
By: **Senator Van Hollen**

Introduced and read first time: February 4, 2000

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election - Campaign Finance - Reporting Requirements**

3 FOR the purpose of altering the reporting requirements for certain reports or
4 statements of campaign contributions and expenditures; authorizing certain
5 counties to require certain additional campaign reports or statements for county
6 elections; authorizing certain local boards of elections to adopt certain
7 regulations; and generally relating to the filing of certain campaign reports or
8 statements by certain candidates.

9 BY repealing and reenacting, with amendments,
10 Article 33 - Election Code
11 Section 13-401(a)
12 Annotated Code of Maryland
13 (1997 Replacement Volume and 1999 Supplement)

14 BY adding to
15 Article 33 - Election Code
16 Section 13-401(m)
17 Annotated Code of Maryland
18 (1997 Replacement Volume and 1999 Supplement)

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

21 **Article 33 - Election Code**

22 13-401.

23 (a) A candidate for nomination or election to public or party office, including
24 write-in candidates, and the treasurer designated by that candidate shall file the
25 report or statement of contributions and expenditures as prescribed in accordance
26 with § 13-402 of this subtitle with the board at which the candidate filed his
27 certificate of candidacy. All reports or statements of contributions and expenditures
28 shall be filed in duplicate except those filed with the State Board. Election reports as

1 specified below are required by all candidates for public or party office whether or not
2 the candidate's name appears on the primary ballot, or the candidate withdraws
3 subsequent to filing his certificate of candidacy, or the candidate is unsuccessful in
4 the election. Each report filed shall contain all contributions received and
5 expenditures made in furtherance of the candidate's nomination or election by the
6 candidate himself or, with the knowledge of the candidate, by any other person or
7 groups of persons, which shall be complete, except as otherwise provided in this
8 section through and including the seventh day immediately preceding the day by
9 which that report is to be filed. The initial report filed shall contain all contributions
10 so received and expenditures so made since the date of the last preceding election to
11 fill the office for which he is a candidate. Each subsequent report shall contain all
12 contributions so received and expenditures so made since the end of the period for
13 which the last preceding report is filed. Even if no contributions or expenditures have
14 been made since the end of the period for which the last preceding report was filed, a
15 statement to that effect must be filed on the forms prescribed pursuant to § 13-402 of
16 this subtitle under the circumstances and at the times specified in this section. The
17 initial and subsequent reports shall be consecutively filed as follows:

18 (1) NO LATER THAN THE FOURTEENTH TUESDAY IMMEDIATELY
19 PRECEDING ANY PRIMARY ELECTION; AND

20 (2) NO LATER THAN THE EIGHTH TUESDAY IMMEDIATELY PRECEDING
21 ANY PRIMARY ELECTION; AND

22 [(1)] (3) No later than the fourth Tuesday immediately preceding any
23 primary election; and

24 [(2)] (4) No later than the second Friday immediately preceding any
25 election which shall be complete through and including the preceding Sunday; and

26 [(3)] (5) No later than the third Tuesday after the general election; and

27 [(4)] (6) If a cash balance exists or if any unpaid bills or deficits remain
28 to be paid as of the end of the period for which the report or statement in paragraph
29 [(3)] (5) of this subsection is filed, six months after the general election; and

30 [(5)] (7) If a cash balance exists or if any unpaid bills or deficits remain
31 to be paid as of the end of the period for which the report or statement in paragraph
32 [(4)] (6) of this subsection is filed, one year after the general election; and

33 [(6)] (8) If a cash balance exists or if any unpaid bills or deficits remain
34 to be paid as of the end of the period for which the report or statement in paragraph
35 [(5)] (7) of this subsection or any subsequent report or statement is filed, annually on
36 the anniversary of the general election until no cash balance, unpaid bill, or deficit
37 remains; and

38 [(7)] (9) If a cash balance or outstanding debts or deficits were reflected
39 on the last preceding report, but have all been eliminated by the date on which the
40 next report is due, then a report clearly marked as "final" shall be filed on or before
41 such date showing all transactions since the last report; and

1 [(8)] (10) If a candidate does not intend to receive contributions or make
2 expenditures of \$1,000 or more, exclusive of his filing fee, he and his treasurer may
3 jointly execute an affidavit to that effect on a form prescribed by the State Board. If
4 he does not in fact receive contributions or make expenditures of \$1,000 or more, no
5 further reports need be filed pursuant to this section. The affidavit shall be filed not
6 later than the date by which the first report is due. If at any time the cumulative
7 contributions to or expenditures by a candidate who has filed such an affidavit equal
8 or exceed \$1,000, he and his treasurer shall thereafter file all reports required by this
9 section and failure to do so constitutes a failure to file and the commission of a
10 misdemeanor subject to the penalties prescribed in § 13-603 of this title.

11 (M) (1) A COUNTY GOVERNING BODY MAY REQUIRE A CANDIDATE FOR
12 NOMINATION OR ELECTION TO AN OFFICE IN THE COUNTY, INCLUDING WRITE-IN
13 CANDIDATES, AND THE TREASURER DESIGNATED BY THAT CANDIDATE, WHO ARE
14 REQUIRED TO FILE REPORTS OR STATEMENTS UNDER THIS SECTION, TO FILE
15 ADDITIONAL REPORTS OR STATEMENTS WITH THE LOCAL BOARD OF THE COUNTY.

16 (2) ANY ADDITIONAL REPORT OR STATEMENT REQUIRED BY A COUNTY
17 GOVERNING BODY IS SUBJECT TO THE PROVISIONS OF THIS TITLE.

18 (3) A LOCAL BOARD MAY ADOPT REGULATIONS TO IMPLEMENT ANY
19 ADDITIONAL REPORTING REQUIREMENT IMPOSED BY A COUNTY GOVERNING BODY
20 UNDER THIS SUBSECTION.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2000.