SENATE BILL 290

G1 SB 823/15 – EHE

By: Senators Bates, Kelley, and Waugh

Introduced and read first time: January 22, 2016

Assigned to: Education, Health, and Environmental Affairs

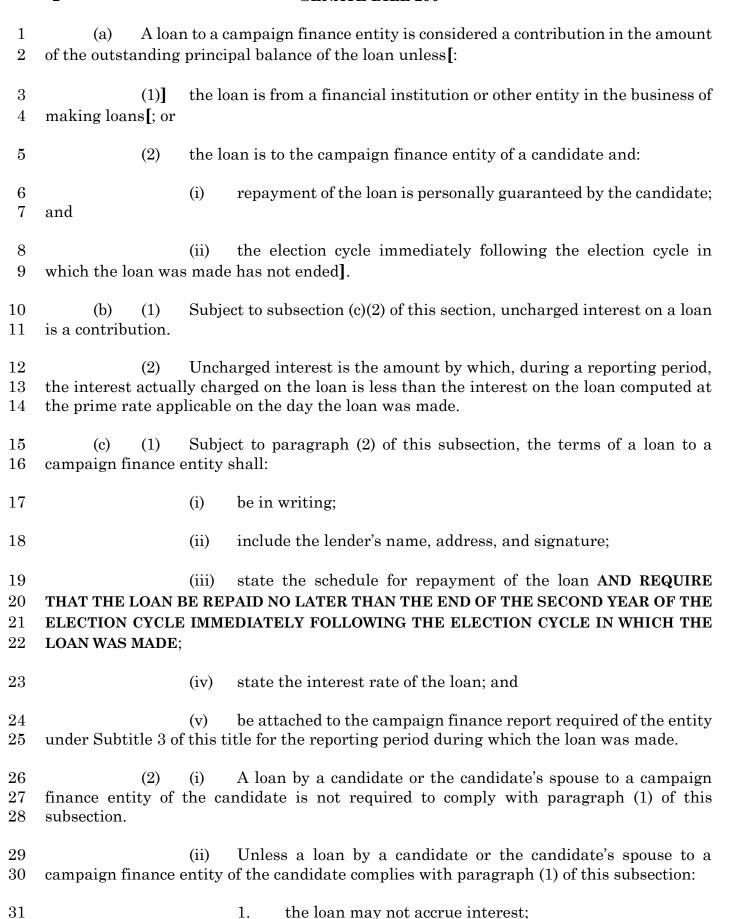
A BILL ENTITLED

1 AN ACT concerning

2

Election Laws - Loans to a Campaign Finance Entity

- 3 FOR the purpose of prohibiting money received by a campaign finance entity from certain persons from being considered a loan; altering the time period by which a campaign 4 5 finance entity must repay a loan; providing that the terms of a loan to a campaign 6 finance entity require that the loan be repaid by a certain date; specifying that 7 certain penalties assessed for a certain violation of campaign contribution limits may 8 be assessed against a lender, the candidate whose campaign finance entity received 9 the loan, or both; specifying that any statute of limitations associated with the assessment of certain penalties begins on expiration of the repayment deadline for a 10 11 certain loan; and generally relating to loans to a campaign finance entity.
- 12 BY repealing and reenacting, with amendments,
- 13 Article Election Law
- 14 Section 13–230
- 15 Annotated Code of Maryland
- 16 (2010 Replacement Volume and 2015 Supplement)
- 17 BY adding to
- 18 Article Election Law
- 19 Section 13–604.3
- 20 Annotated Code of Maryland
- 21 (2010 Replacement Volume and 2015 Supplement)
- 22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 23 That the Laws of Maryland read as follows:
- 24 Article Election Law
- 25 13–230.



1 2	2. any interest foregone on the loan is not a contribution under subsection (b) of this section; and
3	3. the campaign finance entity is not subject to [:
4 5	A.] § 13–310(a) and (b) of this title so long as the loan has an outstanding principal balance [; and
6	B. subsection (a)(2)(ii) of this section].
7 8	(d) (1) A loan may not be made to a campaign finance entity of a candidate, or accepted on behalf of the entity, without the express written consent of the candidate.
9	(2) The written consent of the candidate constitutes the personal guarantee of the candidate for repayment of the loan only if the document expressly so provides.
1	(3) A copy of the candidate's written consent shall be:
2	(i) furnished to the lender when the loan is made; and
13 14	(ii) attached to the campaign finance report required of the entity under Subtitle 3 of this title for the reporting period during which the loan was made.
5	13-604.3.
16 17 18	(A) If a loan made under § 13–230 of this title results in a violation of § 13–226 of this title, the penalty assessed under § 13–603 or § 13–604 of this subtitle may be assessed against the lender, the candidate whose campaign finance entity received the loan, or both.
20 21 22	(B) ANY STATUTE OF LIMITATIONS ASSOCIATED WITH ASSESSING A PENALTY UNDER SUBSECTION (A) OF THIS SECTION BEGINS ON EXPIRATION OF THE REPAYMENT DEADLINE FOR THE LOAN.
23	SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

24

October 1, 2016.