

SENATE BILL 381

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2000 Regular Session
(01r2028)

ENROLLED BILL

-- Economic and Environmental Affairs/Commerce and Government Matters --

Introduced by **Senators Frosh, Sfikas, Van Hollen, and Pinsky**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 523

1 AN ACT concerning

2 **Election Law - ~~Political Action Committees - Transfers to Candidates -~~**
3 **~~Check Identification~~**

4 FOR the purpose of providing that a political action committee that makes a transfer
5 to the treasurer or political committee of a candidate or a slate of candidates
6 shall display its official name, as filed with the State Board of Elections, and a
7 reference that the entity is a political action committee, in a prominent place on
8 the face of the check by which the funds are transferred; ~~repealing~~ modifying a
9 requirement that in elections for certain offices the name of a candidate be
10 identified by the county in which the candidate resides to only apply to elections
11 of certain members of the House of Delegates representing certain legislative
12 districts; defining a certain term; and generally relating to ~~the identification of~~
13 ~~a political action committee by name on the face of the check by which the~~
14 ~~political action committee makes a transfer~~ election law.

15 BY renumbering
16 Article 33 - Election Code

1 Section 1-101(y) through (pp), respectively
 2 to be Section 1-101(z) through (qq), respectively
 3 Annotated Code of Maryland
 4 (1997 Replacement Volume and 1999 Supplement)

5 BY adding to
 6 Article 33 - Election Code
 7 Section 1-101(y)
 8 Annotated Code of Maryland
 9 (1997 Replacement Volume and 1999 Supplement)

10 BY repealing and reenacting, with amendments,
 11 Article 33 - Election Code
 12 Section 9-210(h) and 13-213
 13 Annotated Code of Maryland
 14 (1997 Replacement Volume and 1999 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 16 MARYLAND, That Section(s) 1-101(y) through (pp), respectively, of Article 33 -
 17 Election Code of the Annotated Code of Maryland be renumbered to be Section(s)
 18 1-101(z) through (qq), respectively.

19 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
 20 read as follows:

21 **Article 33 - Election Code**

22 1-101.

23 (Y) "POLITICAL ACTION COMMITTEE" MEANS A POLITICAL COMMITTEE THAT
 24 IS NOT:

25 (1) A POLITICAL PARTY;

26 (2) A CENTRAL COMMITTEE;

27 (3) A SLATE;

28 (4) A POLITICAL COMMITTEE ORGANIZED AND OPERATED SOLELY TO
 29 SUPPORT OR OPPOSE A SINGLE CANDIDATE; OR

30 (5) A POLITICAL COMMITTEE ORGANIZED AND OPERATED SOLELY TO
 31 SUPPORT OR OPPOSE A BALLOT ISSUE.

32 9-210.

33 (h) ~~f(1)~~ In an election for an office that represents more than one county, in
 34 whole or in part OF A MEMBER OF THE HOUSE OF DELEGATES THAT IS SUBJECT TO

1 THE PROVISIONS OF § 2-201(D) OF THE STATE GOVERNMENT ARTICLE, the name of a
2 candidate shall be identified by the county in which the candidate resides.

3 (2) A candidate for President of the United States or Vice President of
4 the United States shall be identified by the state in which the candidate resides.

5 13-213.

6 (a) In this subsection, "political committee" includes a political committee
7 registered under § 13-202 of this subtitle and an out-of-state political committee.

8 (b) Except as provided in subsection (c) of this section, during a 4-year
9 election cycle the treasurer of a political committee or the treasurer of a candidate
10 may not directly or indirectly transfer any money greater than \$6,000 to the treasurer
11 or political committee of a candidate or any other political committee.

12 (c) The limitations on transfers and the provisions on affiliations set forth in
13 this subsection may not apply to:

14 (1) Transfers between and among political committees that are State or
15 local committees of the same political party;

16 (2) Transfers between and among a slate and its candidate members;
17 and

18 (3) Transfers between a campaign committee authorized by a candidate
19 and that candidate's treasurer.

20 (d) In applying the limitations of this subsection, all affiliated political
21 committees are treated as a single transferor. Political committees are "affiliated" if
22 they are organized and operated in coordination and cooperation with each other or
23 otherwise conduct their operations and make their contribution decisions under the
24 control of the same individual or entity.

25 (e) The limitations on transfers to the treasurer or political committee of a
26 candidate set forth in subsection (b) of this section shall apply to the individual
27 regardless of the number of offices for which that individual files a certificate of
28 candidacy within a 4-year election cycle.

29 (f) (1) No transfer of any kind, in any amount, is permitted if it is intended
30 to conceal the true identity of the actual contributor or the identity of the intended
31 recipient.

32 (2) A POLITICAL ACTION COMMITTEE THAT MAKES A TRANSFER TO THE
33 TREASURER OR POLITICAL COMMITTEE OF A CANDIDATE OR A SLATE OF
34 CANDIDATES UNDER THIS SECTION SHALL:

35 (I) DISPLAY ITS OFFICIAL NAME, AS FILED WITH THE STATE
36 BOARD UNDER § 13-202 OF THIS SUBTITLE, IN A PROMINENT PLACE ON THE FACE OF
37 THE CHECK BY WHICH THE FUNDS ARE TRANSFERRED; AND

1 (II) INCLUDE IN A PROMINENT PLACE ON THE FACE OF THE CHECK
2 THE WORDS "POLITICAL ACTION COMMITTEE" OR THE NOTATION "PAC" TO INDICATE
3 THAT THE ENTITY IS A POLITICAL ACTION COMMITTEE.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 ~~October~~ July 1, 2000.