

SENATE BILL 81

P2

7lr1278

By: **Senator Della**

Introduced and read first time: January 22, 2007

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Procurement of Services of Regulated Lobbyist – Prohibited**

3 FOR the purpose of prohibiting a unit of State government from awarding a contract
4 for services that is to be performed in whole or in part by a regulated lobbyist.

5 BY adding to

6 Article – State Finance and Procurement

7 Section 14–601 to be under the new subtitle “Subtitle 6. Prohibited
8 Procurement”

9 Annotated Code of Maryland

10 (2006 Replacement Volume and 2006 Supplement)

11 BY repealing and reenacting, without amendments,

12 Article – State Government

13 Section 15–701(a) and 15–703(f)(3)(i)

14 Annotated Code of Maryland

15 (2004 Replacement Volume and 2006 Supplement)

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

18 **Article – State Finance and Procurement**

19 **SUBTITLE 6. PROHIBITED PROCUREMENT.**

20 **14–601.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **A UNIT MAY NOT AWARD A CONTRACT FOR SERVICES THAT IS TO BE**
2 **PERFORMED IN WHOLE OR IN PART BY A REGULATED LOBBYIST.**

3 **Article – State Government**

4 15–701.

5 (a) Unless exempted under subsection (b) of this section, an entity shall
6 register with the Ethics Commission as provided in this subtitle, and shall be a
7 “regulated lobbyist” for the purposes of this title, if, during a reporting period, the
8 entity:

9 (1) for the purpose of influencing any legislative action or, as to the
10 development or adoption of regulations or the development or issuance of an executive
11 order, executive action:

12 (i) 1. communicates with an official or employee of the
13 Legislative Branch or Executive Branch in the presence of that official or employee;
14 and

15 2. exclusive of the personal travel or subsistence
16 expenses of the entity or a representative of the entity, incurs expenses of at least
17 \$500 or earns at least \$2,500 as compensation for all such communication and
18 activities relating to the communication during the reporting period; or

19 (ii) 1. communicates with an official or employee of the
20 Legislative Branch or Executive Branch; and

21 2. earns at least \$5,000 as compensation for all such
22 communication and activities relating to the communication during the reporting
23 period;

24 (2) in connection with or for the purpose of influencing any executive
25 action, spends a cumulative value of at least \$100 for gifts, including meals, beverages,
26 and special events, to one or more officials or employees of the Executive Branch;

27 (3) subject to subsection (b)(4) of this section, is compensated to
28 influence executive action on a procurement contract that exceeds \$100,000;

1 (4) subject to subsection (b)(5) of this section, is compensated by a
2 business entity to influence executive action to secure from the State a business grant
3 or loan with a value of more than \$100,000 for the business entity;

4 (5) spends at least \$2,000, including expenditures for salaries,
5 contractual employees, postage, telecommunications services, electronic services,
6 advertising, printing, and delivery services for the express purpose of soliciting others
7 to communicate with an official to influence legislative action or executive action; or

8 (6) spends at least \$2,500 to provide compensation to one or more
9 entities required to register under this subsection.

10 15-703.

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

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2007.