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By: **Delegate Beck**

Introduced and read first time: February 5, 1998

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Election Laws - Campaign Contributions by Persons Awarded Grants from**  
3                                   **the State "Sunny Day Fund"**

4 FOR the purpose of prohibiting, for a specified period of time, certain persons who are  
5 awarded grants from the State "Sunny Day Fund" from making political  
6 contributions to certain State officeholders; providing for a delayed effective  
7 date; and generally relating to restrictions on political contributions by persons  
8 who are awarded grants from the State "Sunny Day Fund".

9 BY repealing and reenacting, with amendments,  
10 Article 33 - Election Code  
11 Section 13-212  
12 Annotated Code of Maryland  
13 (1997 Replacement Volume and 1997 Supplement)  
14 (As enacted by Chapter \_\_\_\_\_ (S.B. \_\_\_\_\_/H.B. \_\_\_\_\_)(8r0487) of the Acts of the  
15 General Assembly of 1998)

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

18                                   **Article 33 - Election Code**

19 13-212.

20 (a) (1) Except as provided in §§ 13-213 and 13-214 of this subtitle, it is  
21 unlawful for any individual, association, unincorporated association, corporation, or  
22 any other entity either directly or indirectly, to contribute any money or thing of value  
23 greater than \$4,000 to any candidate or political committee or to contribute money in  
24 excess of \$100 except by check in any 4-year election cycle. Contributions may be  
25 made by credit card, not to exceed \$100 per transaction, to any candidate or political  
26 committee under this subsection. Total contributions by a contributor under this  
27 subsection shall not exceed \$10,000 in any 4-year election cycle.

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

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

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

11 (3) (i) The limitations set forth in paragraph (1) of this subsection and  
12 § 13-213 of this subtitle shall apply to each 4-year election cycle beginning on  
13 January 1 following the gubernatorial election and continuing until December 31 that  
14 is 4 years later.

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

- 18 1. The check is written or dated; or  
19 2. The cash or other thing of value is received.

20 (b) Except as otherwise provided by law, an individual, association,  
21 unincorporated association, corporation, or other entity may make contributions in  
22 accordance with the limitations on contributions set forth in this section, provided  
23 that, for the purpose of determining the maximum amount that a corporation may  
24 contribute, a contribution by a corporation and any wholly owned subsidiary of the  
25 corporation or 2 or more corporations owned by the same stockholders shall be  
26 considered as being made by 1 contributor.

27 (C) (1) IN THIS SUBSECTION, "ECONOMIC DEVELOPMENT OPPORTUNITY  
28 FUND" MEANS THE PROGRAM DESCRIBED UNDER § 7-314 OF THE STATE FINANCE  
29 AND PROCUREMENT ARTICLE.

30 (2) THIS SUBSECTION APPLIES TO THE FOLLOWING PERSONS:

31 (I) A CORPORATION AND ITS OFFICERS AND DIRECTORS;

32 (II) A LIMITED LIABILITY COMPANY AND EACH OF ITS MEMBERS;

33 (III) A LIMITED LIABILITY PARTNERSHIP AND EACH OF ITS  
34 GENERAL PARTNERS; AND

35 (IV) A REAL ESTATE INVESTMENT TRUST AND ITS TRUSTEES AND  
36 OFFICERS.

1           (3)     DURING THE 5-YEAR PERIOD AFTER THE STATE MAKES AN AWARD  
2 FROM THE ECONOMIC DEVELOPMENT OPPORTUNITIES FUND TO A PERSON SUBJECT  
3 TO THIS SUBSECTION, THE PERSON MAY NOT MAKE, SOLICIT, OR TRANSMIT A  
4 POLITICAL CONTRIBUTION FROM ANY PERSON, INCLUDING A POLITICAL  
5 COMMITTEE, FOR THE BENEFIT OF:

- 6                   (I)     THE GOVERNOR;
- 7                   (II)    THE LIEUTENANT GOVERNOR;
- 8                   (III)   THE COMPTROLLER;
- 9                   (IV)   THE ATTORNEY GENERAL; OR
- 10                  (V)     A MEMBER OF THE GENERAL ASSEMBLY.

11     SECTION 2.  AND BE IT FURTHER ENACTED, That this Act shall take  
12 effect January 1, 1999.