

PRACTICAL GUIDANCE

What Nonprofits Need to
Know About Lobbying in

MARYLAND

Inside This Guide:

This Practical Guidance resource is designed to help your nonprofit organization determine if lobbying rules in Maryland might apply to your state or local work. It includes:

- Summary of registration and reporting triggers
- Key takeaways for nonprofit organizations
- FAQs
- Case study for a hypothetical small student voting rights organization
- List of helpful additional resources

What Lobbying Activities Trigger Registration Requirements in Maryland?

DIRECT OR GRASSROOTS LOBBYING OF:	CAN THIS TRIGGER?	TRIGGER
State Legislators	Yes	<p>Any individual or organization who meets any of the below triggers:</p> <ul style="list-style-type: none"> communicates in the presence of legislative branch officials or employees for the purpose of influencing legislative action and expends \$500 or more (not including staff compensation, lobbyist travel and lodging, or grassroots spending) earns compensation of \$2,500 or more within a reporting period for any kind of lobbying, other than grassroots communicates with such officials or employees, but not in their presence, and earns \$5,000 or more in a reporting period for such lobbying, not including grassroots spending separate grassroots lobbying trigger: spends \$2,000 or more (including staff compensation) in a reporting period to solicit others to communicate with public officials to influence any legislative action
State Executive Branch Officials	Yes	<p>Same triggers as above for communications with executive branch officials or employees for the purpose of influencing the adoption of regulations or the issuance of an executive order.</p> <p>In addition, any individual or organization who communicates with executive branch officials or employees, whether in the presence of or not, and spends \$100 or more for the benefit of any such public official to influence any executive branch action.</p> <p>Lobbying for procurement contracts, grants, and loans over \$100,000 also triggers registration.</p>
Local Legislators or Local Executive Branch Officials	Probably!	<p>Maryland requires all counties and municipalities to enact lobbying ordinances that generally track the state rules, but are adapted for local needs. You should affirmatively check the local jurisdiction's rules before starting any local lobbying.</p>

Grassroots lobbying: Grassroots lobbying (calling on members of the public, or other organizations, to take action in favor or against legislative or executive action) can trigger an obligation to register under a separate grassroots-specific trigger, but doesn't count towards any other trigger.

KEY LOBBYING TAKEAWAYS FOR NONPROFIT ADVOCACY ORGANIZATIONS IN MARYLAND:

- There are multiple registration triggers:** Maryland has a complicated mix of registration triggers that depend on whether you are in the physical presence of a public official or employee, how much you spend or receive, and whether your efforts involved direct or grassroots communications. You should evaluate all possible triggers carefully.
- Some lobbyist personal activities are reportable:** Lobbyists that make campaign contributions, dine with public officials, or engage in business transactions with public officials must report such activity, even if it's done in their own personal capacity.

This resource is current as of September 2023. We do our best to periodically update our resources and welcome any comments or questions regarding new developments in the law. Please e-mail us at advocacy@afj.org or at info@democracycapacity.org with any comments.

This resource is meant to convey the basic principles of sections of state law that are most relevant for nonprofit advocacy and does not cover all aspects or all details of the state statutes. Please refer to the full text of the law for more details. This resource also does not cover details of federal lobbying disclosure law, IRS regulations related to lobbying, or any separate county or municipal regulations that may apply to lobbying-related activities. In some states there is an ongoing movement towards the enactment of additional local county and municipal level lobbying regulations, and organizations are urged to check with the appropriate local jurisdiction before undertaking local lobbying activity.

Q: How should we think about using this Practical Guidance resource?

This Practical Guidance – What Nonprofits Need to Know About Lobbying resource is designed to help your nonprofit organization determine if state or local regulations might apply to your existing or proposed advocacy work. The answer is surprisingly often – **YES!** – but there are also often many advocacy activities that do not require state lobbyist registration or reporting.

This Guide will help you identify which of your state or local activities might trigger registration and reporting, and also give you potential alternative program design ideas that would allow your program to be in compliance with the regulations but not require registration and reporting.

If you do need to register and report with the state, this Guide will also give you practical tips about what information needs to be included in your reports, and how to try to minimize your operational burden while remaining in compliance with the rules.

