

**Department of Legislative Services**  
 Maryland General Assembly  
 2010 Session

**FISCAL AND POLICY NOTE**  
**Revised**

House Bill 378  
 Ways and Means

(Delegate Kaiser, *et al.*)

Education, Health, and Environmental Affairs

**Election Law - Campaign Finance Reports**

This bill requires a ballot issue committee to file an additional campaign finance report prior to a general election, on or before the fourth Friday preceding the election. The bill also specifies that a campaign finance entity of a candidate for election to the central committee of a political party that is authorized under existing provisions to file an affidavit of limited contributions and expenditures in place of a campaign finance report is not required to file the affidavit or a campaign finance report on campaign finance reporting dates prior to and after primary and general elections. Those campaign finance entities, however, must still file an affidavit or a campaign finance report on the third Wednesday in January.

The bill takes effect July 1, 2010.

**Fiscal Summary**

**State Effect:** General fund expenditures increase by approximately \$54,000 in FY 2011 to modify electronic filing software and agency software. Revenues are not affected.

(in dollars)	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	54,000	0	0	0	0
Net Effect	(\$54,000)	\$0	\$0	\$0	\$0

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect*

**Local Effect:** None.

**Small Business Effect:** None.

## Analysis

**Current Law/Background:** A “ballot issue committee” is defined as a political committee (also called a campaign finance entity) formed to promote the success or defeat of a question to be submitted to a vote at an election.

For each election in which a campaign finance entity participates, it generally must file campaign finance reports at various times prior to and after the primary and general elections. The reports must contain information required by the State Board of Elections (SBE) with respect to all contributions received and all expenditures made by or on behalf of the campaign finance entity during a reporting period. Annual reports generally must also be filed on the third Wednesday in January.

Campaign finance entities other than ballot issue committees must file, on specified days, two reports prior to a primary election (with the exception of a presidential primary election, when only one report must be filed), and all campaign finance entities (including ballot issue committees) must file a report on or before the second Friday before a general election and the third Tuesday after a general election.

An affidavit may be filed in place of a campaign finance report when a campaign finance entity has not raised or spent a cumulative amount of \$1,000 or more, exclusive of the candidate filing fee, since the campaign finance entity was established or since the campaign finance entity’s last campaign finance report was filed.

Chapter 40 of 2006 amended State law (codifying a longstanding policy of SBE) to require ballot issue committees to file campaign finance reports both before and after a general election. Prior to that enactment, State law only required ballot issue committees to file reports after a general election.

Under the Election Law Article, a principal political party (majority party and principal minority party) must elect members of a county central committee at a primary election. Each political party must have a State central committee that is the governing body of the political party, and except as otherwise provided under the Election Law Article, each political party must adopt and be governed by a constitution and all bylaws and rules adopted in accordance with the constitution. The constitution and bylaws of each political party must provide, among other things, for the selection of a State governing body. The Maryland Democratic and Republican State central committees generally consist of the members of all of the parties’ county central committees.

**State Fiscal Effect:** General fund expenditures may increase by approximately \$54,000 in fiscal 2011 to modify electronic filing software and agency software to account for the bill’s changes.

## Additional Information

**Prior Introductions:** HB 413 of 2009 and HB 138 of 2008, bills that would have required ballot issue committees to file an additional campaign finance report, both passed in the House and received hearings in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken on either bill.

**Cross File:** None.

**Information Source(s):** State Board of Elections, Department of Legislative Services

**Fiscal Note History:** First Reader - February 19, 2010  
mlm/mwc Revised - House Third Reader/Clarification - April 7, 2010

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