

MARYLAND REGISTER

## Proposed Action on Regulations

<b>Transmittal Sheet</b>  <b>PROPOSED OR REPROPOSED</b>  <b>Actions on Regulations</b>	<b>Date Filed with AELR Committee</b>	<b>TO BE COMPLETED BY DSD</b>
	09/03/2015	Date Filed with Division of State Documents
		Document Number
		Date of Publication in MD Register

**1. Desired date of publication in Maryland Register: 10/16/2015**

**2. COMAR Codification**

**Title Subtitle Chapter Regulation**

33 13 06 01, .06

**3. Name of Promulgating Authority**

State Board of Elections

**4. Name of Regulations Coordinator**

Erin Perrone

**Telephone Number**

410-269-2845

**Mailing Address**

151 West Street

**City State Zip Code**

Annapolis MD 21401

**Email**

erin.perrone@maryland.gov

**5. Name of Person to Call About this Document**

Jared DeMarinis

**Telephone No.**

410-269-2853

**Email Address**

jared.demarinis@maryland.gov

**6. Check applicable items:**

- New Regulations

- Amendments to Existing Regulations

Date when existing text was downloaded from COMAR online: 07/10/2015.

Repeal of Existing Regulations

Recodification

Incorporation by Reference of Documents Requiring DSD Approval

Reproposal of Substantively Different Text:

: Md. R  
(vol.) (issue) (page nos) (date)

Under Maryland Register docket no.: --P.

**7. Is there emergency text which is identical to this proposal:**

Yes - No

**8. Incorporation by Reference**

Check if applicable: Incorporation by Reference (IBR) approval form(s) attached and 18 copies of documents proposed for incorporation submitted to DSD. (Submit 18 paper copies of IBR document to DSD and one copy to AELR.)

**9. Public Body - Open Meeting**

- OPTIONAL - If promulgating authority is a public body, check to include a sentence in the Notice of Proposed Action that proposed action was considered at an open meeting held pursuant to State Government Article, §10-506(c), Annotated Code of Maryland.

OPTIONAL - If promulgating authority is a public body, check to include a paragraph that final action will be considered at an open meeting.

**10. Children's Environmental Health and Protection**

Check if the system should send a copy of the proposal to the Children's Environmental Health and Protection Advisory Council.

**11. Certificate of Authorized Officer**

I certify that the attached document is in compliance with the Administrative Procedure Act. I also certify that the attached text has been approved for legality by Jeffrey Darsie, Assistant Attorney General, (telephone #410-576-6356) on 08/10/2015. A written copy of the approval is on file at this agency.

**Name of Authorized Officer**

Linda H. Lamone

**Title**

State Administrator

**Telephone No.**

410-269-2840

**Date**

08/27/2015

**Title 33**  
**STATE BOARD OF ELECTIONS**  
**Subtitle 13 CAMPAIGN FINANCING**

**33.13.06 Campaign Accounts**

Authority: Election Law Article, §§ 2-102(b)(4), and Title 13 Subtitle 2, Part IV  
Annotated Code of Maryland

**Notice of Proposed Action**

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The State Board of Elections proposes to amend and adopt Regulations .01 and .06 under COMAR 33.13.06 Campaign Accounts.

This action was considered by the State Board of Elections at its August 27, 2015 meeting, notice of which was given in accordance with State Government Article, §10-506(c), Annotated Code of Maryland.

**Statement of Purpose**

The purpose of this action is to define the requirements, contents and access to campaign account books.

**Comparison to Federal Standards**

There is no corresponding federal standard to this proposed action.

**Estimate of Economic Impact**

The proposed action has no economic impact.

**Economic Impact on Small Businesses**

The proposed action has minimal or no economic impact on small businesses.

**Impact on Individuals with Disabilities**

The proposed action has no impact on individuals with disabilities.

**Opportunity for Public Comment**

Comments may be sent to Erin Perrone, Administrative Assistant, State Board of Elections, PO Box 6486, Annapolis, MD 21401, or call 410-269-2845, or email to [erin.perrone@maryland.gov](mailto:erin.perrone@maryland.gov), or fax to 410-974-2019. Comments will be accepted through 11/16/2015. A public hearing has not been scheduled.

**Economic Impact Statement Part C**

- A. Fiscal Year in which regulations will become effective: FY 16
- B. Does the budget for the fiscal year in which regulations become effective contain funds to implement the regulations?
- No
- C. If 'yes', state whether general, special (exact name), or federal funds will be used:
- D. If 'no', identify the source(s) of funds necessary for implementation of these regulations:
- No funds are necessary to implement these regulations.
- E. If these regulations have no economic impact under Part A, indicate reason briefly:
- These regulations are technical and administrative in nature.
- F. If these regulations have minimal or no economic impact on small businesses under Part B, indicate the reason and attach small business worksheet.
- These regulations do not impact small business as they are technical and administrative in nature.
- G. Small Business Worksheet:

Attached Document:

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## **Title 33 State Board of Elections**

### **Subtitle 13 Campaign Financing**

#### **Chapter 06 Campaign Accounts**

Authority: Election Law Article, §§ 2-102(b)(4), and Title 13 Subtitle 2, Part IV Annotated Code of Maryland

**.01 [Definitions] Definition.**

- A. In this chapter, the following [terms have] *term* has the [meanings] *meaning* indicated.
- B. [Terms] *Term* Defined.
- [(1)] “Financial Institution” has the meaning stated in Financial Institutions Article, §1-101(i), Annotated Code of Maryland.
- [(2)] “Statement of Organization” means the document signed by the responsible officers and, if applicable, the authorizing candidate establishing a political committee with the State Board.]

**.06 Campaign Account Book.**

- A. *Requirement.*
- (1) A political committee shall maintain and retain an account book of the campaign finance activity of the political committee.

(2) Campaign finance reports are not considered the account book of the political committee.

(3) All disbursement or expenditures entries in the account book shall be supported by:

(a) Receipts or invoices from the vendor; or

(b) Contracts for services provided.

**B. Contents.**

(1) The account book shall have detailed and accurate records of all:

(a) Assets received, including ticket sales, in-kind contributions transfers to the committee, and any other income received by the political committee;

(b) Disbursements and expenditures made;

(c) Obligations incurred by or on behalf of the political committee, including loan consent agreements; and

(d) Other records used in the preparation of campaign finance reports, including any correspondence sent to a contributor requesting employer and occupation information.

(2) For every asset received and expenditure made, the account book shall have:

(a) The amount or value of the asset received or expenditure made;

(b) The date of the asset received or expenditure made;

(c) The name and address of the person from whom the asset was received or to whom the expenditure was made; and

(d) A description of the asset received or the purpose for which the expenditure was made.

**C. Retention and Inspection.**

(1) The State Board may request to inspect and receive a copy of all account books and related records of account book entries.

(2) All account books and related records of account book entries must be:

(a) Retained and available for inspection until the earlier of:

(i) 10 years after the creation of an account book entry or related records; or

(ii) 2 years after the political committee files its final campaign finance report.

(b) Stored and retained by the political committee in:

(i) The original format of the record production;

(ii) A photocopy of the original format of the record production; or

(iii) A scanned pdf format of the record production.

LINDA H. LAMONE  
STATE ADMINISTRATOR