

BY: Delegate Montague

AMENDMENTS TO HOUSE BILL NO. 1076

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 15, after "State;" insert "specifying that, under certain circumstances, an official or employee may not accept a gift from an individual who is exempt from registration as a regulated lobbyist;".

On page 2, in line 6, after "Section" insert "15-505(b) and (c)(2)(i).".

AMENDMENT NO. 2

On page 3, after line 19, insert:

"15-505.

(b) Except as provided in subsection (c) of this section, an official or employee may not knowingly accept a gift, directly or indirectly, from an entity that the official or employee knows or has reason to know:

(1) does or seeks to do any business of any kind, regardless of amount, with the official's or employee's governmental unit;

(2) engages in an activity that is regulated or controlled by the official's or employee's governmental unit;

(3) has a financial interest that may be affected substantially and materially, in a manner distinguishable from the public generally, by the performance or nonperformance of the official's or employee's official duties; or

(4) (I) is a regulated lobbyist with respect to matters within the jurisdiction of

(Over)

the official or employee; OR

(II) IS EXEMPT FROM REGISTRATION AS A REGULATED LOBBYIST UNDER § 15-701(B)(2)(VI) OR (4) OF THIS TITLE, AND IS SEEKING TO INFLUENCE LEGISLATIVE ACTION OR EXECUTIVE ACTION WITH RESPECT TO MATTERS WITHIN THE JURISDICTION OF THE OFFICIAL OR EMPLOYEE.

(c) (2) Subject to paragraph (1) of this subsection, subsection (b) of this section does not apply to:

(i) 1. except for officials of the Legislative Branch, meals or beverages received and consumed by the official or employee in the presence of the donor or sponsoring entity;

2. for officials of the Legislative Branch, food or beverages received FROM A DONOR OR SPONSORING ENTITY, OTHER THAN AN INDIVIDUAL WHO IS EXEMPT FROM REGISTRATION AS A REGULATED LOBBYIST UNDER § 15-701(B)(2)(VI) OR (4) OF THIS TITLE, and consumed by the official in the presence of the donor or sponsoring entity as part of a meal or reception, to which were invited all members of a legislative unit;

3. for a member of the General Assembly, food or beverages received from a donor or sponsoring entity, other than an individual regulated lobbyist described in § 15-701(a)(1) of this title OR AN INDIVIDUAL WHO IS EXEMPT FROM REGISTRATION AS A REGULATED LOBBYIST UNDER § 15-701(B)(2)(VI) OR (4) OF THIS TITLE, during a period when the General Assembly is not in session, at a location that is within a county that contains the member's district, provided that the donor or sponsoring entity is located within a county that contains the member's district; or

4. for a member of the General Assembly, food or beverages received at the time and geographic location of a meeting of a legislative organization for which the member's presiding officer has approved the member's attendance at State expense;”.