

# SENATE BILL 348

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CF HB 190

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By: **Senator Kelley**

Introduced and read first time: January 23, 2020

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Ethics – Officials and Lobbyists – Reporting of Ceremonial Gifts and**  
3 **Awards of Insignificant Monetary Value**

4 FOR the purpose of providing that an official need not disclose the acceptance of a  
5 ceremonial gift or award of insignificant monetary value on a financial disclosure  
6 statement; providing that a regulated lobbyist need not allocate and report by name  
7 the individual recipients of ceremonial gifts and awards of insignificant monetary  
8 value on a lobbying activities report; and generally relating to disclosure of gifts and  
9 public ethics.

10 BY repealing and reenacting, without amendments,  
11 Article – General Provisions  
12 Section 5–601(a), 5–607(a), and 5–705(a)  
13 Annotated Code of Maryland  
14 (2019 Replacement Volume)

15 BY repealing and reenacting, with amendments,  
16 Article – General Provisions  
17 Section 5–607(e) and 5–705(c)  
18 Annotated Code of Maryland  
19 (2019 Replacement Volume)

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

22 **Article – General Provisions**

23 5–601.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (a) Except as provided in subsections (b) and (c) of this section, and subject to  
2 subsections (d) and (e) of this section, each official and candidate for office as a State official  
3 shall file a statement as specified in §§ 5–602 through 5–608 of this subtitle.

4 5–607.

5 (a) A statement that is required under § 5–601(a) of this subtitle shall contain  
6 schedules disclosing the information and interests specified in this section, if known, for  
7 the individual making the statement for the applicable period.

8 (e) (1) This subsection does not apply to a gift received from a member of the  
9 immediate family, another child, or a parent of the individual.

10 (2) The statement shall include a schedule of each gift, specified in  
11 paragraph (3) of this subsection, received during the applicable period:

12 (i) by the individual or by another entity at the direction of the  
13 individual; and

14 (ii) directly or indirectly, from or on behalf of an entity that is:

15 1. a regulated lobbyist;

16 2. regulated by the State; or

17 3. otherwise an entity doing business with the State.

18 (3) (i) Except as provided in subparagraph (ii) of this paragraph, the  
19 schedule shall include each gift with a value of more than \$20 and each of two or more gifts  
20 with a cumulative value of \$100 or more received from one entity during the applicable  
21 period.

22 (ii) The statement need not include as a gift:

23 1. food or beverages received and consumed by an official of  
24 the Legislative Branch in the presence of the donor or sponsoring entity as part of a meal  
25 or reception to which all members of a legislative unit were invited;

26 2. food or beverages received by a member of the General  
27 Assembly at the time and geographic location of a meeting of a legislative organization for  
28 which the member's presiding officer has approved the member's attendance at State  
29 expense; [or]

30 3. except as provided in subparagraph (iii) of this paragraph,  
31 a ticket or free admission extended to a member of the General Assembly by the person  
32 sponsoring or conducting the event as a courtesy or ceremony to the office to attend a

1 charitable, cultural, or political event to which all members of a legislative unit were  
2 invited; OR

3                                   4.     A CEREMONIAL GIFT OR AWARD OF INSIGNIFICANT  
4 MONETARY VALUE.

5                                   (iii)   The statement shall include the acceptance of each of two or more  
6 tickets or free admissions, extended to a member of the General Assembly by the person  
7 sponsoring or conducting the event, with a cumulative value of \$100 or more received from  
8 one entity during the applicable period.

9                                   (4)   For each gift subject to this subsection, the schedule shall include:

10                                   (i)   the nature and value of the gift; and

11                                   (ii)   the identity of the entity from which the gift was received,  
12 whether directly or indirectly.

13                                   (5)   This subsection does not authorize acceptance of a gift not otherwise  
14 allowed by law.

15 5-705.

16                                   (a)   (1)   A regulated lobbyist shall file electronically with the Ethics  
17 Commission, under oath and for each registration, a separate report concerning the  
18 regulated lobbyist's lobbying activities:

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

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

23                                   (2)   If the regulated lobbyist is not an individual, an authorized officer or  
24 agent of the regulated lobbyist shall sign the report.

25                                   (3)   If a prorated amount is reported as compensation, it shall be labeled as  
26 prorated.

27                                   (c)   (1)   Except as provided in paragraph (2) of this subsection, a report required  
28 under this section also shall include the name of each official, employee, or member of the  
29 immediate family of an official or employee who has benefited from one or more gifts with  
30 a cumulative value of \$75 during the reporting period from the regulated lobbyist,  
31 regardless of whether the gift:

32                                   (i)   is attributable to more than one entity; or

1 (ii) was given in connection with lobbying activity.

2 (2) The following gifts need not be allocated to individual recipients and  
3 reported by name:

4 (i) gifts reported under subsection (b)(2)(vii) and (viii) of this  
5 section;

6 (ii) gifts reported under subsection (b)(2)(ix) of this section with a  
7 value of \$200 or less; [and]

8 (iii) gifts reported under subsection (b)(2)(x) of this section, unless the  
9 recipient received from the regulated lobbyist during the reporting period two or more such  
10 gifts with a cumulative value of at least \$100; AND

11 (IV) CEREMONIAL GIFTS AND AWARDS OF INSIGNIFICANT  
12 MONETARY VALUE.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2020.