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By: **Delegates Franchot and Rawlings**  
Introduced and read first time: February 16, 2001  
Assigned to: Rules and Executive Nominations

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A BILL ENTITLED

1 AN ACT concerning

2 **Ethics Law - Lobbying by Officials and Employees of Nonprofit Entities**

3 FOR the purpose of exempting officials and employees of certain nonprofit entities,  
4 under certain circumstances, from the requirement to register with the State  
5 Ethics Commission as a regulated lobbyist; specifying certain dollar thresholds,  
6 over which registration will be required; and generally relating to the regulation  
7 of lobbying activities on behalf of certain nonprofit entities.

8 BY repealing and reenacting, with amendments,  
9 Article - State Government  
10 Section 15-701(a)  
11 Annotated Code of Maryland  
12 (1999 Replacement Volume and 2000 Supplement)

13 BY adding to  
14 Article - State Government  
15 Section 15-701(d)  
16 Annotated Code of Maryland  
17 (1999 Replacement Volume and 2000 Supplement)

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

20 **Article - State Government**

21 15-701.

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

26 (1) for the purpose of influencing legislative action:

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

3 (ii) exclusive of the personal travel or subsistence expenses of the  
4 entity or a representative of the entity, incurs expenses of at least \$100 or earns at  
5 least \$500 as compensation;

6 (2) in connection with or for the purpose of influencing executive action,  
7 spends a cumulative value of at least \$100 for meals, beverages, special events, or  
8 gifts on one or more officials or employees of the Executive Branch;

9 (3) is employed to influence executive action on a procurement contract  
10 that exceeds \$100,000;

11 (4) spends at least \$2,000, including postage, for the express purpose of  
12 soliciting others to communicate with an official to influence legislative action or  
13 executive action; or

14 (5) spends at least \$500 to provide compensation to one or more entities  
15 required to register under this subsection.

16 (D) AN OFFICIAL OR EMPLOYEE OF A NONPROFIT ENTITY UNDER § 501(C)(3) OF  
17 THE INTERNAL REVENUE CODE, WHO DOES NOT LOBBY ON BEHALF OF ANY OTHER  
18 ENTITY, IS ONLY REQUIRED TO REGISTER WITH THE ETHICS COMMISSION AS  
19 PROVIDED IN THIS SUBTITLE IF, DURING THE REPORTING PERIOD, THE INDIVIDUAL:

20 (1) FOR THE PURPOSE OF INFLUENCING LEGISLATIVE ACTION:

21 (I) COMMUNICATES WITH AN OFFICIAL OR EMPLOYEE OF THE  
22 LEGISLATIVE BRANCH OR EXECUTIVE BRANCH IN THE PRESENCE OF THAT OFFICIAL  
23 OR EMPLOYEE; AND

24 (II) EXCLUSIVE OF THE PERSONAL TRAVEL OR SUBSISTENCE  
25 EXPENSES OF THE ENTITY OR A REPRESENTATIVE OF THE ENTITY, INCURS  
26 EXPENSES OF AT LEAST \$1,000 OR EARNS AT LEAST \$5,000 AS COMPENSATION;

27 (2) IN CONNECTION WITH OR FOR THE PURPOSE OF INFLUENCING  
28 EXECUTIVE ACTION, SPENDS A CUMULATIVE VALUE OF AT LEAST \$1,000 FOR MEALS,  
29 BEVERAGES, SPECIAL EVENTS, OR GIFTS ON ONE OR MORE OFFICIALS OR  
30 EMPLOYEES OF THE EXECUTIVE BRANCH;

31 (3) IS EMPLOYED TO INFLUENCE EXECUTIVE ACTION ON A  
32 PROCUREMENT CONTRACT THAT EXCEEDS \$100,000; OR

33 (4) SPENDS AT LEAST \$5,000, INCLUDING POSTAGE, FOR THE EXPRESS  
34 PURPOSE OF SOLICITING OTHERS TO COMMUNICATE WITH AN OFFICIAL TO  
35 INFLUENCE LEGISLATIVE ACTION OR EXECUTIVE ACTION.

36 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
37 October 1, 2001.