While this Guide does provide some information about the federal IRS rules that apply to nonprofit lobbying, it is designed to cover state and local regulations. Links to resources containing more information about federal IRS rules can be found in the federal lobbying FAQ below.

We also hope that this Guide will prove useful to legal counsel and other advocacy advisors who are working to assist nonprofit advocacy organizations, as well as the funders who generously support this work. Advisors and funders are invited to use the free Bolder Advocacy Technical Assistance Hotline and the written legal resources available in Bolder Advocacy’s resource library at <https://bolderadvocacy.org/>

Q: What activities count as lobbying?

In Maryland, **lobbying** is communicating with legislative or executive branch officials or employees for the purpose of influencing **legislative action** or **executive action**. Lobbying can be done either **in the presence of**, or **not in the presence of**, public officials or employees, with different registration triggers for each case.

- **Legislative action** means any action (or non-action) as to introduction, sponsorship, consideration, debate, amendment, passage, defeat, approval, veto, or any other official action (or non-action) on any bill, resolution, amendment, nomination, appointment, report, or any other matter pending that is within the official jurisdiction of the General Assembly.
- **Executive action**, in most circumstances relevant to nonprofit organizations, means any executive action **relating to the development or adoption of regulations or the development or issuance of an executive order**. If you are lobbying executive branch officials while spending more than \$100 for the benefit of any public officials, however, an executive action means **any** action taken by such executive branch official. You can avoid this broader trigger by not making expenditures for the benefit of public officials. Note that actions of the officials and employees of both the public senior higher education institutions and of the state public pension systems count as executive branch actions. Note also that attempting to influence contracting decisions, grants, or loans can trigger registration, under separate rules, discussed below.
- **In the presence of** means lobbying public officials or employees face to face in their physical presence. “In the presence” lobbying is reserved for lobbying that occurs in the same physical location as the public officials or employees.
- **Not in the presence of** means lobbying public officials or employees via e-mail, phone, writing, web meetings (e.g., platforms like Zoom), and any other method that does not involve being in the same physical space with the lobbying targets. Keep in mind that all **virtual** meetings, whether they include video function or not, count toward the compensation and expense thresholds for communication “not in the presence” of an official or employee.

Q: What triggers lobbyist registration and reporting with the state?

Maryland has multiple lobbyist registration triggers that depend on which branch you are lobbying, whether you have done any of your lobbying in the presence of the official, whether you spent money for the benefit of the official, and whether the lobbying is direct or grassroots lobbying. You'll need to carefully look through each of the thresholds below to determine if your organization or any of your staff need to register and report.

Legislative and executive branch lobbying triggers

- **In the presence of officials:** An individual or organization must register if they communicate in the presence of legislative or executive branch officials (or the employees of either) for the purpose of influencing legislative action, the adoption of regulations, or the issuance of an executive order **and** they incur expenses of \$500 or more (not including employee compensation or travel and lodging expenses for the lobbyist) related to such work.

Individuals must also register if they earn \$2,500 or more in compensation in a six-month reporting period for any kind of lobbying (not including grassroots lobbying, which has its own separate trigger). In determining how much lobbying-related compensation an individual has earned, you should include any time spent on preparation specifically for the relevant lobbying communication (but general research or planning about an issue that later becomes relevant for a lobbying communication would not count). Remember that Maryland does not consider a video conference call to be "in the presence of an official" – only communications in the physical presence of a subject person count.

Also note that the Maryland State Ethics Commission has given guidance that this \$2,500 trigger calculation should include both "in the presence of" and "not in the presence of" lobbying (but not grassroots lobbying, which has its own separate trigger), so long as **any** lobbying was done in the presence of public officials. For example, an individual could potentially trigger this lower threshold even if they only had a single "in the presence of" lobbying meeting. The higher \$5,000 threshold discussed below comes into consideration only if the individual **never** had any "in the presence of" meetings during the six-month period. See:

<https://ethics.maryland.gov/wp-content/uploads/filebase/lobbyists/General-Information-Lobbyists.pdf>

