

HOUSE BILL 216

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By: **Delegates Cardin, Ebersole, Hettleman, Hill, and Stein**

Introduced and read first time: January 16, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Campaign Material – Definition and Authority Line for**
3 **Telephone Calls**

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

12 BY repealing and reenacting, without amendments,
13 Article – Election Law
14 Section 1–101(a)
15 Annotated Code of Maryland
16 (2017 Replacement Volume and 2019 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – Election Law
19 Section 1–101(k) and 13–401
20 Annotated Code of Maryland
21 (2017 Replacement Volume and 2019 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 1–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

8 (iii) is published, distributed, or disseminated.

9 (2) “Campaign material” includes:

10 (i) a qualifying paid digital communication;

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

13 (iii) an oral commercial campaign advertisement; **AND**

14 **(IV) AN AUTOMATED OR PRERECORDED ORAL COMMUNICATION.**

15 13–401.

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

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

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

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

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

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

29 (3) If the campaign material is too small to include all the information

1 specified in paragraph (1) of this subsection in a legible manner, the authority line need
2 only contain the information required by regulations adopted by the State Board.

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

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

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

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

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