
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 Laws - Filing Campaign Fund-Raising Reports - Threshold Reporting**
3 **Requirements**

4 FOR the purpose of altering the threshold reporting requirement applicable to a
5 candidate and the treasurer of certain political committees with regard to the
6 receipt of contributions and the making of expenditures exceeding a certain amount
7 in an election campaign; and generally to the filing of and exemption from campaign
8 financing reports.

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) If a candidate does not intend to receive contributions or make
28 expenditures of [\$300] \$1,000 or more, exclusive of his filing fee, he and his treasurer may
29 jointly execute an affidavit to that effect on a form prescribed by the State Administrative
30 Board of Election Laws. If he does not in fact receive contributions or make expenditures
31 of [\$300] \$1,000 or more, no further reports need be filed pursuant to this section. The
32 affidavit shall be filed not later than the date by which the first report is due. If at any
33 time the cumulative contributions to or expenditures by a candidate who has filed such an
34 affidavit equal or exceed [\$300] \$1,000, he and his treasurer shall thereafter file all
35 reports required by this section and failure to do so constitutes a failure to file and the
36 commission of a misdemeanor subject to the penalties prescribed in § 26-20 of this
37 article.

38 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
39 October 1, 1996.