

# SENATE BILL 190

G2, P3

8lr0021

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By: **Chair, Education, Health, and Environmental Affairs Committee (By Request – Departmental – Ethics, State Commission on)**

Introduced and read first time: January 18, 2008

Rules suspended

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Ethics – Financial Disclosure – Electronic Filing**

3 FOR the purpose of requiring that certain financial disclosure statements be filed  
4 electronically with the State Ethics Commission; requiring the Commission to  
5 adopt certain regulations allowing exceptions to the mandatory electronic filing  
6 requirement; and generally relating to financial disclosure and electronic filing.

7 BY repealing and reenacting, with amendments,  
8 Article – State Government  
9 Section 15–602(a) and (d)  
10 Annotated Code of Maryland  
11 (2004 Replacement Volume and 2007 Supplement)

12 BY repealing and reenacting, without amendments,  
13 Article – State Government  
14 Section 15–602(b) and (c)  
15 Annotated Code of Maryland  
16 (2004 Replacement Volume and 2007 Supplement)

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

19 **Article – State Government**

20 15–602.

21 (a) Except as otherwise provided in this subtitle, a statement filed under §  
22 15–601, § 15–603, § 15–604, or § 15–605 of this subtitle shall:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) be filed **ELECTRONICALLY** with the Ethics Commission;
- 2 (2) be filed under oath;
- 3 (3) be filed on or before April 30 of each year;
- 4 (4) cover the calendar year immediately preceding the year of filing;
- 5 and
- 6 (5) contain the information required in § 15–607 of this subtitle.

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

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

15 (2) A member of the General Assembly whose statement under §  
16 15–601 of this subtitle will not contain a substantial change is not required to file a  
17 preliminary disclosure under paragraph (1) of this subsection.

18 (3) The Joint Ethics Committee shall:

19 (i) prescribe the form of a preliminary disclosure under this  
20 subsection; and

21 (ii) determine which aspects of financial disclosure are subject  
22 to this subsection.

23 (4) A preliminary disclosure shall be filed and maintained, and may be  
24 disclosed, in the same manner prescribed for a statement filed under § 15–601 of this  
25 subtitle.

26 (d) (1) The Ethics Commission shall develop procedures under which a  
27 statement under this subtitle may be filed electronically and without additional cost to  
28 the individual who files the statement.

29 (2) (i) To comply with the requirement of paragraph (1) of this  
30 subsection, the Ethics Commission may adopt regulations to modify the format for  
31 disclosure of information required under § 15–607 of this subtitle.

1                   **(II) THE REGULATIONS SHALL PROVIDE PROCEDURES TO**  
2 **ALLOW THE ETHICS COMMISSION TO GRANT EXCEPTIONS TO THE**  
3 **REQUIREMENT THAT ALL STATEMENTS BE FILED ELECTRONICALLY.**

4                   **[(ii)] (III)** The regulations adopted under this paragraph shall  
5 be consistent with the intent of this title.

6                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2008.