

BALTIMORE CITY ETHICS BOARD
626 City Hall
Baltimore, Maryland 21202
Phone: 410-396-4730 Fax: 410-396-8483
http://ethics.baltimorecity.gov

REGISTRATION FEE: \$100

LATE FEE: \$10/DAY

**LOBBYING REGISTRATION –
DIRECTIONS**

GENERAL INFORMATION

NOTE: *Bold-italicized terms* are defined at the end of these Directions.

I. WHO MUST REGISTER

Unless excepted under Article 8, § 8-31 {"General exemptions"}, § 8-32 {"Qualified exemptions"}, or § 8-33 {"Employer of reporting lobbyist"}, you must register if you engage in any *legislative lobbying, executive lobbying, or "grass roots" lobbying*, as those terms are defined.

If you engage in *lobbying* on behalf of more than 1 person, you must file a separate Registration Statement for each person.

II. WHEN AND WHERE TO REGISTER

Within 5 days of engaging in any *lobbying* activity, a Lobbying Registration Statement, together with a Registration Fee of \$100 (make checks payable to "Baltimore City Director of Finance"), must be filed with

Baltimore City Ethics Board
626 City Hall
100 North Holliday Street
Baltimore, Maryland 21202
410-396-4730

III. TERM OF REGISTRATION

Unless otherwise designated on the Statement or sooner terminated as provided below, a Registration Statement remains in effect until December 31 following the filing.

The Registrant *may* terminate the registration sooner by:

- (a) ceasing the *lobbying* activity that required that registration, *and*
- (b) filing with the Board (i) a Notice of Termination *and* (ii) within 30 days after the Notice of Termination, a final Activity Report for all *lobbying* activities through the date of termination.

If a Registrant becomes an official or employee of the *City*, the Registrant *must*:

- (a) immediately cease all *lobbying* activities, *and*
- (b) within 30 days, file with the Board (i) a Notice of Termination *and* (ii) a final Activity Report for all *lobbying* activities through the date of termination.

No special form is needed for a Notice of Termination.

IV. ANNUAL ACTIVITY REPORTS

Activity Reports must be filed with the Board annually, on or before January 31, for each *reporting period* during which the Registrant engages in any *lobbying* activity. A separate Activity Report must be filed for each person on whose behalf the Registrant acts.

All compensation, expenses, and other items to be reported must be documented. (For more information, see **Lobbying Activity Report Directions**.)

V. BOOKS AND RECORDS

The law requires every *lobbyist* to obtain and preserve all accounts, bills, receipts, books, papers, documents, and other records necessary to complete and substantiate all reports, statements, or other items filed or required to be filed with the Ethics Board.

All of these records must be (i) kept for at least 3 years from the date the report, statement, or other item was filed or required to be filed and (ii) made available for inspection by the Ethics Board or the City Solicitor, on request and reasonable notice.

VI. PROHIBITED ACTIVITIES

- (a) *Contingent compensation*.

No person may engage in *lobbying* for *compensation* that is contingent or dependent in any way on the outcome of any *legislative action* or any *executive action*.

- (b) *Gifts*.

A *lobbyist* may not make any *gift* to an official or employee of the *City*, directly or indirectly, if the *lobbyist* knows or has reason to know that acceptance of the gift, or its solicitation or facilitation, would violate City Code Article 8 {"Ethics"}, Subtitle 6 {"Conflicts of Interest"}, Part IV {"Gifts"}.

- (c) *Loans*.

A *lobbyist* may not make or facilitate the making of any loan of money, goods, or services to an official or employee of the *City*, unless in the ordinary course of the *lobbyist*'s business as or for a banking institution, banking association, mortgage broker or lender, sales finance company, or other similarly regulated financial or lending institution.

(d) *Fund raisers.*

A **lobbyist** who is an individual may not engage in any charitable fund-raising activity at the request of an official or employee of the **City**, including soliciting a charitable contribution, transmitting the solicitation of a charitable contribution, or transmitting a charitable contribution.

(e) *“Bell ringing”.*

A **lobbyist** may not initiate or encourage the introduction of legislation for the purpose of opposing that legislation.

(f) *Requesting endorsement.*

A **lobbyist** may not ask an official or employee of the **City** to recommend to a potential client the **lobbyist’s** services or the services of any other **lobbyist**.

(g) *Veracity and candor.*

A **lobbyist** may not:

- (1) while engaging in **lobbying** activities, knowingly make to an official or employee of the **City** a statement of material fact that relates to the **lobbying** activity and that the **lobbyist** knows to be false; or
- (2) while engaging in **lobbying** activities on behalf of a person, knowingly conceal from an official or employee of the **City** the identity of that person.

