

SENATE BILL 584

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1999 Regular Session
9r1778

By: **Senators Van Hollen, Frosh, and Pinsky**
Introduced and read first time: February 5, 1999
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Campaign Finance Reform Act**

3 FOR the purpose of prohibiting certain candidates or committees from receiving more
4 than a certain percentage of aggregate transfers from political action
5 committees; establishing certain civil penalties for certain violations under
6 certain circumstances; authorizing the State Board of Elections, represented by
7 the State Prosecutor, to institute a civil action for certain violations; defining a
8 certain term; providing for the application of this Act; providing for the effective
9 date of this Act; and generally relating to campaign financing.

10 BY adding to
11 Article 33 - Election Code
12 Section 13-216
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1998 Supplement)

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

17 **Article 33 - Election Code**

18 13-216.

19 (A) IN THIS SECTION, "POLITICAL ACTION COMMITTEE" MEANS A POLITICAL
20 COMMITTEE THAT IS NOT:

21 (1) A POLITICAL PARTY;

22 (2) A CENTRAL COMMITTEE; OR

23 (3) A POLITICAL COMMITTEE ORGANIZED AND OPERATED BY AND
24 SOLELY ON BEHALF OF AN INDIVIDUAL RUNNING FOR ANY ELECTIVE OFFICE.

25 (B) (1) A CANDIDATE OR A CANDIDATE'S COMMITTEE MAY NOT RECEIVE
26 TRANSFERS FROM POLITICAL ACTION COMMITTEES THAT, IN THE AGGREGATE, ARE

1 MORE THAN 20% OF THE CANDIDATE'S AGGREGATE CONTRIBUTIONS AND
2 TRANSFERS RECEIVED FROM ALL PERSONS BEFORE EACH ELECTION.

3 (2) THE DETERMINATION AS TO WHETHER A CANDIDATE OR A
4 CANDIDATE'S COMMITTEE HAS COMPLIED WITH PARAGRAPH (1) OF THIS
5 SUBSECTION SHALL BE BASED ON THE FINAL ELECTION REPORT SUBMITTED
6 BEFORE THE PRIMARY ELECTION AND BEFORE THE GENERAL ELECTION IN
7 ACCORDANCE WITH § 13-401 (A)(2) OF THIS TITLE.

8 (C) IF A CANDIDATE OR A CANDIDATE'S COMMITTEE RECEIVES AGGREGATE
9 TRANSFERS FROM POLITICAL ACTION COMMITTEES THAT EXCEED 20% OF THE
10 CANDIDATE'S AGGREGATE RECEIPTS OF CONTRIBUTIONS AND TRANSFERS FROM
11 ALL PERSONS AND THE AMOUNT THAT EXCEEDS THE 20% IS \$500 OR MORE, THE
12 CANDIDATE IS SUBJECT TO A CIVIL PENALTY THAT IS EQUAL TO TWICE THE AMOUNT
13 OF THE FUNDS THAT EXCEED \$500.

14 (D) THE STATE BOARD OF ELECTIONS, REPRESENTED BY THE STATE
15 PROSECUTOR, MAY INSTITUTE A CIVIL ACTION FOR ANY VIOLATION OF THIS
16 SUBSECTION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That, except for any election
18 subject to the provisions of Article 33 of the Code that is held during the 1999
19 calendar year, the provisions of this Act shall apply to contributions and transfers
20 received by a candidate or the candidate's committee on or after January 1, 1999. For
21 purposes of any election held during the 1999 calendar year, the provisions of §
22 13-216 of this Act shall apply to contributions and transfers received by a candidate
23 or the candidate's committee on or after January 1, 2000.

24 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
25 effect June 1, 1999.