

CHAPTER 24

(Senate Bill 191)

AN ACT concerning

State Ethics Commission – Electronic Filing Under Oath or Affirmation – Electronic Signature

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

BY repealing and reenacting, with amendments,
Article – State Government
Section 15–602(e) and 15–709
Annotated Code of Maryland
(2004 Replacement Volume and 2007 Supplement)

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

Article – State Government

15–602.

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

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

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

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

15–709.

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

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

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

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

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

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

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

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

Approved by the Governor, April 8, 2008.