VII. PENALTIES AND SANCTIONS

Any person who knowingly violates any provision of City Code Article 8 {“Ethics”}, Subtitle 8 (“Lobbying”) is guilty of a misdemeanor and, on conviction, is subject to a fine of up to \$1,000 or imprisonment for up to 12 months or both. If the person is a business or other entity, each officer or partner who knowingly authorized or participated in the violation is guilty of a misdemeanor and, on conviction, subject to the same penalties as the business entity.

Failure to comply may also subject a person or entity to injunctive relief as well as substantial civil penalties of up to \$1,000 a day.

In addition, any person who submits a Registration Statement or Activity Report after the filing deadline will be assessed a late fee of \$10 a day, to a maximum of \$250.

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DIRECTIONS FOR COMPLETING STATEMENT

PARTS A THROUGH E: TO BE COMPLETED BY REGISTRANT/*LOBBYIST*

PART F: TO BE COMPLETED PERSON ON WHOSE BEHALF REGISTRANT IS ACTING

PART A. CLASS OF REGISTRATION

Check the type of registration applicable. Check more than one type if appropriate:

“Executive Action Lobbyist”: See definitions for *executive action* and *executive lobbying*.

“Legislative Action Lobbyist”: See definitions for *legislative action* and *legislative lobbying*.

“Grass Roots’ Lobbyist”: See definition for “*grass roots*” *lobbying*.

“Non-Exempt Employer/Principal”: A person who employs a registered *lobbyist* is itself exempt from registration *if* (i) the *lobbyist* timely reports all expenses and other reportable items *and* (ii) the employer or other principal engages in no other act that requires registration.

An employer or other principal that does not meet these criteria is a “non-exempt employer/principal” and must:

- (1) file its own Registration Statement with the Board, checking the line for “Non-Exempt Employer/Principal”, as well as the line(s) for the type(s) of *lobbying* involved, and
- (2) file its own annual Activity Report.

PART B. IDENTIFICATION OF REGISTRANT/*LOBBYIST*

Complete all blanks. Include full name. If the individual registrant is acting as an employee, partner, or member of a firm (such as a law firm), include the name of that firm.

Note: If the address or other information given changes during the registration term, or before all required Activity Reports are submitted, written notice of the change must be given to the Board.

PART C. IDENTIFICATION OF OTHERS REQUIRED TO REGISTER

Occasionally, a *lobbyist* employs staff to carry out part of the *lobbying* activity; these individuals must be listed in Part C and, in addition, must submit their own Registration Statements. Also, when a Non-Exempt Employer/Principal files its own Registration Statement, the employer/principal must list in this Part C the lobbyist(s) that the employer/principal has retained. (Complete all blanks or, if neither situation applies, insert “None”.)

PART D. IDENTIFICATION OF PRINCIPAL(S) FOR WHOM REGISTRANT/LOBBYIST IS ACTING

Complete all blanks. Identify in this Part all persons or entities on whose behalf the Registrant is acting.

In Part D(I), identify the person or entity from which the Registrant receives or will receive *compensation* for the *lobbying* activities or, if the Registrant is uncompensated, the person or entity that authorizes or directs the Registrant's *lobbying* activities.

In Part D(II), identify any other person or entity that the Registrant will be representing, even if the Registrant's *compensation* comes from someone else. For example, the employee of a member of a trade association might be *lobbying* as a spokesperson for the association, even though doing so on his/her employer's time. In that case, the employer that compensates him/her must be listed in Part D(I) and must complete Part F; the association that she/he is representing must be listed in Part D(II) and also must complete Part F.

PART E. REGISTRATION INFORMATION

In Part E(I), specify the period of registration. The beginning date is the *earlier* of the date of actual registration or the date on which the Registrant first performed an act requiring registration. The ending date may not be later than the ensuing December 31. By law, registration is required within 5 days after first performing an act requiring registration; thus, this Statement must be *received* by the Board before the close of business of the 5th day.

In Part E(II), identify the matters on which the Registrant intends to act. Be as specific as possible. Statements like "any and all matters" are not sufficient. Use bill numbers or other formal designations wherever possible. If the nature of the matter(s) changes substantially during the registration period, written notice of the change must be submitted to the Board.

PART F. AUTHORIZATION TO ACT

This must be completed by each employer or other principal named in Part D(I) and (II). In most cases, only Part D(I) will have had to be completed; only one signature will then be required in Part F.

