

# HOUSE BILL 1648

G1, P1

CONSTITUTIONAL AMENDMENT

8lr3740  
CF SB 1035

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By: **Delegate A. Washington**

Introduced and read first time: February 9, 2018

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Declaration of Rights – Access to Information**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to establish  
4 that the people have a compelling interest in access to timely and transparent  
5 information regarding how, when, and by and from whom funds are raised and spent  
6 to influence State elections; requiring the General Assembly to implement and  
7 enforce the interests enumerated in this amendment through appropriate  
8 legislation; and submitting this amendment to the qualified voters of the State for  
9 their adoption or rejection.

10 BY proposing an addition to the Maryland Constitution  
11 Declaration of Rights  
12 Article 48

13 Preamble

14 WHEREAS, The United States Constitution provides the people of this State a  
15 representative government and guarantees the rights of free speech, assembly, and  
16 petition; and

17 WHEREAS, To fully exercise these rights of self-government, the people need  
18 information to make informed electoral choices and ensure government is acting in their  
19 interest; and

20 WHEREAS, The people have a compelling interest in access to timely and  
21 transparent information regarding how, when, and by and from whom funds are raised and  
22 spent to influence State elections; now, therefore,

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
24 (Three-fifths of all the members elected to each of the two Houses concurring), That it be  
25 proposed that the Maryland Constitution read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **Declaration of Rights**2 **ARTICLE 48.**

3 (A) THE PEOPLE OF THE STATE HAVE A COMPELLING INTEREST IN ACCESS  
4 TO TIMELY AND TRANSPARENT INFORMATION REGARDING HOW, WHEN, AND BY AND  
5 FROM WHOM FUNDS ARE RAISED AND SPENT TO INFLUENCE STATE ELECTIONS SO  
6 THAT THE PEOPLE MAY MAKE INFORMED ELECTORAL CHOICES AND ENSURE  
7 GOVERNMENT IS ACTING IN THEIR INTEREST.

8 (B) TO ADVANCE DEMOCRATIC SELF-GOVERNMENT AND TO PROTECT THE  
9 INTEGRITY OF GOVERNMENT AND THE ELECTORAL PROCESS, THE GENERAL  
10 ASSEMBLY SHALL IMPLEMENT AND ENFORCE THE INTERESTS ENUMERATED IN THIS  
11 ARTICLE THROUGH APPROPRIATE LEGISLATION.

12 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
13 determines that the amendment to the Maryland Constitution proposed by Section 1 of this  
14 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland  
15 Constitution concerning local approval of constitutional amendments do not apply.

16 SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the  
17 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified  
18 voters of the State at the next general election to be held in November 2018 for adoption or  
19 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,  
20 the vote on the proposed amendment to the Constitution shall be by ballot, and on each  
21 ballot there shall be printed the words “For the Constitutional Amendment” and “Against  
22 the Constitutional Amendment”, as now provided by law. Immediately after the election,  
23 all returns shall be made to the Governor of the vote for and against the proposed  
24 amendment, as directed by Article XIV of the Maryland Constitution, and further  
25 proceedings had in accordance with Article XIV.