

SENATE BILL 950

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9lr3165

By: **Senator Kagan**

Introduced and read first time: February 15, 2019

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 22, 2019

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: March 15, 2019

CHAPTER _____

1 AN ACT concerning

2 **Campaign Finance – Death of Candidate – Termination of Campaign Committee**

3 FOR the purpose of requiring the authorized candidate campaign committee of a candidate
4 who dies to pay outstanding obligations, dispose of remaining funds in a certain
5 manner, and terminate and file a final campaign finance report within a certain
6 period of time after the candidate's death; requiring the treasurer of the candidate's
7 authorized candidate campaign committee to consider the expressed preferences of
8 the candidate, if any, when determining where to dispose of certain funds before
9 disposing of certain funds; and generally relating to the termination of the
10 authorized candidate campaign committee of a deceased candidate.

11 BY repealing and reenacting, without amendments,
12 Article – Election Law
13 Section 13–247
14 Annotated Code of Maryland
15 (2017 Replacement Volume and 2018 Supplement)

16 BY adding to
17 Article – Election Law
18 Section 13–310.1
19 Annotated Code of Maryland
20 (2017 Replacement Volume and 2018 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Election Law**

4 13–247.

5 After all campaign expenditures have been made and before filing a final campaign
6 finance report under Subtitle 3 of this title, any remaining balance in the account of a
7 campaign finance entity shall be returned pro rata to the contributors or paid to:

8 (1) if the campaign finance entity is a political committee formed to support
9 a candidate or act for a political party:

10 (i) the State central committee of the political party:

11 1. of which the candidate is a member; or

12 2. for which the political committee is acting;

13 (ii) the local central committee of the political party:

14 1. of which the candidate is a member in a county in which
15 the candidate resides or which the candidate seeks to represent; or

16 2. for which the political committee is acting; or

17 (iii) the board of education of a county in which the candidate resides
18 or which the candidate seeks to represent;

19 (2) a nonprofit organization that provides services or funds for the benefit
20 of pupils or teachers;

21 (3) a charitable organization registered or exempt from registration under
22 the Maryland Charitable Solicitations Act;

23 (4) the Fair Campaign Financing Fund established under § 15–103 of this
24 article; or

25 (5) a public or private institution of higher education in the State if:

26 (i) that institution possesses a certificate of approval from the
27 Maryland Higher Education Commission; and

28 (ii) the payment is designated for use by the institution solely to
29 award scholarships, grants, or loans to students attending the institution.

1 13-310.1.

2 (A) WITHIN ~~90~~ 120 DAYS AFTER A CANDIDATE DIES, THE CANDIDATE'S
3 AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE SHALL:

4 (1) PAY ALL OUTSTANDING OBLIGATIONS;

5 (2) SUBJECT TO SUBSECTION (B) OF THIS SECTION, DISPOSE OF ANY
6 FUNDS REMAINING AFTER THE PAYMENT OF ALL OUTSTANDING OBLIGATIONS IN
7 ACCORDANCE WITH § 13-247 OF THIS TITLE; AND

8 (3) TERMINATE AND FILE A FINAL CAMPAIGN FINANCE REPORT.

9 (B) BEFORE DISPOSING OF ANY FUNDS UNDER SUBSECTION (A)(2) OF THIS
10 SECTION, THE TREASURER OF THE CANDIDATE'S AUTHORIZED CANDIDATE
11 CAMPAIGN COMMITTEE SHALL CONSIDER THE PREFERENCES EXPRESSED BY THE
12 CANDIDATE, IF ANY, WHEN DETERMINING WHERE TO DISPOSE OF ANY FUNDS
13 REMAINING IN THE ACCOUNT OF A CAMPAIGN FINANCE ENTITY.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.