

# SENATE BILL 191

P3

8lr0023

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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 with amendments

Senate action: Adopted

Read second time: February 11, 2008

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

1 AN ACT concerning

2 **State Ethics Commission – Electronic Filing Under Oath or Affirmation –**  
3 **Electronic Signature**

4 FOR the purpose of clarifying that, for purposes of certain financial disclosure  
5 statements and reports filed electronically with the State Ethics Commission,  
6 certain oaths or affirmations must be made by electronic signature that subjects  
7 the individual making the electronic signature to the penalties of perjury; and  
8 generally relating to electronic filing of certain statements and reports under  
9 oath or affirmation.

10 BY repealing and reenacting, with amendments,  
11 Article – State Government  
12 Section 15–602(e) and 15–709  
13 Annotated Code of Maryland  
14 (2004 Replacement Volume and 2007 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 15–602.

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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 (e) (1) If the financial disclosure statement filed electronically under  
2 subsection (d) of this section is required to be made under oath or affirmation, the oath  
3 or affirmation shall be made by [a signed statement] **AN ELECTRONIC SIGNATURE**  
4 that:

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

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

8 (2) ~~A signed statement~~ **AN ELECTRONIC SIGNATURE** made under  
9 paragraph (1) of this subsection subjects the individual making it to the penalties for  
10 perjury to the same extent as an oath or affirmation made before an individual  
11 authorized to administer oaths.

12 15-709.

13 (a) The State Ethics Commission shall develop procedures under which a  
14 report required under §§ 15-704 through 15-708 of this subtitle:

15 (1) may be filed electronically without additional cost to the individual  
16 who files the report; and

17 (2) shall be made available for public inspection electronically.

18 (b) (1) If the report filed electronically under subsection (a) of this section  
19 is required to be made under oath or affirmation, the oath or affirmation shall be made  
20 by [a signed statement] **AN ELECTRONIC SIGNATURE** that:

21 (i) is in the report or attached to and made part of the report;  
22 and

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

24 (2) [A signed statement] **AN ELECTRONIC SIGNATURE** made under  
25 paragraph (1) of this subsection subjects the individual making it to the penalties for  
26 perjury to the same extent as an oath or affirmation made before an individual  
27 authorized to administer oaths.

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