

CHAPTER 25

(Senate Bill 145)

AN ACT concerning

State Ethics Commission - Lobbying Reports

FOR the purpose of authorizing the State Ethics Commission to assess a fee for the late filing of certain reports.

BY repealing and reenacting, with amendments,

Article 40A - Maryland Public Ethics Law
Section 2-105(d)
Annotated Code of Maryland
(1986 Replacement Volume)

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

Article 40A - Maryland Public Ethics Law

2-105.

(d) If the complaint concerns any other person, the Commission promptly shall refer the complaint to its staff counsel for further action. With respect to such complaints:

(1) The staff counsel shall collect evidence relating to the allegations of the complaint and refer that evidence to the Commission for disposition.

(2) If the Commission determines that the evidence does not merit further proceedings the complaint shall be dismissed by the Commission in a signed order. An order of dismissal shall be sent to the complainant and to the respondent forthwith.

(3) Prior to referring evidence to the Commission, the staff counsel shall notify the complainant and respondent. If, within 15 days of the notice, the respondent takes any action which may be available to cure all alleged violations, the complaint shall be dismissed by a signed order if the Commission finds such action is not contrary to the purposes of this article.

(4) If the complaint is not dismissed pursuant to subsection (2) or (3), it shall hold a hearing on the complaint. In preparation for the hearing, the respondent may use the subpoena power of the Commission.