

SB0973/544932/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 973

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Campaign Finance – Public Officials” and substitute “Election Law – Departmental Secretaries”; strike beginning with “public” in line 4 down through “officials” in line 7 and substitute “secretary of a principal department of the Executive Branch of State government from soliciting, transmitting, or depositing in a campaign account certain contributions or donations; requiring a campaign finance entity or other entity that receives a contribution or donation as a result of a violation of this Act to refund the contribution or donation to the contributor or donor; authorizing the State Board of Elections to impose a civil penalty on a campaign finance entity or other entity that knowingly receives a contribution or donation as a result of a violation of this Act; authorizing the State Board to impose a civil penalty on a secretary of a principal department of the Executive Branch of State government that engages in campaign fundraising activity prohibited by this Act; requiring a civil penalty under this Act to be distributed to the Fair Campaign Financing Fund; and generally relating to prohibiting departmental secretaries in the Executive Branch of State government”.

AMENDMENT NO. 2

On page 1, after line 19, insert:

“(2) (I) “DONATION”, AS TO AN INDEPENDENT EXPENDITURE, HAS THE MEANING STATED IN § 13-306 OF THIS TITLE.

(II) “DONATION”, AS TO AN ELECTIONEERING COMMUNICATION, HAS THE MEANING STATED IN § 13-307 OF THIS TITLE.”;

in line 20, strike “(2)” and substitute “(3)”; and strike beginning with “MEANS” in line 20 down through “LAW” in line 22 and substitute “MEANS A PRINCIPAL DEPARTMENT”

(Over)

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OF THE EXECUTIVE BRANCH OF STATE GOVERNMENT AS SET FORTH IN § 8-201(B) OF THE STATE GOVERNMENT ARTICLE”.

On page 2, strike in their entirety lines 1 through 4, inclusive; after line 6, insert:

“(5) “SECRETARY” MEANS THE SECRETARY OF A GOVERNMENTAL UNIT.”;

in line 7, strike “(5)” and substitute “(6)”; in lines 8 and 9, in each instance, strike “PUBLIC OFFICIAL” and substitute “SECRETARY”; and in line 12, strike “PUBLIC OFFICIAL’S” and substitute “SECRETARY’S”.

AMENDMENT NO. 3

On page 2, after line 12, insert:

“(C) (1) A CAMPAIGN FINANCE ENTITY OR OTHER ENTITY THAT RECEIVES A CONTRIBUTION OR DONATION AS A RESULT OF A VIOLATION OF THIS SECTION:

(I) SHALL REFUND THE CONTRIBUTION OR DONATION TO THE CONTRIBUTOR OR DONOR; AND

(II) MAY BE ASSESSED A CIVIL PENALTY AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION.

(2) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY ON A CAMPAIGN FINANCE ENTITY OR OTHER ENTITY THAT KNOWINGLY RECEIVES A CONTRIBUTION OR DONATION AS A RESULT OF A VIOLATION OF THIS SECTION:

(I) IN THE MANNER SPECIFIED IN § 13-604.1 OF THIS TITLE;

AND

(II) FOR EACH VIOLATION, IN AN AMOUNT NOT EXCEEDING THE SUM OF \$1,000 PLUS THE AMOUNT OF THE CONTRIBUTION OR DONATION.

(D) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY ON A SECRETARY WHO VIOLATES THIS SECTION:

(1) IN THE MANNER SPECIFIED IN § 13-604.1 OF THIS TITLE; AND

(2) FOR EACH VIOLATION, IN AN AMOUNT NOT EXCEEDING \$1,000.

(E) A CIVIL PENALTY IMPOSED UNDER SUBSECTION (C) OR (D) OF THIS SECTION SHALL BE DISTRIBUTED TO THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED UNDER § 15-103 OF THIS ARTICLE.”.