

(PRE-FILED)

By: **Chairman, Economic and Environmental Affairs Committee**
(Departmental - Elections, State Board of)

Requested: August 11, 2000
Introduced and read first time: January 10, 2001
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted
Read second time: January 30, 2001

CHAPTER 19

1 AN ACT concerning

2 **Election Law - Campaign Accounts - Administrative Closure**

3 FOR the purpose of authorizing the State Board of Elections to close a campaign
4 account based on a finding that good cause and certain other criteria exist;
5 providing that closing a campaign account does not affect certain legal liabilities
6 of individuals associated with a campaign account; and generally relating to
7 closing campaign accounts.

8 BY adding to
9 Article 33 - Election Code
10 Section 13-401(a-2)
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 2000 Supplement)

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

15 **Article 33 - Election Code**

16 13-401.

17 (A-2) (1) NOTWITHSTANDING SUBSECTION (A-1) OF THIS SECTION, THE STATE
18 BOARD MAY CLOSE A CAMPAIGN ACCOUNT UPON A DETERMINATION THAT GOOD
19 CAUSE EXISTS AND THAT:

1 (I) AN OFFICER AFFILIATED WITH THE CAMPAIGN ACCOUNT
2 WOULD BE ABLE TO CLOSE THE CAMPAIGN ACCOUNT EXCEPT FOR OUTSTANDING
3 OBLIGATIONS THAT ARE MORE THAN 5 YEARS OLD;

4 (II) THERE ARE NO CURRENT OFFICERS APPOINTED AND SERVING
5 IN CONNECTION WITH THE CAMPAIGN ACCOUNT; OR

6 (III) OTHER EXTENUATING CIRCUMSTANCES EXIST TO JUSTIFY
7 CLOSING THE ACCOUNT.

8 (2) THE CLOSING OF A CAMPAIGN ACCOUNT BY ACTION OF THE STATE
9 BOARD DOES NOT LIMIT THE RIGHT OF:

10 (I) THE STATE BOARD OR THE STATE PROSECUTOR TO PURSUE
11 ENFORCEMENT ACTION AGAINST FORMER OFFICERS OR THE CANDIDATE
12 AFFILIATED WITH WITH THE CAMPAIGN ACCOUNT; OR

13 (II) A CREDITOR TO BRING AN ACTION AGAINST A FORMER
14 OFFICER OR THE CANDIDATE AFFILIATED WITH THE CAMPAIGN ACCOUNT.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2001.