
By: **Delegates Kittleman, Baldwin, Beck, Brinkley, M. Burns, Ciliberti, Cryor, Eckardt, Edwards, Elliott, Faulkner, Flanagan, Getty, Greenip, Harkins, Holt, D. Hughes, Hutchins, Jacobs, Kach, Kelly, Klima, La Vay, Leopold, McClenahan, McKee, Morgan, Mossburg, D. Murphy, O'Donnell, Ports, Redmer, Rzepkowski, Schade, Schisler, Snodgrass, Stocksdale, Stull, Stup, and Walkup**

Introduced and read first time: February 4, 1998
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Slates - Limitations on Transfers**

3 FOR the purpose of limiting, except under certain circumstances, the amount of
4 money that may be transferred between and among a slate and its candidate
5 members; and generally relating to limitations on transfers between and among
6 the members of a slate, under certain circumstances.

7 BY repealing and reenacting, without amendments,
8 Article 33 - Election Code
9 Section 26-9(d)
10 Annotated Code of Maryland
11 (1997 Replacement Volume and 1997 Supplement)

12 BY repealing and reenacting, with amendments,
13 Article 33 - Election Code
14 Section 26-9(e)
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1997 Supplement)

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

19 **Article 33 - Election Code**

20 26-9.

21 (d) (1) Except as provided in subsections (e) and (e-1) of this section, it is
22 unlawful for any individual, association, unincorporated association, corporation, or
23 any other entity either directly or indirectly, to contribute any money or thing of value

1 greater than \$4,000 to any candidate or political committee or to contribute money in
2 excess of \$100 except by check in any 4-year election cycle. Contributions may be
3 made by credit card, not to exceed \$100 per transaction, to any candidate or political
4 committee under this subsection. Total contributions by a contributor under this
5 subsection shall not exceed \$10,000 in any 4-year election cycle.

6 (2) Notwithstanding any other provision of this article, the limit on
7 contributions during a 4-year election cycle by the governing body for a political party
8 or local central committee shall be as follows:

9 (i) For a statewide governing body for a political party, not more
10 than \$1 for every two registered voters in the State, regardless of party affiliation, as
11 of January 1 following the preceding gubernatorial election; and

12 (ii) For the governing body of a local central committee for a
13 political party, not more than \$1 for every two registered voters in the county,
14 regardless of party affiliation, as of January 1 following the preceding gubernatorial
15 election.

16 (3) (i) The limitations set forth in paragraph (1) of this subsection and
17 subsection (e)(1) of this section shall apply to each 4-year election cycle beginning on
18 January 1 following the gubernatorial election and continuing until December 31 that
19 is 4 years later.

20 (ii) Without regard to when a contribution or transfer is expended
21 or used, the contribution or transfer shall be charged against the limitation for the
22 election cycle in which:

23 1. The check is written or dated; or

24 2. The cash or other thing of value is received.

25 (e) (1) In this subsection, "political committee" includes a political
26 committee registered under § 26-4 of this subtitle and an out-of-state political
27 committee.

28 (2) Except as provided in paragraph (3) of this subsection, during a
29 4-year election cycle the treasurer of a political committee or the treasurer of a
30 candidate may not directly or indirectly transfer any money greater than \$6,000 to
31 the treasurer or political committee of a candidate or any other political committee.

32 (3) The limitations on transfers and the provisions on affiliations set
33 forth in this subsection may not apply to:

34 (i) Transfers between and among political committees that are
35 State or local committees of the same political party;

36 (ii) Transfers between and among a slate and its candidate
37 members, PROVIDED ALL OF THE MEMBERS OF THE SLATE ARE CANDIDATES FOR

1 OFFICES THAT ARE ELECTED SOLELY BY THE VOTERS OF THE SAME COUNTY OR
2 LEGISLATIVE DISTRICT, OR, IN THE CASE OF JUDGES, JUDICIAL CIRCUIT; and

3 (iii) Transfers between a campaign committee authorized by a
4 candidate and that candidate's treasurer.

5 (4) In applying the limitations of this subsection, all affiliated political
6 committees are treated as a single transferor. Political committees are "affiliated" if
7 they are organized and operated in coordination and cooperation with each other or
8 otherwise conduct their operations and make their contribution decisions under the
9 control of the same individual or entity.

10 (5) The limitations on transfers to the treasurer or political committee of
11 a candidate set forth in paragraph (2) of this subsection shall apply to the individual
12 regardless of the number of offices for which that individual files a certificate of
13 candidacy within a 4-year election cycle.

14 (6) No transfer of any kind, in any amount, is permitted if it is intended
15 to conceal the true identity of the actual contributor or the identity of the intended
16 recipient.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
18 effect July 1, 1998.