

Department of Legislative Services
Maryland General Assembly
2002 Session

FISCAL NOTE
Revised

House Bill 1355

(Delegate Wood)

Commerce and Government Matters

Education, Health, and Environmental Affairs

Ethics Commission - Electronic Reporting

This bill provides that if a report or financial disclosure statement filed electronically under the Public Ethics Law is required to be made under oath or affirmation, the oath or affirmation is made by attaching or including in the report a signed statement made expressly under the penalties for perjury.

Fiscal Summary

State Effect: The bill's requirements could be handled with existing resources.

Local Effect: None.

Small Business Effect: Minimal.

Analysis

Current Law: None applicable.

Background: Under the Maryland Uniform Electronic Transactions Act (Md. UETA), a record or signature relating to a contract may not be denied legal effect or enforceability solely because it is in an electronic form. Similarly, if a law requires that a signature be notarized, verified, or made under oath, Md. UETA provides that the requirement is satisfied if the electronic signature of the person authorized to perform those acts, together with all other information to be included by applicable law, is attached to, or logically associated with, the electronic signature.

Certain reports filed under Public Ethics Law may be filed electronically at no additional charge to the individual filing. Some of the reports, such as the reports on lobbying activities by a registered lobbyist, must be done under oath.

State officials and candidates for State office must file financial disclosure statements with the State Ethics Commission. The statements are filed under oath and the commission is required to develop procedures under which the reports may be filed electronically.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Ethics Commission, Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2002
ncs/jr Revised - House Third Reader - March 25, 2002

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