

**Maryland General Assembly  
Department of Legislative Services**

**Proposed Regulation  
State Board of Elections  
(DLS Control No. 15-222)**

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**Overview and Legal and Fiscal Impact**

The regulation governs late filing fees for the failure to file a statement of contributions.

The regulation presents no legal issue of concern.

There is no fiscal impact on State or local agencies.

**Regulation of COMAR Affected**

**State Board of Elections:**

Disclosure by Persons Doing Public Business: Penalties: COMAR 33.20.08.01

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**Legal Analysis**

**Summary of Regulation**

The State Board of Elections is adopting COMAR 33.20.08.01 to govern late filing fees related to disclosure by persons doing public business. The regulation requires the State board to assess a late filing fee for a failure to file the statement of contributions required under § 14-104 of the Election Law Article. The fee is \$10 for each or part of a day that the statement of contributions is overdue. The maximum fee is \$500.

**Legal Issue**

The regulation presents no legal issue of concern.

**Statutory Authority and Legislative Intent**

The State board cites §§ 2-102(b)(4) and 14-109 of the Election Law Article as legal authority. More specifically, § 2-102(b)(4) requires the State board to adopt regulations to implement its powers and duties. Section 14-109 authorizes the State board to adopt regulations to implement the provisions of law governing disclosures by persons doing public business. The regulation is consistent with § 14-107(c) of the Election Law Article which authorizes the State board to impose fees for the late filing of statements of contributions.

This authority is correct and complete. The regulation complies with the legislative intent of the law.

## **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 regulation has no impact on State or local governments. The Department of Legislative Services concurs. The regulation implements Chapter 419 of 2013. The fiscal and policy note for House Bill 1499 of 2013 (enacted as Chapter 419) indicated that late fees applicable to disclosure statements filed by persons doing public business, along with other late fee changes made by the bill, could increase general fund revenues by over \$50,000 on average each year. This regulation should not have any additional fiscal impact.

### **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 regulation has minimal or no economic impact on small businesses in the State.

## **Contact Information**

**Legal Analysis:** Jodie L. Chilson – (410) 946/(301) 970-5350

**Fiscal Analysis:** Scott D. Kennedy – (410) 946/(301) 970-5510