Skadden

Political Law Update

If you have any questions regarding the matters discussed in this memorandum, please contact the following attorneys or call your regular Skadden contact.

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Maryland Expands Semiannual Contribution Reporting Requirements for Lobbyist Employers; City of Chicago Implements Lobby Exemption for Certain Salespersons

Maryland Pay-to-Play Amendments

Maryland Senate Bill 15 has expanded reporting requirements in the state, requiring organizations that spend at least $500 in lobbyist compensation to file a semiannual report disclosing political contributions to or for the benefit of an official or candidate for governor, lieutenant governor, attorney general, comptroller or the General Assembly, regardless of whether a covered donor makes such contributions. Previously, lobbyist employers were only required to file the report if covered donors made contributions of $500 or more. Please note that any person with a single contract with a single governmental entity involving consideration of $200,000 or more had already been required to file such reports.

The next report is due November 30, 2022, for the period ending October 31, 2022, even if there has been no contribution to report. As was previously the case, covered donors include not only the entity and certain subsidiaries, but also company PACs, officers, directors and partners of each relevant business entity and its subsidiaries. Furthermore, political contributions made by employees, agents or other persons at the suggestion or direction of a business entity or subsidiary also must be reported. The staff of the Maryland State Board of Elections advised that new accounts required to complete the November 30, 2022, filing should be created by October 31, 2022.

Chicago Salesperson Exemption

Effective October 1, 2022, City of Chicago Ordinance 2022-2064 established a new exemption under the lobby law for certain salespersons. Now, individuals who are paid on a contingent or commission basis for the good faith sale of goods or services are not lobbying if they contact a city official or employee regarding the purchase by the city of such goods or services, but only if the salesperson contacts those officials or employees who have responsibilities for making such purchasing decisions in the normal course of business. Previously, such activity was not exempt.

Please contact us if you have questions about how the above impacts your company's registration or reporting obligations.

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