

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 1047
Rules

(Senator Gallion)

Election Law - State Elected Officials - Fundraising Activities During General Assembly Session

This emergency bill modifies the existing prohibition on specified fundraising activities by State elected officials during a regular General Assembly session by (1) making the prohibition applicable to activities for any political committee organized under Title 13 of the Election Law Article or under federal law (instead of activities for a political committee, organized under Title 13 of the Election Law Article, of a candidate or operated in coordination with a candidate) and (2) adding, as a prohibited activity, participation in a fundraising event as a featured guest or speaker or in another role intended to increase attendance at, or the amount of contributions resulting from, the fundraising event.

Fiscal Summary

State Effect: The bill is not expected to materially affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law:

Fundraising Activities During a Regular General Assembly Session

State campaign finance law prohibits the Governor, the Lieutenant Governor, the Attorney General, the Comptroller, the State Treasurer, and members of the

General Assembly, or a person acting on one of those officials' behalf, from – during a regular session of the General Assembly, and as to a federal, State, or local candidate or a campaign finance entity of the candidate or operated in coordination with the candidate – (1) receiving a contribution; (2) conducting a fundraising event; (3) soliciting a contribution; or (4) depositing or using any contribution of money that was not deposited prior to the session. Exceptions apply for activities solely related to the official's election to an elective federal or local office for which the official is a filed candidate and for publicly financed gubernatorial tickets. In addition, a contribution may be deposited by an official, or a person acting on the official's behalf, during the legislative session, if the contribution was made electronically before the start of the session.

The campaign finance entity of an official in violation of the prohibition must refund the contribution to the contributor and pay a civil penalty of \$1,000 plus the amount of the contribution, unless the State Board of Elections at its discretion assesses a lesser penalty for good cause. Penalties are distributed to the Fair Campaign Financing Fund, which holds funds for public campaign financing of gubernatorial tickets under the Public Financing Act.

Political Committees

Unless otherwise expressly authorized by law, all campaign finance activity for an election under the Election Law Article must be conducted through a campaign finance entity (defined as a political committee established under Title 13 of the Election Law Article). An individual may not file a certificate of candidacy or a declaration of intent until the individual establishes, or causes to be established, an authorized candidate campaign committee (a campaign finance entity authorized by the candidate to promote the candidate's candidacy).

“Political committee” is defined as a combination of two or more individuals that has as its major purpose promoting the success or defeat of a candidate, political party, question, or prospective question submitted to a vote at any election.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: HB 1558 (Delegate Kipke, *et al.*) - Rules and Executive Nominations.

Information Source(s): State Prosecutor's Office; Maryland State Board of Elections;
Department of Legislative Services

Fiscal Note History: First Reader - April 3, 2025
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