Where both Part D(I) and (II) have been completed, then both principals must sign and provide their names and titles in the appropriate blanks. If either principal is a corporation, the Authorization must be signed by an authorized officer or agent of the corporation who is *not* also the Registrant.

Part F(II) should be coordinated with the principal(s) and all other Registrants. Only one selection may be made. If two or more principals claim different status, separate Authorizations should be completed and submitted.

DEFINITIONS OF TERMS

All defined terms are indicated by *bold italics*.

“City”.

(a) *General*.

“City” means any department, board, commission, council, authority, committee, office, or other unit of City government.

(b) *Inclusions*.

“City” includes the following entities:

- (1) Baltimore City Parking Authority.
- (2) Baltimore Development Corporation.
- (3) Baltimore Police Department.
- (4) Board of Liquor License Commissioners for Baltimore City.
- (5) Civilian Review Board of Baltimore City.
- (6) Enoch Pratt Free Library of Baltimore City.
- (7) Housing Authority of Baltimore City.
- (8) Local Development Council, South Baltimore Video Lottery Terminal.
- (9) Pimlico Community Development Authority.

“Compensation”.

(a) *General*. “Compensation” means any money or thing of value, regardless of form, received or to be received by a person for services rendered.

(b) *Proration*. If *lobbying* is only part of a person’s employment, “compensation” means a prorated amount of the person’s total compensation, based on the time devoted by the person to *lobbying* compared to the time devoted to other employment duties. For reporting purposes, a prorated amount must be so labeled.

“Executive action”.

“Executive action” means any official action or nonaction that:

- (1) is taken by an official or employee of the *City*; and
- (2) is not *legislative action*, as defined.

“Executive lobbying”.

“Executive lobbying” means any activity by which a person, during a *reporting period*:

- (1) for the purpose of influencing any *executive action*, communicates with an official or employee of the *City*; and
- (2) in furtherance of or in connection with all such communications for that or any other *executive action*, and all activities relating to those communications:
 - (i) expends \$100 or more for gifts, including meals, beverages, or special events, to 1 or more an officials or employees of the *City*; or
 - (ii) for actions involving regulations or executive orders:
 - a. incurs any expenses of \$500 or more; or
 - b. earns \$2,500 or more in *compensation*; or
 - (iii) for procurement contracts or business grants or loans that exceed \$50,000, receives any *compensation* (subject to certain exceptions for in-house sales persons and certain others).

“Gift”.

- (a) *General.* “Gift” means, except as specified in paragraph (b), the transfer of any thing or any service of economic value, regardless of the form, without adequate, identifiable, and lawful consideration.
- (b) *Exception.* “Gift” does not include political contributions that are regulated under state law.

“Grass roots’ lobbying”.

“Grass roots’ lobbying” means any activity by which a person, during a *reporting period*:

- (1) for the purpose of influencing any *legislative* or *executive action*, solicits others to communicate with an official or employee of the *City*; and
- (2) in furtherance of or in connection with that solicitation, expends \$1,000 or more, including expenditures for salaries, contractual employees, postage, telecommunications services, electronic services, advertising, printing, or delivery services.

“Legislative action”.

- (a) *General.* “Legislative action” means any official action or nonaction relating to:
 - (1) any bill, resolution, nomination, appointment, report, or other matter within the jurisdiction of the City Council; or
 - (2) any bill or resolution presented to the Mayor for approval or veto.
- (b) *Illustrations.* “Legislative action” includes:
 - (1) introduction;
 - (2) sponsorship;
 - (3) consideration and debate;
 - (4) amendment;

- (5) passage or defeat; and
- (6) approval or veto.

“Legislative lobbying”.

“Legislative lobbying” means any activity by which a person, during a *reporting period*:

- (1) for the purpose of influencing any *legislative action*, communicates with an official or employee of the *City*; and
- (2) in furtherance of or in connection with all such communications for that or any other *legislative action*, and all activities relating to those communications:
 - (i) expends \$100 or more for gifts, including meals, beverages, or special events, to 1 or more an officials or employees of the *City*;
 - (ii) incurs any expenses of \$500 or more; or
 - (iii) earns \$2,500 or more in *compensation*.

“Lobbying”.

- (a) *General.* “Lobbying” means to do any act that requires registration under Subtitle 8 {“Lobbying”} of City Code Article 8 {“Ethics”}.
- (b) *Inclusions.* “Lobbying” includes:
 - (1) *legislative lobbying*;
 - (2) *executive lobbying*; and
 - (3) *“grass roots” lobbying*.

“Lobbyist”.

