

HOUSE BILL 191

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2003 Regular Session
3r0020

By: **Chairman, Environmental Matters Committee (By Request -
Departmental - Ethics, State Commission on)**

Introduced and read first time: January 29, 2003

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 2003

CHAPTER _____

1 AN ACT concerning

2 ~~Regulated Lobbyists - Registration Fee - Increase~~
3 Lobbyist Registration Fund - Registration Fees and Reversion of Unused
4 Funds

5 FOR the purpose of altering the registration fee for certain lobbyists required to
6 register with the State Ethics Commission; requiring that any unused balance
7 in the Lobbyist Registration Fund at the end of any fiscal year revert to the
8 General Fund of the State; and generally relating to the Lobbyist Registration
9 Fund.

10 BY repealing and reenacting, with amendments,
11 Article - State Government
12 Section 15-210 and 15-703
13 Annotated Code of Maryland
14 (1999 Replacement Volume and 2002 Supplement)

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

17 **Article - State Government**

18 15-210.

19 (a) (1) There is a Lobbyist Registration Fund.

20 (2) The Fund includes all fees collected under Subtitle 7 of this title.

1 (b) (1) The Fund is a continuing, nonlapsing fund [that is not subject to §
2 7-302 of the State Finance and Procurement Article].

3 (2) ANY BALANCE REMAINING IN THE FUND AT THE END OF ANY FISCAL
4 YEAR SHALL REVERT TO THE GENERAL FUND OF THE STATE.

5 (c) (1) The Treasurer shall separately hold, and the Comptroller shall
6 account for, the Fund.

7 (2) The Fund shall be invested and reinvested in the same manner as
8 other State funds.

9 (3) Expenditures from the Fund shall be made in accordance with an
10 appropriation approved by the General Assembly in the annual budget.

11 (d) The Fund shall be used to defray the expenses of administering Subtitle 7
12 of this title.

13 15-703.

14 (a) (1) At the times specified in subsection (d) of this section, each regulated
15 lobbyist shall register with the Ethics Commission on a form provided by the Ethics
16 Commission.

17 (2) A regulated lobbyist shall register separately for each entity that has
18 engaged the regulated lobbyist for lobbying purposes.

19 (b) Each registration form shall include, if applicable, the following
20 information:

21 (1) the regulated lobbyist's name and permanent address;

22 (2) the name and permanent address of each other regulated lobbyist
23 that will be lobbying on the regulated lobbyist's behalf;

24 (3) the name, address, and nature of business of the entity, if any, that
25 has engaged the regulated lobbyist for lobbying purposes, accompanied by a
26 statement indicating whether, because of the filing and reporting of the regulated
27 lobbyist, the compensating entity is exempt under § 15-701(c) of this subtitle; and

28 (4) the identification, by formal designation if known, of the matters on
29 which the regulated lobbyist expects to perform acts, or to engage another regulated
30 lobbyist to perform acts, that require registration under this subtitle.

31 (c) If applicable, each registration shall include the authorization required by
32 § 15-702 of this subtitle.

33 (d) (1) A regulated lobbyist who is not currently registered shall register
34 within 5 days after first performing an act that requires registration under this
35 subtitle.

1 (2) A regulated lobbyist shall file a new registration form on or before
2 November 1 of each year if, on that date, the regulated lobbyist is engaged in
3 lobbying.

4 (e) (1) Each registration form shall be accompanied by a fee of [~~\$20~~] \$50.

5 (2) The fee shall be credited to the Lobbyist Registration Fund
6 established under § 15-210 of this title.

7 (f) (1) Except as provided in paragraph (2) of this subsection, each
8 registration shall terminate on the earlier of:

9 (i) the October 31 following the filing of the registration; or

10 (ii) an earlier termination date specified in an authorization filed
11 with respect to that registration under § 15-702 of this subtitle.

12 (2) A regulated lobbyist may terminate the registration before the date
13 specified in paragraph (1) of this subsection by:

14 (i) ceasing all activity that requires registration; and

15 (ii) after ceasing activity in accordance with item (i) of this
16 paragraph:

17 1. filing a notice of termination with the Ethics Commission;
18 and

19 2. filing all reports required by this subtitle within 30 days
20 after the filing of the notice of termination.

21 (3) (i) Subject to subparagraphs (ii) and (iii) of this paragraph, if a
22 regulated lobbyist is or becomes subject to regulation under this title as an official or
23 employee, the regulated lobbyist shall immediately terminate the registration in
24 accordance with paragraph (2) of this subsection.

25 (ii) After holding a public hearing, the Ethics Commission shall
26 adopt regulations establishing criteria under which a regulated lobbyist may serve on
27 a State board or commission.

28 (iii) The regulations adopted under subparagraph (ii) of this
29 paragraph shall:

30 1. establish a classification of State boards or commissions
31 on which regulated lobbyists may serve;

32 2. at a minimum authorize a regulated lobbyist to serve as
33 an appointed member of an advisory governmental body of limited duration; and

