

(PRE-FILED)

By: Delegate Taylor and Chairman, Commerce and Government Matters Committee, and Delegates Dewberry, Hurson, Arnick, Busch, Guns, Harrison, Hixson, Kopp, Menes, Owings, Rawlings, and Vallario Vallario, Dypski, Pitkin, Bobo, Getty, DeCarlo, Snodgrass, Brinkley, Mandel, Wood, Minnick, Kittleman, and Cryor

Requested: July 17, 1996

Introduced and read first time: January 8, 1997

Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 19, 1997

CHAPTER _____

1 AN ACT concerning

2 Lobbyist Solicitation of Contributions - Statewide Offices - Prohibition

3 FOR the purpose of expanding the prohibition against lobbyists from soliciting or
 4 transmitting certain contributions to include the campaigns of the Governor,
 5 Lieutenant Governor, Attorney General, and Comptroller and candidates for
 6 election to those offices; ~~prohibiting certain lobbyists from organizing, establishing,
 7 or serving as a member of any charitable, fund-raising, or any other entity or
 8 committee for certain purposes at the request of the Governor, Lieutenant
 9 Governor, Attorney General, Comptroller, or any member of the General
 10 Assembly, or candidates for election to those offices; prohibiting certain lobbyists
 11 from serving on a certain fund-raising or political ~~committee~~ committees; and
 12 generally relating to restrictions on certain fund-raising activities by lobbyists.~~

13 BY repealing and reenacting, with amendments,

14 Article 33 - Election Code

15 Section 26-3(a)(4)

16 Annotated Code of Maryland

17 (1993 Replacement Volume and 1996 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article - State Government

20 Section 15-707

21 Annotated Code of Maryland

2

1 (1995 Replacement Volume and 1996 Supplement)

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

4 **Article 33 - Election Code**

5 26-3.

6 (a) (4) (i) 1. In this paragraph "lobbyist" means a regulated lobbyist who is
7 described in § 15-701(a)(1), (2), or (3) of the State Government Article.

8 2. A lobbyist, or a person acting on behalf of a lobbyist, may not
9 organize or establish a political committee for the purpose of soliciting or transmitting
10 contributions or transfers from any person to [a member] THE GOVERNOR,
11 LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, OR MEMBER OF
12 THE GENERAL ASSEMBLY or candidate for election to the OFFICE OF GOVERNOR,
13 LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, OR MEMBER OF
14 THE General Assembly.

15 ~~3. A LOBBYIST, OR A PERSON ACTING ON BEHALF OF A~~
16 ~~LOBBYIST, MAY NOT ORGANIZE, ESTABLISH, OR SERVE AS A MEMBER OF ANY~~
17 ~~CHARITABLE, FUND-RAISING, OR ANY OTHER ENTITY OR COMMITTEE FOR THE~~
18 ~~PURPOSE OF SOLICITING OR TRANSMITTING CONTRIBUTIONS, TRANSFERS, OR ANY~~
19 ~~OTHER FUNDS FROM ANY PERSON TO ANY OTHER PERSON AT THE REQUEST OF THE~~
20 ~~GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, OR~~
21 ~~ANY MEMBER OF THE GENERAL ASSEMBLY OR CANDIDATE FOR ELECTION TO THE~~
22 ~~OFFICE OF GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL,~~
23 ~~COMPTROLLER, OR MEMBER OF THE GENERAL ASSEMBLY.~~

24 (ii) This paragraph may not be construed to prohibit a lobbyist from:

25 1. Being a candidate; or

26 2. Making a personal contribution within the limitations
27 established under Article 33 of the Code.

28 **Article - State Government**

29 15-707.

30 (a) In this section, "candidate" and "political committee" have the meanings
31 provided in Article 33, § 1-1(a) of the Code.

32 (b) This section applies only to a regulated lobbyist described in § 15-701(a)(1),
33 (2), or (3) of this subtitle who ~~during the period specified in subsection (c) of this~~
34 ~~section and for the purpose of influencing legislative action,] communicates with [a~~
35 ~~member of or candidate for election to] THE GOVERNOR, LIEUTENANT GOVERNOR,~~
36 ~~ATTORNEY GENERAL, COMPTROLLER, OR MEMBER OF THE GENERAL ASSEMBLY,~~
37 ~~OR A CANDIDATE FOR GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL,~~
38 ~~COMPTROLLER, OR MEMBER OF the General Assembly~~ LOBBIES THE EXECUTIVE OR
39 LEGISLATIVE BRANCH OF STATE GOVERNMENT.

1 (c) The restrictions in this section apply from the starting date of the regulated
2 lobbyist's registration to the end of the calendar year in which the registration period
3 ends.

4 (d) (1) A regulated lobbyist who is subject to this section or a person acting on
5 behalf of the regulated lobbyist may not, for the benefit of [a member of] THE
6 GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, OR
7 MEMBER OF THE GENERAL ASSEMBLY or candidate for election to the OFFICE OF
8 GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, OR
9 MEMBER OF THE General Assembly:

10 (i) solicit or transmit a political contribution from any person,
11 including a political committee;

12 (ii) serve on a fund-raising committee or a political committee; or

13 (iii) act as a treasurer or chairman of a political committee.

14 ~~(2) A REGULATED LOBBYIST WHO IS SUBJECT TO THIS SECTION OR A~~
15 ~~PERSON ACTING ON BEHALF OF THE REGULATED LOBBYIST MAY NOT ORGANIZE,~~
16 ~~ESTABLISH, OR SERVE AS A MEMBER OF ANY CHARITABLE, FUND-RAISING, OR ANY~~
17 ~~OTHER ENTITY OR COMMITTEE FOR THE PURPOSE OF SOLICITING OR~~
18 ~~TRANSMITTING CONTRIBUTIONS, TRANSFERS, OR ANY OTHER FUNDS FROM ANY~~
19 ~~PERSON TO ANY OTHER PERSON AT THE REQUEST OF THE GOVERNOR,~~
20 ~~LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, OR ANY MEMBER~~
21 ~~OF THE GENERAL ASSEMBLY OR CANDIDATE FOR ELECTION TO THE OFFICE OF~~
22 ~~GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, COMPTROLLER, OR~~
23 ~~MEMBER OF THE GENERAL ASSEMBLY.~~

24 ~~(3)~~ (2) This section does not prohibit a regulated lobbyist from:

25 (i) making a personal political contribution; or

26 (ii) informing any entity of a position taken by a candidate.

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