COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: Councilmember Praisner and Andrews

AN ACT to:

(1) eliminate the exception for lobbyist registration related to Cable Communications; and

(2) generally amend County law regarding Ethics.

By Amending
Montgomery County Code
Chapter 19A, Ethics
Article V. Lobbying Disclosure
Section 19A-21.

Boldface
Underlining
[S]ingle boldface brackets]
[Du]ble underlining
[[D]ouble boldface brackets]]
\* \* \*

Heading or defined term.
Added to existing law by original bill.
Deleted from existing law by original bill.
Added by amendment.
Deleted from existing law or the bill by amendment.
Existing law unaffected by bill.

The County Council for Montgomery County, Maryland approves the following Act:
Sec. 1. Sections 19A-21 is amended as follows:

Sec. 19A-21. Who must register as a lobbyist; exceptions.

(a) Any individual or organization must register as a lobbyist under this Article if, during a year, that individual or organization:

(1) communicates with a public employee to influence legislative action by a County agency, and for that purpose either:

(A) spends more than $500, or

(B) receives compensation, including a pro-rated part of a salary or fee for services, totaling more than $500; or

(2) communicates with a public employee to influence executive or administrative action by a County agency, and for that purpose spends a total of more than $500 for:

(A) meals and beverages;

(B) transportation;

(C) lodging;

(D) provision of any service;

(E) one or more special events; and

(F) one or more gifts.

(b) In this Article, legislative action does not include any matter covered by subsection 19A- 15(b).

(c) This Article does not apply to:

(1) drafting bills or advising clients about proposed or pending legislation without any other attempt to influence the legislative process;

(2) communicating with a County agency when requested by the agency, without engaging in any other activity to influence
legislative, administrative, or executive action on the subject of
the communication;

(3) communicating with a County agency as an official act of an
official or employee of the state, a political subdivision of the
state, or the United States, and not on behalf of any other person
or business;

(4) actions of a publisher or working journalist in the ordinary course
of disseminating news or making editorial comment to the
general public, without engaging in other lobbying that would
directly and specifically benefit the economic interests of a
specific person or business;

(5) appearing before a County agency at the request of a lobbyist if
the witness:
   (A) takes no other action to influence legislative,
administrative, or executive action; and
   (B) identifies himself or herself as testifying at the request of
the lobbyist;

(6) communicating on behalf of a religious organization for the sole
purpose of protecting the right of its members to practice the
doctrine of the organization;

(7) communicating as an official duty of an officer, director,
member, or employee of an organization engaged exclusively in
lobbying for counties or municipalities, and not on behalf of any
other person or business; and

[(8) acts regulated under Chapter 8, Cable Communications; and]

[(9)](8) an action of any person representing an organization that is
exempt from taxation under Section 501(c)(3) of the Internal
Revenue Code if:

(A) the action promotes the exempt purposes of the organization; and

(B) the organization gave gifts totaling less than $500 to public employees in a year; and

(C) the representative is paid or spends less than $1,000 in a year to influence executive, administrative, and legislative action.

(d) Except for the authorization required by Section 19A-22, an individual or organization is exempt from the reporting requirements of this Article if the individual or organization:

(1) compensates one or more lobbyists;

(2) reasonably believes that each lobbyist will timely register and report all expenditures required to be reported; and

(3) engages in no other lobbying.

If a lobbyist fails to report timely any information required under this Article, the lobbyist's employer is immediately subject to the reporting requirements of this Article.

Approved:

Steven A. Silverman, President, County Council

Date

Approved:

Douglas M. Duncan, County Executive

Date

This is a correct copy of Council action.

Mary A. Edgar, CMC, Clerk of the Council

Date