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HB 868/96 - CGM

1997 Regular Session
7r0977

By: Delegate Kagan

Introduced and read first time: January 13, 1997
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Laws - Campaign Reports**

3 FOR the purpose of prohibiting the information obtained solely from certain campaign
4 documents filed with election boards from being sold or used for commercial
5 purposes or to solicit any type of contributions; specifying a certain exception; and
6 generally relating to limiting the use of information obtained from certain campaign
7 documents.

8 BY repealing and reenacting, with amendments,
9 Article 33 - Election Code
10 Section 26-14
11 Annotated Code of Maryland
12 (1993 Replacement Volume and 1996 Supplement)

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

15 **Article 33 - Election Code**

16 26-14.

17 (A) Every officer or board shall receive, file and preserve all reports, statements,
18 and accounts relating to campaign contributions and expenditures which are required to
19 be filed by this article. These reports, statements, and accounts shall be kept as part of the
20 records of the officer or board for a period not to exceed five years or for at least one year
21 beyond the length of the term of the public or party office for which every candidate to
22 whom these reports, statements, or accounts apply, has offered himself for nomination or
23 election, regardless if the candidate is successful, unsuccessful, or resigns, or for a longer
24 period if ordered by a court of competent jurisdiction. These reports, statements, and
25 accounts shall be subject and open to inspection by any citizen of this State during the
26 hours in which the office in which the reports, statements, and accounts are kept is open.
27 Thereafter, the reports, statements, and accounts shall be transferred to the State
28 Archives. Before transferring any reports, statements or accounts to the State Archives,
29 the officer or board with whom they were filed shall make a permanent record of all
30 election reports required to have been filed by § 26-11 but which have not been filed. The
31 permanent record shall include the name of the candidate or the committee, the
32 treasurer, an identification of the missing report, and, if a final report, a notation of the

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1 amount of any outstanding balance, bills or deficits as shown on the last report filed. The
2 officer or board shall file a copy of this permanent record with the State Administrative
3 Board of Election Laws and with the State Archives. Copies of these reports, statements
4 and accounts certified by the principal administrative officer in whose office they are kept
5 under the seal of his office shall be evidence in any court to the same extent as the
6 original report, statement or account would be if produced and proved.

7 (B) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
8 INFORMATION OBTAINED SOLELY FROM REPORTS, STATEMENTS, OR ACCOUNTS
9 REQUIRED BY THIS SECTION MAY NOT BE SOLD OR USED FOR COMMERCIAL
10 PURPOSES OR TO SOLICIT CONTRIBUTIONS, INCLUDING POLITICAL OR CHARITABLE
11 CONTRIBUTIONS.

12 (2) THE CANDIDATE OR POLITICAL COMMITTEE THAT FILED THE
13 REPORTS, STATEMENTS, OR ACCOUNTS REQUIRED BY THIS SECTION MAY USE THE
14 INFORMATION FOR ANY PURPOSE.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 1997.