

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

House Bill 538
Ways and Means

(Delegate Olszewski, *et al.*)

Education, Health, and Environmental Affairs

Campaign Finance - Contributions - Disclosure

This bill specifies that a campaign finance entity must report on its campaign finance reports, for each contribution it receives: (1) the amount of each contribution; and (2) the name and address of each contributor. A campaign finance entity, however, may report a maximum cumulative amount of \$25,000 in contributions in an election cycle on its campaign finance reports without providing the amount of each contribution and the name and address of each contributor. All contributions reported on or after January 1, 2011, must be considered in determining whether a campaign finance entity has reached the \$25,000 limit for an election cycle. The bill's reporting requirements apply only to campaign finance reports filed on or after October 1, 2012.

Fiscal Summary

State Effect: None. The bill's changes can be handled with existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: 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.

Under SBE regulations, a campaign finance report generally must include, among other things, the amount of money or fair market value of each contribution and the name and address of the contributor. Certain smaller contributions are allowed to be reported in aggregate without identifying the individual amount and contributor of the contribution on the campaign finance report. Contributions from different contributors of under \$51, for example, may be aggregated and reported as a lump sum on a campaign finance report. Purchases of tickets for a campaign event may also be aggregated if the cost of the tickets is less than \$51 and the cumulative amount per person is less than \$251. Information on the individual amounts and contributors of the aggregated contributions in most cases must still, however, be entered into the account book required to be kept by the treasurer of a campaign finance entity. The regulations do not specify a limit on the number or aggregate dollar amount of those smaller contributions that may be reported as a lump sum.

An “election cycle” is defined under the Election Law Article as the period beginning on January 1 following a gubernatorial election and continuing until the December 31 four years later.

Additional Information

Prior Introductions: HB 481 of 2011 and HB 788 of 2010 passed 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 13, 2012
mc/hlb

Analysis by: Scott D. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510