

LOBBYING REGISTRATION & REPORTING ISSUES

- The lobbying registration year begins November 1 and ends October 31 every year.
- Lobbying Activity Reports cover activity from November 1 through April 30 and May 1 through October 31 (there are 2 six-month periods).
- \$100 registration fee is required for each registration.

Electronic registration is mandatory to initiate registration and submit reports. You can also pay your registration fee by credit card, eliminating the need to mail a check to the Commission's Office. If you have any questions concerning your electronic account, please call the Commission's office and ask for Tim McCormick at 410-260-7770 or email tim.mccormick@maryland.gov.

Lobbying Registration Requirements

An individual who is contemplating engaging in activities that may require lobbying registration should contact the Commission staff for advice and not rely on the conclusions and representations of others about the lobbying law.

Legislative Action Lobbying

A person is required to register as a legislative action lobbyist if any of the following occurs:

1. The person communicates **in the presence** of an official or employee in the legislative branch for the purpose of influencing any legislative action during a lobbying reporting period and **incurs expenses of \$500 or more** for all such activities other than for personal travel or subsistence expenses. For example, a person who meets with members of the General Assembly, or the Governor (if the meeting with the Governor seeks the introduction of legislation), and provides gifts (including meals and beverages) that collectively total \$500 or more, will trigger this registration requirement. Costs associated with legislative receptions, invitations, and postage are examples of expenses that will also trigger this registration requirement.
2. The person communicates **in the presence** of an official or employee in the legislative branch for the purpose of influencing any legislative action during a lobbying reporting period and the person **earns \$2,500 or more** as compensation, from all lobbying employers cumulatively, for all such communication and activities.
3. The person is **not in the presence** of an official or employee in the legislative branch but communicates with such an official or employee for the purpose of influencing legislative action and **earns \$5,000 or more** from all lobbying employers cumulatively as compensation for all such communication and activities relating to the communication during a reporting period. For example, a person who makes/sends telephone calls, letters, e-mail, etc. to members of the General Assembly, or the Governor (if seeking the introduction of legislation), who earns cumulatively \$5,000 or more from such activity, will trigger this registration requirement.

Executive Action Lobbying

A person is required to register as an executive action lobbyist if any of the following occurs:

1. The person communicates with any official or employee in the executive branch for the purpose of influencing executive action during the reporting period and the person **spends a cumulative amount of \$100 or more** during the reporting period on one or more officials or employees of the executive branch for gifts including meals, beverages and special events. Any executive action activity is covered by this provision. Contrast this with numbers 2 through 4, which are not triggered unless the person's actions are for the purpose of influencing executive action **related to the development or adoption of regulations or the development or issuance of an executive order**.
2. The person communicates **in the presence** of an official or employee in the executive branch and **earns \$2,500 or more** in a reporting period, from all lobbying employers cumulatively, for all such communication and activities relating to the communication, for the purpose of influencing executive action relating to the development or adoption of regulations or the development or issuance of an executive order.
3. The person communicates in the presence of an official or employee in the executive branch and, exclusive of personal travel or subsistence expenses, incurs expenses **of \$500 or more** in a reporting period, for the purpose of influencing executive action relating to the development or adoption of regulations or the development or issuance of an executive order.
4. The person is **not in the presence** of an official or employee in the executive branch but communicates with such officials or employees and **earns \$5,000 or more** as compensation for all such communication and activities during the reporting period from all lobbying employers cumulatively, for the purpose of influencing the development or adoption of regulations or the development or issuance of an executive order.
5. The person is compensated to influence executive action in any procurement contract that **exceeds \$100,000**, even if not in the presence of the official or employee, unless the person or entity is a bona fide salesperson or commercial selling agency employed or maintained by the employer.
6. The person is compensated by a business entity to influence executive action to secure a business grant or loan **with a value of more than \$100,000** from the State (see Qualified Exemptions discussed below).

Grassroots Lobbying

The Ethics Law requires registration for any person, group, organization or business entity that **spends \$2,000** in a reporting period for the express purpose of soliciting others to communicate with any official to influence any legislative or executive action. For example, entity A spends \$2,000 to pay for a television advertisement asking voters to contact their State senator and delegate to urge them to support a particular piece of legislation. Entity A would be required to register as a grassroots lobbyist. Examples of expenses include salaries, contractual employee wages, and costs for postage, telecommunication services, electronic services, advertising, printing and delivery services.

Electronic Filing Frequently Asked Questions

1. How do I sign up for electronic filing?

If you are a new lobbyist, you will go to the login page for the Commission's lobbyist registration and reporting website at lobby-ethics.maryland.gov (link is also provided on the Commission's website) and create an account as a "Registrant". If you have registered to lobby in prior years, you will already have an account established. **DO NOT** create another account.

2. Will my login information change from one lobbying period to another?

No, your user name is your email address which you will use throughout your lobbying career. If your email address changes (for example, you change firms), you can make the change in your account, and you can change your password at any time. Even if you change firms, you only need to update your "Account Information" to reflect the change. You should ensure your profile information (accessed by clicking on your name at the top of the page) is correct.

3. Once I register online, will my registration become active immediately?

It depends. If you pay the registration fee electronically using a credit card, your registration will become active as soon as it is reviewed and approved by the Ethics Commission. You will receive an email notifying you that your registration has been activated. If you elect to pay your registration fee by check, the registration will not be activated until the Commission has received payment in the amount of \$100 for each registration. (One check can be submitted for multiple clients/registrations.) If you elect to pay by check you will also receive an email notification when your registration has been activated.

4. When is a registration due?

Registrations are due within 5 days of commencing any lobbying activity. If the start date on the registration form is November 1, the form must be received by the State Ethics Commission by November 6. See #3 above.

5. Do I have to register for an entire lobbying year?

You are not required to register for an entire lobbying year (11/1 through 10/31). You can register for any period in between those dates, but if you terminate a registration before 10/31 and then start lobbying again before 10/31, you will need to register again and pay the \$100 registration fee. You **cannot** register for more than one year at a time. Unless an earlier termination date is selected, all registrations terminate on 10/31 each year.

6. Must all lobbying Activity Reports be filed electronically?

Yes, all lobbying Activity Reports must be filed electronically, including event reports and gift reports.

7. What is a Personal Disclosure?

A Personal Disclosure is a report a lobbyist must submit in conjunction with an activity report that identifies expenses and transactions that are personal to the lobbyist and do not involve the employer. A personal disclosure includes information concerning the lobbyist's personal campaign contributions and business transactions with certain "covered entities" as defined in the Law.