

# 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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Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: February 12, 2008

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## CHAPTER \_\_\_\_\_

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; providing that the mandatory  
5 electronic filing requirement does not apply to certain State officials or certain  
6 candidates; requiring the Commission to adopt certain regulations allowing  
7 exceptions to the mandatory electronic filing requirement; and generally  
8 relating to financial disclosure and electronic filing.

9 BY repealing and reenacting, with amendments,  
10 Article – State Government  
11 Section 15–602(a), (b), and (d)  
12 Annotated Code of Maryland  
13 (2004 Replacement Volume and 2007 Supplement)

14 BY repealing and reenacting, without amendments,  
15 Article – State Government  
16 Section ~~15–602(b) and (c)~~ 15–602(c)  
17 Annotated Code of Maryland  
18 (2004 Replacement Volume and 2007 Supplement)

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

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – State Government**

2 15–602.

3 (a) Except as otherwise provided in this subtitle, a statement filed under §  
4 15–601, § 15–603, § 15–604, or § 15–605 of this subtitle shall:

5 (1) **EXCEPT AS PROVIDED IN SUBSECTION (B)(2) OF THIS**  
6 **SECTION,** be filed **ELECTRONICALLY** with the Ethics Commission;

7 (2) be filed under oath;

8 (3) be filed on or before April 30 of each year;

9 (4) cover the calendar year immediately preceding the year of filing;  
10 and

11 (5) contain the information required in § 15–607 of this subtitle.

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

15 **(2) THE ELECTRONIC FILING REQUIREMENT UNDER SUBSECTION**  
16 **(A)(1) OF THIS SECTION DOES NOT APPLY TO ELECTED STATE OFFICIALS OR**  
17 **CANDIDATES FOR ELECTION TO AN OFFICE HELD BY A STATE OFFICIAL.**

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

23 (2) A member of the General Assembly whose statement under §  
24 15–601 of this subtitle will not contain a substantial change is not required to file a  
25 preliminary disclosure under paragraph (1) of this subsection.

26 (3) The Joint Ethics Committee shall:

27 (i) prescribe the form of a preliminary disclosure under this  
28 subsection; and

29 (ii) determine which aspects of financial disclosure are subject  
30 to this subsection.

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

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

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

10 (II) THE REGULATIONS SHALL PROVIDE PROCEDURES TO  
11 ALLOW THE ETHICS COMMISSION TO GRANT EXCEPTIONS TO THE  
12 REQUIREMENT THAT ALL STATEMENTS BE FILED ELECTRONICALLY.

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

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.