- **Not in the presence of officials:** Any individual who communicates with such officials or employees during the reporting period, but not ever in their presence, **and** is compensated \$5,000 or more within the same reporting period for such lobbying. (This trigger does not include grassroots lobbying, which has its own separate trigger.)
- **Grassroots lobbying:** Any individual or organization that spends \$2,000 or more in a reporting period, including prorated staff compensation for time spent on grassroots activities, for the purpose of soliciting others to communicate with any official to influence any legislative or executive branch action.
- **Lobbyist employer catchall:** If your organization spends \$2,500 or more to compensate individuals to lobby, you will need to register, unless you engage in no other activity that triggers registration, **and** your individual lobbyist reports all of your organization's lobbying related expenses. In order to take advantage of this exception, your individual lobbyist must claim the exemption on your organization's behalf when they file their registration.

Additional executive lobbying triggers

- **Executive branch lobbying with public official benefit:** Any person who communicates with executive branch officials or employees, whether "in the presence of" or not, and spends \$100 or more for the benefit of such public officials (i.e., gifts, meals, entertainment) to influence **any** executive branch action. Note that this trigger

includes a broader range of decision making than the triggers above, which relate only to adoption of regulations or the issuance of an executive order.

- **Procurement lobbying:** Any individual or organization that is compensated to influence executive action in any procurement contract that exceeds \$100,000, regardless of whether they do so in the presence of any officials or employees. This trigger is not likely to be applicable to most nonprofits, but you should seek additional advice if your organization is seeking a large service contract from the state. More information about procurement lobbying can be found here: <https://ethics.maryland.gov/wp-content/uploads/filebase/lobbyists/lobbyists-memos/Procurement-Lobbying.pdf>
- **Grant or loan lobbying:** Any individual or organization who is **not** an employee or official of your organization, who is compensated to influence executive action relating to any state grant or loan that exceeds \$100,000, regardless of whether they do so in the presence of any officials or employees. Note that because your own staff are not subject to this registration trigger, it will apply only if you hire an outside lobbyist to help you lobby for a government grant or loan.

Local lobbying triggers

Maryland state law requires local jurisdictions to adopt lobbying ordinances similar to the state statute unless they have received an exemption from the State Ethics Commission. You will need to check the local rules if you plan to lobby any local officials or employees, as you may need to separately register and submit reports in the local jurisdiction.

Q: How does the trigger threshold work if we are a fiscally sponsored project?

You will need to be sure you are communicating transparently and in a timely fashion with your fiscal sponsor if you plan to undertake activities that might potentially count as lobbying activities!

Each fiscal sponsor will have its own ways of working with projects that wish to take on lobbying activities.

In general, for fiscally sponsored projects that do not have their own legal entity and the fiscal sponsor engages all of the project's independent contractors or employees, the lobbyist registration trigger must be analyzed together with all of the projects housed at the fiscal sponsor who are doing lobbying activities in the state.

Your account manager at your fiscal sponsor will be able to help you understand how they track the registration threshold.

IMPORTANT NOTE: In states where registration is required prior to lobbying, or very shortly after the registration threshold is reached, or periodic lobbyist disclosure is due shortly after the end of a reporting period, special procedures may need to be worked out in order to process your project's registration or reporting on time. You should connect with your account manager as soon as you begin planning any potential lobbying strategy!

Q: Are there exceptions to what counts as lobbying?

Yes! Certain types of lobbying activities will not require an individual to register as a lobbyist, provided that they do not otherwise engage in lobbying activity. The exceptions most relevant to nonprofit organizations are:

- **Testimony requested by public officials:** Appearing at the request of the General Assembly, including any of its committees, or at the request of an executive branch unit. Note that the request must be made on behalf of the body as a whole, and not just an individual public official.
- **Testimony requested by your registered lobbyist:** If your registered lobbyist requests that another member of your organization, or an outside expert, appear as a

witness before a legislative committee or executive unit, then testifying will not trigger a separate registration for that individual.

- **Student communications as part of a course or student activity:** Students (or student organizations) that are communicating with public officials as part of a course or student activity will not be obligated to register simply because they exceed the \$500 expense threshold for the “in the presence of public officials” registration trigger. Note that this is a limited exemption related to only **one** of the registration triggers.

Q: How does this work together with federal IRS lobbying regulations?

