1. expenses reported under this paragraph; and
- 5 2. salaries, compensation, and reimbursed expenses for the  
6 regulated lobbyist's staff;

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

- 8 1. office expenses of the regulated lobbyist; and
- 9 2. professional and technical research and assistance;

10 (iii) publications that expressly encourage communication with one or  
11 more officials or employees;

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

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

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

- 18 1. the General Assembly;
- 19 2. either house of the General Assembly; [or]
- 20 3. a standing committee of the General Assembly, PROVIDED  
21 THAT THE PRESIDING OFFICER OF THE HOUSE OF DELEGATES OR SENATE SHALL BE  
22 DEEMED AN EX OFFICIO MEMBER OF ANY STANDING COMMITTEE OF THE  
23 PRESIDING OFFICER'S CHAMBER; OR
- 24 4. A COUNTY OR REGIONAL DELEGATION OF MEMBERS OF  
25 THE GENERAL ASSEMBLY THAT IS RECOGNIZED BY A PRESIDING OFFICER OF THE  
26 GENERAL ASSEMBLY;

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

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

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

35 (ix) other expenses;

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

4 (4) subject to subsection (d) of this section, the name of each official,  
5 employee, or member of the immediate family of an official or employee, to or for whom,  
6 during a reporting period, one or more gifts with a cumulative value of \$75 or more are  
7 given, regardless of whether a gift is attributable to more than one entity and whether or  
8 not in connection with lobbying activities, by the regulated lobbyist or any entity acting on  
9 behalf of the regulated lobbyist, however, except as provided in paragraph (2)(vii) of this  
10 subsection, expenses reported in paragraph (2)(vi) and (vii) of this subsection need not be  
11 allocated to an individual.

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

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

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

22 (d) (1) In addition to any other report required under this section, a regulated  
23 lobbyist shall file, with the report required by subsection (a) of this section, a report  
24 disclosing the name of any member of the General Assembly or member of the immediate  
25 family of a member of the General Assembly who has benefited during the reporting  
26 period from a gift of a ticket or admission to any event for which other persons are  
27 charged a fee exceeding \$15, whether or not in connection with lobbying activities,  
28 allowed under § 15-505(c)(2)(vii) of this title from the regulated lobbyist.

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

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

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

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

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

37 (3) The regulated lobbyist may:

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

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

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

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

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

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

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

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

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

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

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

28 (4) The regulated lobbyist may:

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

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

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

37 (f) The Ethics Commission may require a regulated lobbyist to file any additional  
38 report the Ethics Commission determines to be necessary.

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1           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2 October 1, 1996.