SENATE BILL 632

G1 (7lr1395)

ENROLLED BILL

— Education, Health, and Environmental Affairs/Ways and Means—

Introduced by Senators Kagan, Feldman, King, Lee, Madaleno, Manno, Smith, and Zucker

Zucker		
Read and	Examined by Proofreaders:	
	Proofrea	ader.
	Proofree	ader.
Sealed with the Great Seal and	presented to the Governor, for his approval	this
day of	at o'clock,	M.
	Presid	dent.
1	CHAPTER	
AN ACT concerning		
Election Law - Persons Doing	Public Business - Reporting by Government Entities	tal
Board of Elections if a person fails to file a statement under entity that has awarded a person business to provide the State governmental entity to composertain quarterly report to the include the required information.	equirement that a governmental entity notify the Sen doing public business with the governmental entry a certain provision of law; requiring a governmental entry as a contract that causes the person to be doing pute Board with certain information; authorizing only with a certain provision of this Act by sending the State Board; requiring that the quarterly retain for certain persons and be submitted by a certain persons and be submitted by a certain persons of the submitted by a certain person of the s	ntity ental ublic the ng a eport rtain

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

<u>Underlining</u> indicates amendments to bill.

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

Italics indicate opposite chamber/conference committee amendments.



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CALENDAR QUARTER; AND

1 2 3 4 5	BY repealing and reenacting, with amendments, Article – Election Law Section 14–107 Annotated Code of Maryland (2010 Replacement Volume and 2016 Supplement)
6 7	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
8	Article - Election Law
9	14–107.
10 11 12	(a) (1) Except as provided in paragraph (2) of this subsection, a \underline{A} governmental entity that has awarded a person a contract that causes the person to be doing public business shall:
13 14	(i) require the person to certify that the person has filed the statement required under $\S 14-104(b)(1)$ of this title; and
15 16 17 18	(ii) [notify the State Board if a person doing public business with the governmental entity fails to file the statement under § 14–104(b)(1) of this title] PROVIDE THE STATE BOARD WITH THE PERSON'S NAME, ADDRESS, AND ANY OTHER CONTACT INFORMATION REQUIRED BY THE STATE BOARD.
19 20 21	(2) (I) A GOVERNMENTAL ENTITY MAY COMPLY WITH PARAGRAPH (1)(II) OF THIS SUBSECTION BY SENDING TO THE STATE BOARD A QUARTERLY REPORT ON A FORM PROVIDED BY THE STATE BOARD.
22 23 24 25	(II) A QUARTERLY REPORT SENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL INCLUDE THE REQUIRED INFORMATION FOR ANY PERSON THAT WAS AWARDED A CONTRACT THAT CAUSED THE PERSON TO BE DOING PUBLIC BUSINESS SINCE THE LAST REPORT WAS SENT BY THE GOVERNMENTAL ENTITY.
26 27	[(2)] (3) This subsection does not apply to a contract for which notice of award has been posted on eMaryland Marketplace.
28 29	(II) A QUARTERLY REPORT SENT UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL:
30 31 32	1. INCLUDE THE REQUIRED INFORMATION FOR ANY PERSON THAT WAS AWARDED A CONTRACT THAT CAUSED THE PERSON TO BE DOING PUBLIC BUSINESS WITH THE GOVERNMENTAL ENTITY DURING THE PRECEDING

1 <u>BE SUBMITTED TO THE STATE BOARD NO LATER THAN</u> 2 10 BUSINESS DAYS AFTER THE CLOSE OF EACH CALENDAR QUARTER.

- 3 (b) (1) If a person files a statement under § 14–104 of this title that does not include all the information required, the State Board shall notify the person in writing of the particular deficiencies.
- 6 (2) Within 30 days after service of the notice under paragraph (1) of this subsection, the person shall file an amended statement that includes all the information required.
- 9 (c) (1) As provided in this subsection, the State Board may impose fees for late 10 filing of:
- 11 (i) a statement required under § 14–104 of this title; or
- 12 (ii) an amended statement required under subsection (b) of this 13 section.
- 14 (2) The State Board may impose late filing fees in the same amounts and 15 in the same manner as provided under § 13–331(a) and (b) of this article for late filing of campaign finance reports.
- 17 (3) Late filing fees imposed under this subsection shall be distributed to 18 the Fair Campaign Financing Fund established under § 15–103 of this article.
- 19 (d) A person who knowingly and willfully violates this title is guilty of a 20 misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or imprisonment 21 not exceeding 1 year or both.
- 22 (e) An officer or partner of a business entity who knowingly authorizes or participates in a violation of this title by the business entity is subject to the penalty provided in subsection (d) of this section.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2017.