

BY: Commerce and Government Matters Committee

AMENDMENTS TO HOUSE BILL NO. 1076

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 4, strike “a member” and substitute “certain members”; in line 7, after “communications” insert “made”; in the same line, strike “as an” and substitute “of a certain”; in line 23, strike “Ethics Commission” and substitute “Board of Elections”; and in line 25, after “measure;” insert “providing for the effective date of certain provisions of this Act;”.

AMENDMENT NO. 2

On page 2, after line 13, insert:

“BY repealing and reenacting, with amendments,

Article - Election Law

Section 13-226

Annotated Code of Maryland

(As enacted by Chapter ____ (S.B. 1) of the Acts of the General Assembly of 2002)”.

AMENDMENT NO. 3

On page 3, in line 6, after “Each” insert “OFFICER, DIRECTOR, OR PARTNER WHO MAKES OR CAUSES TO BE MADE A CONTRIBUTION, AND EACH OFFICER, DIRECTOR, PARTNER,”; in lines 8 and 13, in each instance, strike the brackets; in line 9, before “GIFT” insert “OR THE”; strike beginning with “GIFT” in line 13 down through “AMOUNT,” in line 14; in line 16, after “an” insert “OFFICER, DIRECTOR, PARTNER,”; and after line 18, insert:

“SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:”.

AMENDMENT NO. 4

On page 5, strike beginning with “IS” in line 18 down through “EMPLOYMENT” in line 19

(Over)

and substitute “, AND THE PREPARATION AND PLANNING FOR SUCH COMMUNICATION, CONSTITUTES AT LEAST 20 PERCENT OF THE MEMBER’S EMPLOYMENT ACTIVITIES DURING THE CURRENT OR PREVIOUS REPORTING PERIODS”; in line 27, strike “COMMUNICATION” and substitute “COMMUNICATIONS”; in the same line, after the second “ACTION” insert “, AND THE PREPARATION AND PLANNING FOR SUCH COMMUNICATIONS”; in line 28, strike “IS” and substitute “ARE”; and strike beginning with “IS” in line 30 down through “ENTITY” in line 32 and substitute “DO NOT CONSTITUTE 20 PERCENT OR MORE OF THE INDIVIDUAL’S EMPLOYMENT ACTIVITIES AS AN OFFICER, DIRECTOR, OR EMPLOYEE OF THE ENTITY DURING THE CURRENT OR PREVIOUS REPORTING PERIODS”.

AMENDMENT NO. 5

On page 10, in line 6, after “AN” insert “OFFICER, DIRECTOR, PARTNER,”; and in line 30, strike “ETHICS COMMISSION” and substitute “STATE BOARD OF ELECTIONS”.

AMENDMENT NO. 6

On page 11, after line 13, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Election Law

14-105.

(a) Except as provided in subsection [(e)] (F) of this section, [a] AN APPLICABLE contribution made by an officer, director, or partner of a business entity DOING PUBLIC BUSINESS [or, if made at the suggestion or direction of a business entity, by an employee, agent, or other person,] shall be attributed to the business entity.

(b) Except as provided in subsection [(e)] (F) of this section, each officer, director, or partner of a business entity DOING PUBLIC BUSINESS who makes or causes to be made [a] AN APPLICABLE contribution shall report the APPLICABLE contribution to the chief executive officer of the business entity.

(c) A CONTRIBUTION BY AN OFFICER, DIRECTOR, PARTNER, EMPLOYEE, AGENT, OR OTHER PERSON MADE AT THE SUGGESTION OR DIRECTION OF A BUSINESS ENTITY DOING PUBLIC BUSINESS SHALL BE ATTRIBUTED TO THE BUSINESS ENTITY.

(D) Each OFFICER, DIRECTOR, PARTNER, employee, agent, or other person who, at the suggestion or direction of a business entity DOING PUBLIC BUSINESS, makes a contribution or causes a contribution to be made, shall report the contribution to the chief executive officer of the business entity.

[(d)] (E) (1) Business done with a governmental entity by a subsidiary of a business entity shall be attributed to the business entity if 30% or more of the equity of the subsidiary is owned or controlled by the business entity.

(2) Contributions made by, caused to be made by, or attributed to a subsidiary described in paragraph (1) of this subsection shall be attributed to the business entity.

[(e)] (F) (1) Subject to paragraph (2) of this subsection, a contribution made by an individual who serves as a trustee or member of the board of directors of a not-for-profit organization DOING PUBLIC BUSINESS is not attributable to the organization, and the individual is not required to report the contribution to the chief executive officer of the organization.

(2) This subsection does not apply if:

(i) the contribution is made on the recommendation of the not-for-profit organization; or

(ii) the individual described in paragraph (1) of this subsection is paid by the not-for-profit organization.

SECTION 4. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take effect on the taking effect of Chapter (S.B. 1) of the Acts of the General Assembly of 2002. If Section

(Over)

3 of this Act takes effect, Section 1 of this Act shall be abrogated and of no further force and effect.”;
in line 14, strike “2.” and substitute “5.”; and in line 17, after “and” insert “, except as provided in
Section 4 of this Act.”.