

---

**By: Delegate Dembrow**

Introduced and read first time: January 26, 1996  
Assigned to: Commerce and Government Matters

---

A BILL ENTITLED

1 AN ACT concerning

2 **Election Laws - Continuing Political Committees for State Officeholders- Carryover**  
3 **Campaign Funds**

4 FOR the purpose of providing that the continuing political committees of persons elected  
5 to certain State offices may not carry over, from one election cycle to another,  
6 campaign funds in excess of a certain amount; requiring that the continuing political  
7 committees of persons elected to certain State offices pay certain excess carryover  
8 campaign funds into the General Fund of the State; establishing certain transitional  
9 provisions regarding the disposition of excess carryover campaign funds; and  
10 generally relating to the disposition of the excess carryover campaign funds of the  
11 continuing political committees of certain State officeholders.

12 BY repealing and reenacting, without amendments,  
13 Article 33 - Election Code  
14 Section 26-7(d)  
15 Annotated Code of Maryland  
16 (1993 Replacement Volume and 1995 Supplement)

17 BY adding to  
18 Article 33 - Election Code  
19 Section 26-7(e)  
20 Annotated Code of Maryland  
21 (1993 Replacement Volume and 1995 Supplement)

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

24 **Article 33 - Election Code**

25 26-7.

26 (d) Prior to the time of filing the final report required by § 26-11 of this article,  
27 any surplus funds remaining after payment of all campaign expenditures shall be:

28 (1) Returned, pro rata, to the contributors by the treasurer;

29 (2) Paid to the State central committee of the party of which the candidate  
30 is a member or for which the political committee is acting;

1 (3) Paid to a central committee of the party of which the candidate is a  
2 member or for which the political committee is acting so long as the central committee is  
3 located in a county in which the candidate resides or seeks to represent;

4 (4) Paid to the local board of education or to a recognized nonprofit  
5 organization providing services or funds for the benefit of pupils or teachers;

6 (5) Paid to a charitable organization registered or exempt from registration  
7 under the Maryland Charitable Solicitations Act; or

8 (6) Paid to any public or private institution of higher education in this State  
9 that possesses a certificate of approval from the Maryland Higher Education Commission,  
10 to be used by that institution to award scholarships, grants, or loans to students attending  
11 the institution.

12 (E) (1) THIS SUBSECTION APPLIES TO A POLITICAL COMMITTEE THAT  
13 CONTINUES IN EXISTENCE FROM YEAR TO YEAR THAT IS AFFILIATED WITH:

14 (I) A MEMBER OF THE HOUSE OF DELEGATES;

15 (II) A MEMBER OF THE SENATE OF MARYLAND; OR

16 (III) ANY OTHER PERSON ELECTED TO OFFICE STATEWIDE.

17 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, COMMENCING  
18 WITH THE 4-YEAR ELECTION CYCLE BEGINNING ON JANUARY 1 FOLLOWING THE  
19 GUBERNATORIAL ELECTION AND CONTINUING UNTIL DECEMBER 31 THAT IS 4  
20 YEARS LATER, A POLITICAL COMMITTEE THAT CONTINUES IN EXISTENCE FROM  
21 YEAR TO YEAR MAY NOT CARRY OVER FROM THE IMMEDIATELY PRECEDING  
22 4-YEAR ELECTION CYCLE FUNDS IN EXCESS OF THE AMOUNTS SPECIFIED IN THIS  
23 PARAGRAPH:

24 (I) AS TO THE CONTINUING POLITICAL COMMITTEE OF A MEMBER  
25 OF THE HOUSE OF DELEGATES, OR A MEMBER OF THE SENATE OF MARYLAND,  
26 \$20,000;

27 (II) AS TO THE CONTINUING POLITICAL COMMITTEE OF A PERSON  
28 ELECTED TO ANY OTHER STATEWIDE OFFICE, \$50,000; AND

29 (III) AS TO THE CONTINUING POLITICAL COMMITTEE OF ANY  
30 PERSON DESCRIBED IN SUBPARAGRAPHS (I) THROUGH (III) OF THIS PARAGRAPH,  
31 AN AMOUNT SUFFICIENT TO PAY ANY OUTSTANDING CAMPAIGN OBLIGATIONS  
32 INCURRED BY THE COMMITTEE IN A PRIOR ELECTION.

33 (3) WITHIN 1 YEAR AFTER THE GENERAL ELECTION AT WHICH THE  
34 GOVERNOR IS ELECTED, ANY CARRYOVER FUNDS OF A CONTINUING POLITICAL  
35 COMMITTEE OF A PERSON SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION THAT  
36 ARE IN EXCESS OF THE AMOUNTS SPECIFIED IN PARAGRAPH (2) OF THIS  
37 SUBSECTION SHALL BE PAID TO THE GENERAL FUND OF THE STATE.

38 SECTION 2. AND BE IT FURTHER ENACTED, That, with regard to the  
39 disposition of carryover funds from the 4-year election cycle that ended on December 31,  
40 1994 which are, on the effective date of this Act, in the possession of a committee that

HOUSE BILL 359

3

1 continues in existence from year to year that is subject to the provisions of this Act, the  
2 committee shall comply with the requirements of this Act by October 1, 1997.

3           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 October 1, 1996.