
By: Delegate Curran

Introduced and read first time: January 31, 1996
Assigned to: Commerce and Government Matters

Committee Report: Favorable
House action: Adopted
Read second time: February 20, 1996

CHAPTER ____

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

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1 candidate's name appears on the primary ballot, or the candidate withdraws subsequent
 2 to filing his certificate of candidacy, or the candidate is unsuccessful in the election. Each
 3 report filed shall contain all contributions received and expenditures made in furtherance
 4 of the candidate's nomination or election by the candidate himself or, with the knowledge
 5 of the candidate, by any other person or groups of persons, which shall be complete,
 6 except as otherwise provided in this section through and including the seventh day
 7 immediately preceding the day by which that report is to be filed. The initial report filed
 8 shall contain all contributions so received and expenditures so made since the date of the
 9 last preceding election to fill the office for which he is a candidate. Each subsequent
 10 report shall contain all contributions so received and expenditures so made since the end
 11 of the period for which the last preceding report is filed. Even if no contributions or
 12 expenditures have been made since the end of the period for which the last preceding
 13 report was filed, a statement to that effect must be filed on the forms prescribed pursuant
 14 to § 26-12 of this article under the circumstances and at the times specified in this
 15 section. The initial and subsequent reports shall be consecutively filed as follows:

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

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

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

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

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

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

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

35 (8) If a candidate does not intend to receive contributions or make
 36 expenditures of [\$300] \$1,000 or more, exclusive of his filing fee, he and his treasurer may
 37 jointly execute an affidavit to that effect on a form prescribed by the State Administrative
 38 Board of Election Laws. If he does not in fact receive contributions or make expenditures
 39 of [\$300] \$1,000 or more, no further reports need be filed pursuant to this section. The
 40 affidavit shall be filed not later than the date by which the first report is due. If at any
 41 time the cumulative contributions to or expenditures by a candidate who has filed such an
 42 affidavit equal or exceed [\$300] \$1,000, he and his treasurer shall thereafter file all
 43 reports required by this section and failure to do so constitutes a failure to file and the

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1 commission of a misdemeanor subject to the penalties prescribed in § 26-20 of this
2 article.

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