

**Maryland General Assembly
Department of Legislative Services**

**Proposed Regulations
State Board of Elections**
(DLS Control No. 15-221)

Overview and Legal and Fiscal Impact

These regulations establish reporting requirements for campaign finance reports and contribution limits for (1) coordinated, in-kind contributions by the central committee of a political party making an in-kind contribution and (2) an authorized candidate campaign committee receiving an in-kind contribution from a central committee. The regulations also establish requirements for the use of funds by a central committee of a political party making an in-kind contribution to a candidate.

The regulations present no legal issues of concern.

There is no fiscal impact on State or local agencies.

Regulations of COMAR Affected

State Board of Elections:

Campaign Financing: Coordinated Expenditures and In-Kind Contributions:
COMAR 33.13.18.01, .02, .03 and .04

Legal Analysis

Summary of Regulations

The State Board of Elections is adding a new chapter to campaign finance regulations regarding coordinated expenditures and in-kind contributions. Regulation .01 establishes the scope of this chapter. Regulation .02 requires a central committee of a political party in this State to report on its campaign finance report the name of the candidate who receives the in-kind contribution. The authorized campaign committee of the candidate receiving a coordinated expenditure from a central committee is required to report various details of the contribution on its campaign finance report. Regulation .03 establishes that coordinated in-kind contribution limits for a central committee are required to be applied to the authorized candidate campaign committee of a single candidate but not slate committees. Regulation .04 prohibits a central committee from using funds for making in-kind contributions if the funds are not received in accordance with provisions of law specified in the Election Law Article.

Legal Issue

The regulations present no legal issues of concern.

Statutory Authority and Legislative Intent

The State board cites § 2-102(b)(4) of the Election Law Article as statutory authority for the regulations. Section 2-102(b)(4) requires the state board to adopt regulations to implement its powers and duties under the Election Law Article.

Although not cited by the State board, § 13-304 of the Election Law Article requires a campaign finance entity, except a political club, to file a campaign finance report that includes the information required by the state board with respect to all contributions received and all expenditures made by or on behalf of the campaign finance entity during the designated reporting period.

With the addition of § 13-304 of the Election Law Article, this authority is correct and complete. The regulations comply with the legislative intent of the law.

Technical Corrections and Special Notes

In response to a suggestion from the Department of Legislative Services, the State board agrees to add § 13-304 of the Election Law Article as statutory authority for the regulations.

Fiscal Analysis

There is no fiscal impact on State or local agencies.

Agency Estimate of Projected Fiscal Impact

The State Board of Elections advises that the regulations have no impact on State or local governments. The Department of Legislative Services concurs.

Impact on Budget

There is no impact on the State operating or capital budget.

Agency Estimate of Projected Small Business Impact

The State Board of Elections advises that the regulations have no impact on State or local governments. The Department of Legislative Services concurs.

Contact Information

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