

HB0755/435764/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 755
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Illegal Contributions” and substitute “Contributions in Name of Another”; in line 4, strike “certain provisions of law” and substitute “a certain prohibition on contributions in the name of another person”; in line 6, strike “an” and substitute “the”; in line 8, after “contributions” insert “made in the name of another”; and strike in their entirety lines 9 through 18, inclusive, and substitute:

“BY adding to

Article – Election Law

Section 13–239.1

Annotated Code of Maryland

(2017 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, without amendments,

Article – Election Law

Section 13–602(a)(5), (b), and (c) and 15–103(a) and (b)

Annotated Code of Maryland

(2017 Replacement Volume and 2017 Supplement)

BY repealing and reenacting, with amendments,

Article – Election Law

Section 15–103(c)

Annotated Code of Maryland

(2017 Replacement Volume and 2017 Supplement)”.

AMENDMENT NO. 2

(Over)

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On pages 1 and 2, strike in their entirety the lines beginning with line 22 on page 1 through line 26 on page 2, inclusive, and substitute:

“13-239.1.

IF A CAMPAIGN FINANCE ENTITY RECEIVES A CONTRIBUTION AS A RESULT OF A VIOLATION OF § 13-602(A)(5) OF THIS TITLE FOR WHICH THE CONTRIBUTOR HAS BEEN CONVICTED, THE CAMPAIGN FINANCE ENTITY:

(1) MAY NOT USE THE CONTRIBUTION FOR ANY PURPOSE; AND

(2) SHALL REMIT THE CONTRIBUTION TO THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED UNDER § 15-103 OF THIS ARTICLE.

13-602.

(a) (5) A person may not directly or indirectly pay or promise to pay a campaign finance entity in a name other than the person's name.

(b) A person who violates this section is guilty of a misdemeanor and on conviction is:

(1) subject to a fine not exceeding \$1,000 or imprisonment not exceeding 1 year or both; and

(2) ineligible to hold any public or party office for 4 years after the date of the offense.

(c) (1) The State Prosecutor may prosecute, in any jurisdiction of the State, a person that the State Prosecutor believes to be guilty of a willful violation of this section.

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(2) A State's Attorney may prosecute a person that the State's Attorney believes to be guilty of a willful violation of this section in the county in which the State's Attorney serves.

15-103.

(a) There is a Fair Campaign Financing Fund.

(b) The Comptroller shall administer the Fund in accordance with this section.

(c) In accordance with this title, the Comptroller shall:

(1) credit to the Fund:

(i) all money collected under this title;

(ii) voluntary contributions to the Fund made electronically through the State Board's Web site;

(iii) fees, fines, and penalties assessed under this article or the General Provisions Article that are expressly allocated to the Fund by law;

(iv) an anonymous contribution paid to the Fund under § 13-239 of this article;

(V) AN ILLEGAL CONTRIBUTION PAID TO THE FUND UNDER § 13-239.1 OF THIS ARTICLE;

[(v)] (VI) surplus campaign funds paid to the Fund under § 13-247 of this article; and

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[(vi)] (VII) contributions to the Fund made through the checkoff on the individual income tax return established under § 2-113.1 of the Tax – General Article;

(2) subject to the usual investing procedures for State funds, invest the money in the Fund; and

(3) make distributions from the Fund promptly on authorization by the State Board.”.