

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1648
Ways and Means

(Delegate A. Washington)

Declaration of Rights – Access to Information

This constitutional amendment declares that the people of the State have a compelling interest in access to timely and transparent information regarding how, when, and by and from whom funds are raised and spent to influence State elections so that the people may make informed electoral choices and ensure government is acting in their interest. To advance democratic self-government and to protect the integrity of government and the electoral process, the General Assembly must implement and enforce those interests through appropriate legislation.

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: The bill does not directly affect local government finances.

Small Business Effect: None.

Analysis

Current Law/Background:

Disclosure of Fundraising and Spending under State Campaign Finance Law

State campaign finance law regulates various aspects of raising and spending of funds in relation to the State's elections. Various reporting requirements apply to different types of election-related fundraising and/or spending, including campaign finance activity of political committees (those affiliated with candidates and those not affiliated with

candidates), raising and spending of funds to support or oppose a petition to place a question on the ballot and to support or oppose a question on the ballot, and independent political spending by individuals or entities to influence State elections. The State Board of Elections makes reported information publicly available through its online Maryland Campaign Reporting Information System.

Declaration of Rights

Maryland has had a Declaration of Rights since 1776. The Court of Appeals has described the Declaration of Rights and the Constitution as composing the State's form of government, to be interpreted as one instrument (Baltimore v. State, 15 Md. 376 (1860)).

Additional Information

Prior Introductions: None.

Cross File: Although SB 1035 (Senator Smith - Education, Health, and Environmental Affairs) is designated as a cross file, it is not identical.

Information Source(s): State Board of Elections; Department of Legislative Services

Fiscal Note History: First Reader - March 2, 2018
nb/hlb

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