

HOUSE BILL 447

G1
HB 6/12 – W&M

3lr1635

By: **Delegate Howard**

Introduced and read first time: January 28, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Use of Campaign Funds for Meeting and Conference Expenses**

3 FOR the purpose of including a disbursement to pay the costs for travel, lodging,
4 meals, and registration expenses to attend certain meetings or conferences as
5 an allowable expenditure of funds from a campaign account under the State
6 election law; and generally relating to the use of campaign funds to pay
7 expenses for a candidate’s or an elected official’s attendance at certain meetings
8 and conferences.

9 BY repealing and reenacting, without amendments,
10 Article – Election Law
11 Section 1–101(o)
12 Annotated Code of Maryland
13 (2010 Replacement Volume and 2012 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Election Law
16 Section 1–101(aa)
17 Annotated Code of Maryland
18 (2010 Replacement Volume and 2012 Supplement)

19 Preamble

20 WHEREAS, Campaign contributions regulated by the Maryland State Board of
21 Elections may be used for legally procured goods and services that “... promote or
22 assist in the promotion of the success or defeat of a candidate ...”; i.e., to enhance the
23 electability of the person on whose behalf the campaign finance entity is established;
24 and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, State election law does not explicitly specify or limit the categories
2 of expenditures that a campaign finance entity may make from a campaign account to
3 "... promote or assist in the promotion of the success or defeat of a candidate ..."; and

4 WHEREAS, A letter of advice issued July 22, 2009, by the Attorney General of
5 Maryland, Office of Counsel to the General Assembly, advises that campaign funds
6 may not be used to fund a State legislator's travel, lodging, meals, and registration
7 expenses at a legislative conference; and

8 WHEREAS, The purposes of many such meetings and conferences are to: (1)
9 educate participants about the legislative process; (2) inform participants regarding
10 other states' legislative solutions to similar problems that may be impacting
11 Maryland; and (3) engage participants about issues and strategies to address matters
12 emanating from the federal government; now, therefore,

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

15 **Article – Election Law**

16 1–101.

17 (o) (1) "Contribution" means the gift or transfer, or promise of gift or
18 transfer, of money or other thing of value to a campaign finance entity to promote or
19 assist in the promotion of the success or defeat of a candidate, political party, or
20 question.

21 (2) "Contribution" includes proceeds from the sale of tickets to a
22 campaign fund-raising event.

23 (aa) "Expenditure" means a gift, transfer, disbursement, or promise of money
24 or a thing of value by or on behalf of a campaign finance entity to:

25 (1) promote or assist in the promotion of the success or defeat of a
26 candidate, political party, or question at an election; [or]

27 (2) pay for the publication expense of a legislative newsletter under
28 Title 13, Subtitle 4 of this article; **OR**

29 **(3) PAY FOR TRAVEL, LODGING, MEALS, AND REGISTRATION**
30 **EXPENSES OF AN ELECTED OFFICIAL OR A CANDIDATE THAT ARE ASSOCIATED**
31 **WITH ATTENDANCE AT MEETINGS OR CONFERENCES FOCUSED ON LEGISLATIVE**
32 **ISSUES, PROCESS, OR PUBLIC POLICY ANALYSIS PERTINENT TO THE OFFICE**
33 **THAT THE ELECTED OFFICIAL HOLDS OR THAT THE CANDIDATE SEEKS.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2013.