All tax-exempt organizations must follow both federal tax law (regulated by the IRS) **and** any state and local lobbying laws that apply to their work.

The IRS rules regulate how much lobbying a nonprofit organization can do, while state and local regulations are transparency rules designed to help the public understand what funds are being spent to influence decision making and by whom. As a result, federal tax law rules related to lobbying and state lobbying regulations are quite different, and state lobbying regulations also vary greatly state to state.

In general, the IRS requires 501(c)(3) organizations to report on their annual Form 990 legislative lobbying at the federal, state, and local levels, but does not count as lobbying advocacy activities relating to executive branch or administrative officials at any level. There is no additional requirement for organizations or individuals to “register” with the IRS to report lobbying activities.

Nonprofits that are public charities under IRS exemption 501(c)(3), including grantmaking public charities like community foundations, can lobby within the generous limits allowed by federal tax law. The amount of lobbying is determined by either using the insubstantial part test or the 501(h) expenditure test.

See <https://bolderadvocacy.org/resource/public-charities-can-lobby-guidelines-for-501c3-public-charities-2/>

Organizations that are tax-exempt under 501(c)(4) (social welfare organizations), 501(c)(5) (labor organizations), and 501(c)(6) (trade associations) can do unlimited lobbying. See <https://bolderadvocacy.org/resource/being-a-player-a-guide-to-the-irs-lobbying-regulations-for-advocacy-charities/>

Your organization will need to ensure that you are keeping track of your lobbying staff time and your expenses in a way that works for both your IRS reporting, and for any required state or local reporting, since the information required in each regime will be different.

Note that there is also a federal law called the Lobbying Disclosure Act that requires some organizations to register and report their federal level lobbying activities. Organizations that have only occasional contacts at the federal level (having occasional meetings with members or staff or sending occasional letters to Congress) will not need to register under the LDA. The thresholds are designed to require only those organizations with substantial lobbying activities and expenses to file. For more information see https://bolderadvocacy.org/wp-content/uploads/2018/06/Understanding_the_Lobbying_Disclosure_Act.pdf

Q: Does supporting or opposing a ballot measure count as lobbying?

In Maryland, citizens may initiate veto referendums, but not initiatives. The General Assembly may also put proposed constitutional amendments on the ballot for the voters to approve.

Any work done to influence the General Assembly to place (or not place) a proposed constitutional amendment on the ballot may constitute lobbying and require registration, as outlined in this Guide.

Once a citizen-initiated veto referendum, or a proposed constitutional amendment, is on the ballot, activities supporting or opposing such measure are regulated under the state's campaign finance laws (note, however, the IRS still considers activities at this stage of the process to be lobbying). Nonprofit organizations considering working on ballot measures in Maryland should seek advice on how to comply with any applicable state or local campaign finance reporting requirements.

Q: If we are required to register, how does the process work?

Lobbyist registration

Registrations are accepted throughout the lobbying year (November 1 to October 31), but are only valid until October 31, regardless of when one registers. Registration must be submitted within five days after first performing an act that requires registration.

The form is simple and must be filed electronically at <https://lobby-ethics.maryland.gov/>.

Your lobbyist will need to disclose:

- The type(s) of lobbying they intend to do
- The lobbyist's name and address (use business contact information, since this information will be made public)
- The name of the employer (which will be your organization for your staff lobbyists)
- The period of activity and the nature of the lobbying matters to be addressed

The fee is \$100 per registration.

Registrations can be terminated at any time by submitting a letter to the Commission requesting termination (there is no special form for this) and filing any required reports within 30 days after filing the letter.

Should you claim the organizational registration exemption?

In Maryland, even if your organization has technically triggered organizational registration, you can claim exemption from such registration as long as you have a registered lobbyist who can report all of your organizational activities on their individual reporting form. Your organization will still be liable for any mistakes or omissions on the forms, and for any late filings, so in practice your organization should be in full control of your lobbyist's filings and treat them like your organizational filings.

Your designated individual lobbyist must claim the exemption on their registration form.

Primary purpose of the organization question on the registration and reporting forms

On your registration form you will be asked the following question: "Is the employer organized for the primary purpose of attempting to influence any legislation or executive action?"