“Lobbyist” means any person required to register under Subtitle 8 {“Lobbying”} of City Code Article 8 {“Ethics”}.

“Reporting period”.

“Reporting period” means the period from January 1 of any year through December 31 of the same year.

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**IMPORTANT:
CAREFULLY READ
ACCOMPANYING DIRECTIONS**

LOBBYING REGISTRATION STATEMENT

NOTE: *Bold-italicized terms* are defined in the accompanying Registration Directions, which should be reviewed carefully before completing this Statement.

PART A. CLASS OF REGISTRATION

Check one or more, as appropriate:

Executive Action Lobbyist _____

Legislative Action Lobbyist _____

“Grass Roots” Lobbyist _____

Non-Exempt Employer/Principal _____

PART B. IDENTIFICATION OF REGISTRANT/LOBBYIST

Complete all blanks:

Name _____

Business Address (Including Firm Name) _____

Office/Business Telephone (____) _____ Email Address: _____

Profession, Occupation, or Business _____

PART C. IDENTIFICATION OF OTHERS REQUIRED TO REGISTER

Identify any other person who, acting on behalf of the person identified in Part B, will be required to register as a lobbyist (if none, put in “NONE”):

Name _____

Business Address (Including Firm Name) _____

Office/Business Telephone (____) _____ Email Address: _____

Profession, Occupation, or Business _____

PART D. IDENTIFICATION OF PRINCIPAL(S) FOR WHOM REGISTRANT/LOBBYIST IS ACTING

I. Identify each person(s) from which the lobbyist receives compensation for his or her lobbying activity or, if the lobbyist is uncompensated, the person(s) who authorize(s) or direct(s) the activities covered by this registration:

{NOTE: That person must complete and sign Part F.}

Name _____

Business Address (Including Firm Name) _____

Office/Business Telephone (____) _____ Email Address: _____

Nature Business _____

II. Identify any other person(s) on whose behalf the lobbyist is or will be acting on matters covered by this registration (if none, put in "NONE"):

{NOTE: That person must complete and sign Part F.}

Name _____

Business Address (Including Firm Name) _____

Office/Business Telephone (____) _____ Email Address: _____

Nature of Business _____

PART E. REGISTRATION INFORMATION

I. State the period (both beginning and ending month, day, and year) for which this registration is effective:

From _____ to _____

II. Identify the matters (including formal designation if known) on which the lobbyist expects to act or employ someone to act during the registration period:

SIGNATURE OF LOBBYIST: _____

DATE: _____

PART F. AUTHORIZATION TO ACT

To be completed by each person identified in Part D:

I. Authorization

I/We certify that:

- (a) For the period stated in Part E(I) and for the matters identified in Part E(II),

{Print Full Name of Registrant/Lobbyist}

is authorized to act on behalf of

_____ and

{Print Name of Employer Identified in Part D(I)}

_____.

{Print Name of Other Principal Identified in Part D(II)}

- (b) All information given in this Registration Statement is correct.

II. Exemption Status of Principal

(Check *one* only. Submit separate Authorizations if principals claim different status.)

- (a)___ The principal(s) *claim(s)* an exemption from filing its (their) own Registration Statement and Activity Reports on the grounds that (i) all expenses, compensation, and other items subject to reporting will be reported by the registrant/lobbyist filing this Statement, and (ii) the principal(s) will engage in no other **lobbying** activity that requires registration and reporting.
- (b)___ The principal(s) *claim(s)* an exemption from filing its (their) own Registration Statement and Activity Reports on the grounds that (i) the registrant/lobbyist filing this Statement will report expenses, compensation, and other items relating to her or his own activity, (ii) (an)other registrant(s)/ lobbyist(s) will report all other expenses, etc., of the principal(s), and (iii) the principal(s) will engage in no other **lobbying** activity that require registration or reporting.
- (c)___ The principal(s) *do(es) not claim* an exemption from filing its (their) own Registration Statement and Activity Reports. The registrant/lobbyist filing this Statement will only report expenses, compensation, and other items related to his or her own activity. A separate Registration Statement will be submitted by the principal(s).

EMPLOYER IDENTIFIED IN PART D(I):

SIGNATURE OF EMPLOYER OR AUTHORIZED OFFICER OR AGENT: _____

PRINTED NAME AND TITLE: _____

DATE: _____

OTHER PRINCIPAL IDENTIFIED IN PART D(II):

SIGNATURE OF PRINCIPAL OR AUTHORIZED OFFICER OR AGENT: _____

PRINTED NAME AND TITLE: _____

DATE: _____

