

Chapter 409

(House Bill 378)

AN ACT concerning

Election Law – ~~Ballot Issue Committee – Additional Campaign Finance~~ ~~Report Reports~~

FOR the purpose of requiring a ballot issue committee to file a campaign finance report on or before a certain date preceding a general election; exempting a certain campaign finance entity of a candidate for election to the central committee of a political party from the requirement to file a certain affidavit or campaign finance report on certain dates; and generally relating to the filing of ~~an additional campaign finance report by a ballot issue committee reports.~~

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–305 and 13–309
Annotated Code of Maryland
(2003 Volume and 2009 Supplement)

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

Article – Election Law

13–305.

(a) Instead of filing a report required under § 13–309 of this subtitle, a treasurer may file an affidavit stating that the campaign finance entity has not raised or spent a cumulative amount of \$1,000 or more, exclusive of the filing fee, and regardless of the balance of the campaign account, since:

- (1) establishing the campaign finance entity; or
- (2) filing the campaign finance entity's last campaign finance report.

(b) The affidavit shall be filed on or before the date a campaign finance report is due to be filed under § 13–309 of this subtitle.

(C) (1) THIS SUBSECTION ONLY APPLIES TO A CAMPAIGN FINANCE ENTITY OF A CANDIDATE FOR ELECTION TO THE CENTRAL COMMITTEE OF A POLITICAL PARTY THAT IS AUTHORIZED UNDER SUBSECTION (A) OF THIS

SECTION TO FILE AN AFFIDAVIT INSTEAD OF FILING A CAMPAIGN FINANCE REPORT ON A DATE SPECIFIED IN § 13-309(A) OF THIS SUBTITLE.

(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A CAMPAIGN FINANCE ENTITY SUBJECT TO THIS SUBSECTION IS NOT REQUIRED TO FILE AN AFFIDAVIT UNDER THIS SECTION OR A CAMPAIGN FINANCE REPORT ON A DATE SPECIFIED IN § 13-309(A) OF THIS SUBTITLE.

(3) A CAMPAIGN FINANCE ENTITY SUBJECT TO THIS SUBSECTION SHALL FILE AN AFFIDAVIT UNDER SUBSECTION (A) OF THIS SECTION OR A CAMPAIGN FINANCE REPORT ON THE DATE SPECIFIED IN § 13-309(C) OF THIS SUBTITLE.

13-309.

(a) Subject to other provisions of this subtitle, a campaign finance entity shall file campaign finance reports as follows:

(1) except for a ballot issue committee, on or before the fourth Tuesday immediately preceding each primary election except a presidential primary election;

(2) except for a ballot issue committee, on or before the second Friday immediately preceding a primary election;

(3) FOR A BALLOT ISSUE COMMITTEE ONLY, ON OR BEFORE THE FOURTH FRIDAY IMMEDIATELY PRECEDING A GENERAL ELECTION;

~~[(3)] (4)~~ on or before the second Friday immediately preceding a general election; and

~~[(4)] (5)~~ on or before the third Tuesday after a general election.

(b) (1) A campaign finance entity is subject to subsection (a) of this section and this subsection only as to the election in which the entity designates that it will participate.

(2) In addition to the campaign finance reports required under subsection (a) of this section, but subject to paragraph (4) of this subsection, a campaign finance entity shall file campaign finance reports on the third Wednesday in January.

(3) (i) If subsequent to the filing of its declaration under § 13-208(c)(3) of this title, a campaign finance entity participates in an election in which it was not designated to participate, the campaign finance entity shall file all campaign reports prescribed under subsection (a) of this section for that election.

(ii) A violation of subparagraph (i) of this paragraph constitutes a failure to file by the campaign finance entity, and the responsible officer is guilty of a misdemeanor and on conviction is subject to the penalties prescribed under Part VII of this subtitle.

(4) If a campaign finance entity has neither a cash balance nor an outstanding obligation at the end of a reporting period, a campaign finance report for that period, clearly marked as “final”, shall be filed on or before the due date, and no further report is required.

(c) In addition to the campaign reports required under subsection (a) of this section, a continuing political committee shall file a campaign finance report on the third Wednesday in January of each year the committee is in existence.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2010.

Approved by the Governor, May 4, 2010.