
By: Delegate Curran

Introduced and read first time: January 31, 1996

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Filing Campaign Fund-Raising Reports - Exception for Ticket Purchases**

3 FOR the purpose of permitting a candidate to purchase up to a certain number of tickets
4 to the campaign fund-raising event of other candidates without triggering the
5 requirement to file certain campaign fund-raising reports; authorizing a candidate
6 and treasurer to file a certain affidavit instead of campaign fund-raising reports
7 under certain circumstances; and generally relating to the filing of an affidavit
8 instead of campaign fund-raising reports under certain circumstances.

9 BY repealing and reenacting, with amendments,
10 Article 33 - Election Code
11 Section 26-11(a)
12 Annotated Code of Maryland
13 (1993 Replacement Volume and 1995 Supplement)

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

16 **Article 33 - Election Code**

17 26-11.

18 (a) A candidate for nomination or election to public or party office, including
19 write-in candidates, and the treasurer designated by that candidate shall file the report or
20 statement of contributions and expenditures as prescribed in accordance with § 26-12 of
21 this article with the board at which the candidate filed his certificate of candidacy. All
22 reports or statements of contributions and expenditures shall be filed in duplicate except
23 those filed with the State Administrative Board of Election Laws. Election reports as
24 specified below are required by all candidates for public or party office whether or not the
25 candidate's name appears on the primary ballot, or the candidate withdraws subsequent
26 to filing his certificate of candidacy, or the candidate is unsuccessful in the election. Each
27 report filed shall contain all contributions received and expenditures made in furtherance
28 of the candidate's nomination or election by the candidate himself or, with the knowledge
29 of the candidate, by any other person or groups of persons, which shall be complete,
30 except as otherwise provided in this section through and including the seventh day
31 immediately preceding the day by which that report is to be filed. The initial report filed
32 shall contain all contributions so received and expenditures so made since the date of the

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1 last preceding election to fill the office for which he is a candidate. Each subsequent
2 report shall contain all contributions so received and expenditures so made since the end
3 of the period for which the last preceding report is filed. Even if no contributions or
4 expenditures have been made since the end of the period for which the last preceding
5 report was filed, a statement to that effect must be filed on the forms prescribed pursuant
6 to § 26-12 of this article under the circumstances and at the times specified in this
7 section. The initial and subsequent reports shall be consecutively filed as follows:

8 (1) No later than the fourth Tuesday immediately preceding any primary
9 election; and

10 (2) No later than the second Friday immediately preceding any election
11 which shall be complete through and including the preceding Sunday; and

12 (3) No later than the third Tuesday after the general election; and

13 (4) If a cash balance exists or if any unpaid bills or deficits remain to be paid
14 as of the end of the period for which the report or statement in paragraph (3) of this
15 subsection is filed, six months after the general election; and

16 (5) If a cash balance exists or if any unpaid bills or deficits remain to be paid
17 as of the end of the period for which the report or statement in paragraph (4) of this
18 subsection is filed, one year after the general election; and

19 (6) If a cash balance exists or if any unpaid bills or deficits remain to be paid
20 as of the end of the period for which the report or statement in paragraph (5) of this
21 subsection or any subsequent report or statement is filed, annually on the anniversary of
22 the general election until no cash balance, unpaid bill, or deficit remains; and

23 (7) If a cash balance or outstanding debts or deficits were reflected on the
24 last preceding report, but have all been eliminated by the date on which the next report
25 is due, then a report clearly marked as "final" shall be filed on or before such date
26 showing all transactions since the last report; and

27 (8) (I) [If] SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, IF
28 a candidate does not intend to receive contributions or make expenditures of \$300 or
29 more, exclusive of his filing fee, he and his treasurer may jointly execute an affidavit to
30 that effect on a form prescribed by the State Administrative Board of Election Laws. If he
31 does not in fact receive contributions or make expenditures of \$300 or more, no further
32 reports need be filed pursuant to this section. The affidavit shall be filed not later than
33 the date by which the first report is due. If at any time the cumulative contributions to or
34 expenditures by a candidate who has filed such an affidavit equal or exceed \$300, he and
35 his treasurer shall thereafter file all reports required by this section and failure to do so
36 constitutes a failure to file and the commission of a misdemeanor subject to the penalties
37 prescribed in § 26-20 of this article.

38 (II) A CANDIDATE AND TREASURER MAY FILE THE AFFIDAVIT
39 PROVIDED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH IF THE CANDIDATE:

40 1. PURCHASES NO MORE THAN TWO TICKETS TO THE
41 CAMPAIGN FUND-RAISING EVENT OF ANOTHER CANDIDATE, REGARDLESS OF THE

HOUSE BILL 498

3

1 AGGREGATE AMOUNT OF EXPENDITURES TO PURCHASE TICKETS TO THE
2 CAMPAIGN FUND-RAISERS OF CANDIDATES; AND

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2. DOES NOT OTHERWISE RECEIVE CONTRIBUTIONS OR

4 MAKE OTHER EXPENDITURES IN EXCESS OF THE THRESHOLD AMOUNT PRESCRIBED
5 IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.

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SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

7 October 1, 1996.