
By: **Delegates Barve and Miller**

Introduced and read first time: January 31, 2005

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Ethics - Financial Disclosure Statements - Oath**

3 FOR the purpose of repealing the requirement that certain financial disclosure
 4 statements be filed under oath; repealing certain provisions relating to the
 5 manner in which certain financial disclosure statements filed electronically are
 6 to be made under oath or affirmation; and generally relating to the
 7 requirements for financial disclosure statements under the Public Ethics law.

8 BY repealing and reenacting, with amendments,
 9 Article - State Government
 10 Section 15-602
 11 Annotated Code of Maryland
 12 (1999 Replacement Volume and 2004 Supplement)

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

15 **Article - State Government**

16 15-602.

17 (a) Except as otherwise provided in this subtitle, a statement filed under
 18 § 15-601, § 15-603, § 15-604, or § 15-605 of this subtitle shall:

- 19 (1) be filed with the Ethics Commission;
- 20 (2) [be filed under oath;
- 21 (3)] be filed on or before April 30 of each year;
- 22 [(4)] (3) cover the calendar year immediately preceding the year of
 23 filing; and
- 24 [(5)] (4) contain the information required in § 15-607 of this subtitle.

1 (b) Notwithstanding subsection (a)(1) of this section, a statement filed by a
2 member of the General Assembly shall be filed in duplicate with the Joint Ethics
3 Committee.

4 (c) (1) In addition to the statement filed under § 15-601 of this subtitle, a
5 member of the General Assembly shall file a preliminary disclosure on or before the
6 seventh day of the regular legislative session if there will be a substantial change in
7 the statement covering the calendar year immediately preceding the year of filing, as
8 compared to the next preceding calendar year.

9 (2) A member of the General Assembly whose statement under § 15-601
10 of this subtitle will not contain a substantial change is not required to file a
11 preliminary disclosure under paragraph (1) of this subsection.

12 (3) The Joint Ethics Committee shall:

13 (i) prescribe the form of a preliminary disclosure under this
14 subsection; and

15 (ii) determine which aspects of financial disclosure are subject to
16 this subsection.

17 (4) A preliminary disclosure shall be filed and maintained, and may be
18 disclosed, in the same manner prescribed for a statement filed under § 15-601 of this
19 subtitle.

20 (d) The Ethics Commission shall develop procedures under which a statement
21 under this subtitle may be filed electronically and without additional cost to the
22 individual who files the statement.

23 [(e) (1) If the financial disclosure statement filed electronically under
24 subsection (d) of this section is required to be made under oath or affirmation, the
25 oath or affirmation shall be made by a signed statement that:

26 (i) is in the financial disclosure statement or attached to and made
27 part of the financial disclosure statement; and

28 (ii) is made expressly under the penalties for perjury.

29 (2) A signed statement made under paragraph (1) of this subsection
30 subjects the individual making it to the penalties for perjury to the same extent as an
31 oath or affirmation made before an individual authorized to administer oaths.]

32 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2005.