All 501(c)(3) organizations should answer this question "NO" because you are not allowed to lobby as your primary purpose under IRS regulations.

501(c)(4) organizations should seek the advice of counsel before answering yes to this question, as it will trigger potential donor disclosure.

Mandatory lobbyist training

Lobbyists must take a mandatory online training within six months of registering and then every two years, as long as the lobbyist continues to be registered. The training can be accessed from the lobbyist's reporting account at <https://lobby-ethics.maryland.gov>.

To access the training, the lobbyist must create an account in the training system by using the same e-mail address that was used to create the lobbying account.

Q: When are periodic lobbying reports due?

The regular periodic lobbying reports are due every six months.

Reporting Period	Reports Due
November 1 to April 30	May 31
May 1 to October 31	November 30

If you held a **legislative event**, at which you pay for food or beverages as part of a reception or meal for members of a legislative unit, then you must send a notice of invitation to all members of the legislative unit through your online lobbying account at least **five days** before the event, and you must file a special expenditure report within **14 days following** the event.

Q: What information do the periodic lobbying reports include?

Maryland’s six-month “Lobbying Activity Reports” require you to update the information originally submitted in the registration relating to the kind of lobbying you are currently doing, and also to report your lobbying expenditures. The form requires disclosure of expenditures made on public officials, their staff, or the families (i.e., meals and beverages, or gifts). You are also required to disclose certain categories of internal lobbying expenses, including lobbying-specific office expenses, research assistance, costs to produce lobbying materials, witness fees, or any other expenses that are specifically lobbying-related. Personal meals and travel expenses for an individual lobbyist are also reportable. You will need good operational systems in place to track these expenses.

You can review examples of what these filings look like at <https://lobby-ethics.maryland.gov/>

Maryland also requires “special reporting” on a variety of other lobbying related topics. Unless otherwise noted, this information is solicited during the process of filing the electronic Lobbying Activity Reports and does not require a special separate filing.

- **Grassroots contributors:** If your organization is operated for the primary purpose of lobbying, you will need to disclose any donors that provided at least 5% of your organization’s revenues. This reporting obligation **does not apply** to 501(c)(3) organizations, since under IRS rules a 501(c)(3) cannot have lobbying as their primary purpose. It is possible that some 501(c)(4) organizations might fall under this reporting obligation, since they can lobby more than 50% of their time, but you should seek additional legal counsel before concluding that this donor disclosure obligation applies to your organization.
- **Identification of gift recipients:** Some types of gifts for the benefit of public officials or their families require additional disclosure about the recipient of the gift.
- **\$75 gift disclosure:** You must disclose gifts to public officials, their staff or their families worth \$75 or more, even if they are unrelated to lobbying.
- **Business transactions with officials:** This reporting also includes business entities in which the public official, or their spouse, are involved.
- **Campaign contributions from lobbyists:** Your lobbyists will need to report any contributions they made in their own personal capacity to certain public officials (or candidates to such office) or their PACs.
- **Campaign contributions from your organization:** Organizations that employ a lobbyist must report any organizational campaign contributions through a separate process. Note that this reporting requirement should never apply to 501(c)(3) organizations in their organizational capacity, since IRS rules prohibit campaign contributions from 501(c)(3) organizations. Maryland law, however, states that the

FAQS

personal contributions of officers, trustees, or board members of a nonprofit corporation can, under certain circumstances, be deemed to be made in the name of the organization and must be reported as such. For more information see: https://elections.maryland.gov/campaign_finance/disclosure_of_contributions.html

- **Legislative meals or receptions:** As noted above, special reporting obligations apply to legislative events. A notice of invitation must be sent to all members of the legislative unit through your online lobbying account at least five days before the event, and a special expenditure report must be filed through your online lobbying account within 14 days following the event.
- **Primary purpose of the organization question on the registration and reporting forms:** As in the registration form, you will also be asked a question on your reporting form about whether the employer is organized for the primary purpose of attempting to influence any legislation or executive action.

For all 501(c)(3) organizations, the answer this question will always be “NO,” because under IRS regulations you are not allowed to have lobbying as your primary purpose. 501(c)(4) organizations should seek the advice of counsel before answering yes to this question as it will trigger potential donor disclosure.

