

Chapter 110

(House Bill 216)

AN ACT concerning

Election Law – Campaign Material – Definition ~~and Authority Line for Telephone Calls~~

FOR the purpose of ~~clarifying the definition of “campaign material” by providing that the text, graphics, or other images contained in the material must primarily relate to campaign activity for an election;~~ altering the definition of “campaign material” to include certain material ~~that relates to a political party or that is an automated or prerecorded oral communication; requiring campaign material published, distributed, or disseminated through the telephone to include an authority line at the beginning of the telephone call;~~ providing for a delayed effective date; and generally relating to campaign material.

BY repealing and reenacting, without amendments,
Article – Election Law
Section 1–101(a) ~~and 13–401~~
Annotated Code of Maryland
(2017 Replacement Volume and 2019 Supplement)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 1–101(k) ~~and 13–401~~
Annotated Code of Maryland
(2017 Replacement Volume and 2019 Supplement)

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

Article – Election Law

1–101.

(a) In this article the following words have the meanings indicated unless a different meaning is clearly intended from the context.

(k) (1) “Campaign material” means any material that:

(i) contains text, graphics, or other images ~~THAT ARE PRIMARILY RELATED TO CAMPAIGN ACTIVITY FOR AN ELECTION;~~

(ii) relates to a candidate, a prospective candidate, ~~A POLITICAL PARTY~~, or the approval or rejection of a question or prospective question; and

(iii) is published, distributed, or disseminated.

(2) “Campaign material” includes:

(i) a qualifying paid digital communication;

(ii) any other material transmitted by or appearing on the Internet or other electronic medium; [and]

(iii) an oral commercial campaign advertisement; AND

(IV) AN AUTOMATED OR PRERECORDED ORAL COMMUNICATION.

13-401.

(a) (1) Except as otherwise provided in this section, each item of campaign material shall contain, set apart from any other message, an authority line that states:

(i) as to campaign material published, distributed, or disseminated by a campaign finance entity:

1. the name and address of the treasurer of each campaign finance entity responsible for the campaign material; and

2. as to each treasurer named under item 1 of this item, the name of each campaign finance entity for which the treasurer is acting; and

(ii) as to campaign material published, distributed, or disseminated by any other person, the name and address of the person responsible for the campaign material.

(2) The authority line may omit an address that is on file with the State Board or a local board.

(3) If the campaign material is too small to include all the information specified in paragraph (1) of this subsection in a legible manner, the authority line need only contain the information required by regulations adopted by the State Board.

(4) The authority line for campaign material that is a commercial advertisement need only contain the information specified in paragraphs (1) and (2) of this subsection for one campaign finance entity or other person responsible for the advertisement.

~~(5) CAMPAIGN MATERIAL THAT IS PUBLISHED, DISTRIBUTED, OR DISSEMINATED THROUGH THE TELEPHONE SHALL INCLUDE AN AUTHORITY LINE AT THE BEGINNING OF THE TELEPHONE CALL.~~

(b) Campaign material that is published or distributed in support of or in opposition to a candidate, but is not authorized by the candidate, shall include the following statement:

“This message has been authorized and paid for by (name of payor or any organization affiliated with the payor), (name and title of treasurer or president). This message has not been authorized or approved by any candidate.”

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2021.

Enacted under Article II, § 17(c) of the Maryland Constitution, May 8, 2020.