

SENATE BILL 79

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(PRE-FILED)

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

Requested: October 2, 2018

Introduced and read first time: January 9, 2019

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: January 14, 2019

CHAPTER _____

1 AN ACT concerning

2 **Public Ethics – Lobbyist Registration and Reporting – Mandatory Electronic**
3 **Filing**

4 FOR the purpose of requiring a regulated lobbyist to file a registration and certain reports
5 electronically with the State Ethics Commission; altering the manner in which a
6 lobbyist is required to file a certain report with the Department of Legislative
7 Services; repealing a requirement that the Department of Legislative Services
8 forward a certain report to the State Ethics Commission; altering a requirement that
9 the State Ethics Commission develop certain procedures regarding electronic filing
10 of certain reports filed by regulated lobbyists; and generally relating to public ethics
11 and regulated lobbyists.

12 BY repealing and reenacting, with amendments,

13 Article – General Provisions

14 Section 5–704(a) and (g), 5–705(a)(1), 5–706(f), 5–708(c), 5–709(a) and (c), and
15 5–710(a)

16 Annotated Code of Maryland

17 (2014 Volume and 2018 Supplement)

18 BY adding to

19 Article – General Provisions

20 Section 5–707(e) and 5–709(e)

21 Annotated Code of Maryland

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 (2014 Volume and 2018 Supplement)

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

4 **Article – General Provisions**

5 5–704.

6 (a) (1) At the times specified in subsection (d) of this section, each regulated
7 lobbyist shall register with the Ethics Commission [on a form provided by the Ethics
8 Commission] **AS PROVIDED IN SUBSECTION (G) OF THIS SECTION.**

9 (2) A regulated lobbyist shall register separately for each entity that has
10 engaged the regulated lobbyist for lobbying purposes.

11 (g) (1) An individual [may] **SHALL** file a registration under this section
12 electronically and without additional cost to the individual who files the registration.

13 (2) A registration filed electronically under paragraph (1) of this subsection
14 shall include the oath and affirmation required under § 5–703 of this subtitle made by an
15 electronic signature that:

16 (i) is a part of the registration form or attached to and made part of
17 the registration form; and

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

19 (3) An oath or affirmation signed electronically under paragraph (2) of this
20 subsection subjects the individual making the oath or affirmation to the penalties for
21 perjury to the same extent as an oath or affirmation made by an individual in person before
22 an individual authorized to administer oaths.

23 5–705.

24 (a) (1) A regulated lobbyist shall file **ELECTRONICALLY** with the Ethics
25 Commission, under oath and for each registration, a separate report concerning the
26 regulated lobbyist's lobbying activities:

27 (i) by May 31 of each year, to cover the period from November 1 of
28 the previous year through April 30 of the current year; and

29 (ii) by November 30 of each year, to cover the period from May 1
30 through October 31 of that year.

31 5–706.

1 (f) The report shall be filed **ELECTRONICALLY** at the time and in the manner
2 required for reports filed under § 5–705 of this subtitle.

3 5–707.

4 **(E) THE REPORT SHALL BE FILED ELECTRONICALLY AT THE TIME AND IN**
5 **THE MANNER REQUIRED FOR REPORTS FILED UNDER § 5–705 OF THIS SUBTITLE.**

6 5–708.

7 (c) The report shall be filed **ELECTRONICALLY** at the time and in the manner
8 required for reports filed under § 5–705 of this subtitle.

9 5–709.

10 (a) A regulated lobbyist who invites all members of a legislative unit to a meal or
11 reception shall, at least 5 days before the date of the meal or reception:

12 (1) extend a written invitation to all members of the legislative unit; and

13 (2) register the meal or reception with the Department of Legislative
14 Services [on a form] **BY FILING A REPORT ELECTRONICALLY AS** required by the Ethics
15 Commission.

16 (c) (1) Based on information contained in a legislative unit registration report
17 filed under subsection (a) of this section, the Department of Legislative Services shall
18 publish once a week a list containing the date and location of each upcoming meal or
19 reception and the name of the legislative unit invited.

20 (2) (i) The Department of Legislative Services shall allow public
21 inspection of any legislative unit registration report required under this section during
22 regular business hours.

23 (ii) [Within 3 business days after receipt of a legislative unit
24 registration report required under this section, the Department of Legislative Services
25 shall forward the original registration report to the Ethics Commission.

26 (iii) The Department of Legislative Services shall maintain a
27 photocopy or electronic copy of each registration report required under this section.

28 **(E) A REPORT REQUIRED UNDER THIS SECTION SHALL BE FILED**
29 **ELECTRONICALLY IN THE MANNER REQUIRED FOR REPORTS FILED UNDER § 5–705**
30 **OF THIS SUBTITLE.**

31 5–710.

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1 (a) The Ethics Commission shall develop procedures under which a report
2 required under §§ 5–705 through 5–709 of this subtitle:

3 (1) [may] SHALL be filed electronically without additional cost to the
4 individual who files the report; and

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

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
7 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.