Q: What is considered a reportable “expenditure”?

Any money or other thing of value expended in furtherance of regulated lobbying is a reportable expenditure and should be reported on the Lobby Activity Report.

Examples of reportable expenditures include lobbyist compensation, lobbying-specific office expenses, professional and technical research assistance, the production of lobbying materials, witness fees, and meals and beverages for your own staff.

If you are engaged in grassroots lobbying, anything you spend in furtherance of planning and implementing a grassroots lobbying campaign, including staff compensation and paid advertising, is also a reportable expenditure.

Gift ban: Gifts are not banned in Maryland, but there are reporting requirements when they are made. Public officials and employees are prohibited from soliciting gifts. It is important to note that regulations relating to lobbying expenditures almost always intersect in complicated ways with state and local ethics and “gift ban” laws. Those state and local rules often apply even if your organization has not triggered lobbyist registration, and may apply to a broader range of officials. You should be certain that you understand the intricacies of both sets of rules before giving any gifts to, or paying expenses for, any public officials at the state or local level.

Q: Do our organization’s donors need to be disclosed on any lobbying reports?

Not if your organization is a 501(c)(3).

Organizations whose **primary purpose** is lobbying must disclose donor information for donors contributing five percent or more the organization’s revenues. You should seek additional legal advice before concluding that any of your donors must be disclosed under this provision.

Q: How are our lobbyists required to identify themselves while lobbying?

Although there are no Maryland statutes that require a lobbyist to wear a badge while lobbying, it is good manners to state that you are a lobbyist and who you are working for.

Some legislative or executive offices require identification of your organization prior to the meeting, either verbal or written, or require lobbyists to sign in and list the issue and organization they are lobbying on before the meeting commences.

Q: Are there any other restrictions on lobbyists that we should be aware of?

No contingency fees: Paying a lobbyist a contingency fee based on securing passage or defeat of legislation or an executive action is prohibited.

Political contributions: The law allows lobbyists to make personal political contributions (which are then reportable on their lobbying disclosure forms), but otherwise it generally prohibits lobbyists from participating in partisan campaign activity. More information is available here: <https://ethics.maryland.gov/wp-content/uploads/filebase/lobbyists/lobbyists-memos/Campaign-Finance-Activity.pdf>

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





Revolving door: Maryland imposes certain restrictions of former public officials who become lobbyists. For example, a former state official or employee (excluding a former member of the General Assembly) may not represent anyone other than the state, in a case, contract, or other specified matter in which they participated significantly in while in state service. A former Governor, Lieutenant Governor, Attorney General, Comptroller, State Treasurer, or former member of the General Assembly may not represent another party in a matter that is subject to legislative action for one year after the official leaves office.

Case Study STUDENTS VOTE NOW

Students Vote Now is a hypothetical small 501(c)(3) advocacy organization considering being vocal about Bill 101 currently pending in the Maryland House of Delegates

STUDENTS VOTE NOW IS CONSIDERING:

- Reaching out to its student constituents, via direct physical mailings, e-mails, and volunteer phone banking, in order to get the students to call their state house representative about the bill.
- Doing an in-person Lobby Day at the state capital about Bill 101 to meet with legislators, or alternatively arranging a virtual Zoom lobby event. The Lobby Day activity might potentially include renting a bus, buying T-shirts for the volunteer participants, and handing out some small swag type items from the organization to the legislators, or if done by Zoom, the purchase of an upgraded Zoom account.
- Testifying before a committee of the House of Representatives regarding the student perspective on Bill 101.
- Having an employee engage with the Mayor of Baltimore about a similar, but separate, local ordinance being considered.

