
By: Delegates Dembrow, Benson, Bobo, Clagett, Conroy, Cryor, DeCarlo, Genn, Getty, Goldwater, Mandel, Morgan, Petzold, and Rudolph

Introduced and read first time: January 25, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Laws - Electronic Records and Reports**

3 FOR the purpose of providing that certain campaign finance reports may be submitted to
4 the State Administrative Board of Election Laws in an electronic medium; requiring
5 the State Board to provide certain materials to persons required to file certain
6 campaign fund reports and authorizing the State Board to charge reasonable fees
7 for the materials; requiring the State Board to make reasonable efforts to make the
8 campaign finance report information that it maintains in an electronic medium
9 easily accessible to the public; defining certain terms; requiring the State Board to
10 adopt certain regulations; providing for a delayed effective date; and generally
11 relating to the maintenance of certain election books and records and the filing of
12 certain campaign finance reports.

13 BY adding to

14 Article 33 - Election Code
15 Section 1-1(a)(6B)
16 Annotated Code of Maryland
17 (1993 Replacement Volume and 1995 Supplement)

18 BY repealing and reenacting, with amendments,

19 Article 33 - Election Code
20 Section 26-7(a) and 26-12
21 Annotated Code of Maryland
22 (1993 Replacement Volume and 1995 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article 33 - Election Code**

26 1-1.

27 (a) As used in this article the following terms shall have the meanings indicated
28 unless a contrary meaning is clearly intended from the context in which the term appears:

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1 (6B) "ELECTRONIC MEDIUM" MEANS A COMPUTER DISK OR OTHER
2 INFORMATION STORAGE AND RETRIEVAL MEDIUM APPROVED BY THE STATE
3 ADMINISTRATIVE BOARD OF ELECTION LAWS.

4 26-7.

5 (a) (1) Except as provided in paragraph [(3)] (4) of this subsection, every
6 treasurer and every subtreasurer shall keep detailed, full and accurate accounts in a
7 proper book or books, to be called "account books", to be provided and preserved by the
8 treasurer or subtreasurer, of all contributions, money or valuable things received by or
9 promised to, and of all expenditures, disbursements and promises of payment or
10 disbursements of money or valuable things made by any committee, or any of its officers
11 or members, or by any person acting under its authority, or on its behalf or by the
12 treasurer or subtreasurer, and setting forth in such statement and accounts the sum or
13 valuable thing so received, or disbursed, or promised, as the case may be, and the date
14 when, the name and address of the person from whom received or promised, or to whom
15 paid or promised, as the case may be, and the object and purposes for which the sum, or
16 other valuable thing, was received, or disbursed, or promised, as the case may be.

17 (2) Books and records may be destroyed or discarded at any time after two
18 years from the date of filing the final report required by § 26-11 of this article unless a
19 court of competent jurisdiction orders their retention for a longer period.

20 (3) FOR CANDIDATES AND POLITICAL COMMITTEES WHOSE REPORTS
21 ARE REQUIRED TO BE FILED WITH THE STATE ADMINISTRATIVE BOARD OF
22 ELECTION LAWS UNDER § 26-12(D) OF THIS ARTICLE, THE BOOKS AND RECORDS
23 REQUIRED BY THIS SECTION MAY BE MADE AND MAINTAINED IN AN ELECTRONIC
24 MEDIUM.

25 [(3)] (4) Notwithstanding any law or regulation that prohibits an
26 anonymous contribution, a treasurer or subtreasurer may accept and is not required to
27 identify in the account books each sum of money given by each individual who purchases
28 a spin or chance on the paddle wheel or wheel of fortune authorized by law to be
29 operated in the State at a campaign fund-raising event if:

30 (i) The cost to purchase each spin or chance on the paddle wheel or
31 wheel of fortune does not exceed \$2;

32 (ii) The total contributions to a political committee or partisan
33 organization from paddle wheels or wheels of fortune do not exceed \$2,500 per election;

34 (iii) The net income to the sponsoring political committee or partisan
35 organization from a paddle wheel or wheel of fortune does not exceed \$1,500 in a 24-hour
36 period at a single fund-raising event; and

37 (iv) The account books include the total net amount received and the
38 names and addresses of the individuals who attend the fund-raising event at which the
39 wheel is used.

40 [(4)] (5) If a political committee or partisan organization raises or receives
41 contributions from a paddle wheel or wheel of fortune in excess of any of the limitations

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1 established in paragraph [(3)] (4) of this subsection, the political committee or partisan
2 organization shall:

3 (i) Donate the excess contributions to the charity of its choice; or

4 (ii) Identify in the account books each sum of money given by each
5 individual who purchases a spin or chance on the paddle wheel or wheel of fortune
6 authorized by law to be operated in the State at a campaign fund-raising event.

7 [(5)] (6) The State Administrative Board of Election Laws shall adopt
8 regulations necessary to implement this subsection.

9 26-12.

10 (A) IN THIS SECTION, "STATE BOARD" MEANS THE STATE ADMINISTRATIVE
11 BOARD OF ELECTION LAWS.

12 [(a)] (B) The forms for the "Report or Statement of Campaign and Election
13 Contributions and Expenditures" and the "Schedule of Receipts and Disbursements"
14 shall be prescribed by the State [Administrative] Board [of Election Laws].

15 [(b)] (C) A candidate or candidates for election or elected to a public office of the
16 United States shall file a copy of each statement required by federal laws or regulations
17 with the State [Administrative] Board [of Election Laws]. Additional campaign report
18 filings by the candidate are not required.

19 (D) (1) ALL REPORTS REQUIRED UNDER § 26-11 OF THIS ARTICLE WHICH
20 ARE REQUIRED TO BE FILED WITH THE STATE BOARD MAY BE SUBMITTED TO THE
21 STATE BOARD IN AN ELECTRONIC MEDIUM.

22 (2) (I) UPON REQUEST, THE STATE BOARD SHALL SUPPLY TO A
23 PERSON WHO ELECTS TO FILE REPORTS IN AN ELECTRONIC MEDIUM, THE DISKS OR
24 OTHER MEDIA ON WHICH THE REQUIRED INFORMATION IS TO BE ENTERED, AND
25 MAY CHARGE A REASONABLE FEE FOR THE SERVICE AND MATERIALS PROVIDED.

26 (II) THE FEE CHARGED UNDER SUBPARAGRAPH (I) OF THIS
27 PARAGRAPH MAY NOT EXCEED THE COST OF THE MATERIALS SUPPLIED.

28 (3) THE STATE BOARD SHALL MAKE REASONABLE EFFORTS TO MAKE
29 THE INFORMATION FILED IN AN ELECTRONIC MEDIUM WIDELY AND EASILY
30 ACCESSIBLE TO THE PUBLIC, UTILIZING ANY EXISTING PUBLIC OR PRIVATE
31 SYSTEMS FOR DATA DISSEMINATION, AND ON SUCH TERMS, AS IT DEEMS
32 CONSISTENT WITH THE PURPOSES AND REQUIREMENTS OF THIS ARTICLE.

33 (E) THE STATE BOARD SHALL ADOPT REGULATIONS NECESSARY TO
34 IMPLEMENT THIS SECTION.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 January 1, 1999.