ACTIVITY	LOBBYIST REGISTRATION/REPORTING REQUIREMENTS
 <p>Student Engagement</p>	<p>The student engagement activities are grassroots lobbying, which is regulated as lobbying in Maryland. If Students Vote Now spends \$2,000 or more on grassroots lobbying during the reporting period, the organization will need to register and report. Grassroots lobbying efforts are not counted towards any of the other triggers. Since printed mailers are expensive, it seems likely that these activities, as described, would trigger registration under the grassroots trigger.</p>
 <p>Lobby Day</p>	<p>In person Lobby Day activities are “in the presence” activities, meaning they are done in the physical presence of the persons lobbied. Individual staff members who have been compensated \$2,500 or more on a prorated basis for all of their combined lobbying activities (including “not in the presence of” lobbying) during the six-month reporting period will need to register. Volunteers will not need to register.</p> <p>Students Vote Now will also need to track any lobbying related organizational expenditures during the period that were over \$500 (other than staff compensation). If total staff compensation for lobbying exceeds \$2,500 (even if no individuals triggered registration), it will also need to track and report.</p> <p>Because of the complicated gift ban rules, Students Vote Now should refrain from swag gifts and simply bring information about their work instead.</p>
 <p>Committee Testimony</p>	<p>While testimony invited by a public body is exempt from being counted as a lobbying activity, if Students Vote Now is not formally invited, they should consider this activity together with its other activities to calculate whether the direct lobbying trigger threshold has been crossed.</p>
 <p>Mayor</p>	<p>Baltimore has a local lobbying ordinance¹ that mirrors the state law in many ways. Students Vote Now should carefully review the city ordinance registration requirements, but since the trigger limits are relatively high for what may be only a meeting or two, it should be possible to design this work to not trigger local registration.</p>
<p>Bottom Line</p>	<p>In carrying out the lobbying activities as described, Students Vote Now will almost certainly trigger its own organizational registration, and individual staff members may also need to register.</p> <p>Students Vote Now will need to have good operational systems in place to track staff time and organizational expenses to know when registration thresholds have been met and to meet its reporting obligations.</p>

¹ <https://ethics.baltimorecity.gov/lobbying>

ADDITIONAL RESOURCES

BOLDER ADVOCACY'S TECHNICAL HOTLINE:

Bolder Advocacy's free Technical Assistance Hotline team is always happy to help nonprofits and advocacy attorneys with more specific questions. You can contact Bolder Advocacy's team of experts by e-mailing advocacy@afj.org, or calling 866-NP-LOBBY (866-675-6229) during standard business hours.

MARYLAND STATE RESOURCES:

- **Maryland State Ethics Commission**
The Maryland State Ethics Commission (the "Commission") administers lobbying registration, disclosure, reporting and standards of conduct for legislative, executive, and grassroots lobbying. <https://ethics.maryland.gov/lobbyists/>
- **Full Text of Maryland Lobbying Statutes**
The full text of the Maryland state lobbying statute can be found at <https://ethics.maryland.gov/wp-content/uploads/filebase/general/Public-Ethics-Law.pdf>
- **Summary of Lobbying Law and Rules**
The Commission has created a useful summary of relevant laws and rules available here: <https://ethics.maryland.gov/wp-content/uploads/filebase/lobbyists/General-Information-Lobbyists.pdf>
- **Lobbying-Related Instructional Memos**
The Commission has also published a series of memos explaining certain issues of interest to lobbyists: <https://ethics.maryland.gov/lobbyists/memos/>
Topics currently include Contingent Fee Restrictions, Gift Reporting for Lobbyists, Lobbying Law – Frequently Asked Questions, Lobbying Registration & Reporting Issues, Lobbyist Campaign Finance Activity, Lobbyists Serving on Boards, and Procurement Lobbying.
- **Online Training**
Lobbyists must take an online training course within six months of registering and thereafter every two years if they continue to be registered. <https://ethics.maryland.gov/lobbyists/mandatory-training/>
- **Additional Questions**
Any questions about lobbyist registration and reporting can be directed to the Lobbying Coordinator at Tim.McCormick@Maryland.gov or by calling the Commission at (410) 260-7770.

BOLDER ADVOCACY'S FEDERAL LAW RESOURCES:

While state and local laws regulate which lobbying activities require registration and reporting, the IRS also regulates how much lobbying a 501(c)(3) tax-exempt organization is allowed to do, including at the state and local levels. The way the IRS counts lobbying will almost always be different than how state and local laws count it, and organizations are urged to review Bolder Advocacy's federal law resources to ensure all IRS compliance obligations are being met. See: <https://bolderadvocacy.org/resource/being-a-player-a-guide-to-the-irs-lobbying-regulations-for-advocacy-charities/>



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