
By: **Delegates Kittleman and Dembrow**
Introduced and read first time: February 9, 1998
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Laws - Continuing Political Committees for State Officeholders -**
3 **Carryover Campaign Funds**

4 FOR the purpose of providing that the continuing political committees of persons
5 elected to certain State offices may not carry over, from one election cycle to
6 another, campaign funds in excess of a certain amount; requiring that the
7 continuing political committees of persons elected to certain State offices dispose
8 of certain campaign carryover funds after each election cycle in a certain
9 manner by a certain date; providing for a delayed effective date; and generally
10 relating to the disposition of excess carryover campaign funds of the continuing
11 political committees of certain State officeholders.

12 BY repealing and reenacting, without amendments,
13 Article 33 - Election Code
14 Section 13-206(d)
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1997 Supplement)
17 (As enacted by Chapter _____ (S.B. 118/H.B. 127) of the Acts of the General
18 Assembly of 1998)

19 BY adding to
20 Article 33 - Election Code
21 Section 13-206(e)
22 Annotated Code of Maryland
23 (1997 Replacement Volume and 1997 Supplement)
24 (As enacted by Chapter _____ (S.B. 118/H.B. 127) of the Acts of the General
25 Assembly of 1998)

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

1 **Article 33 - Election Code**

2 13-206.

3 (d) Prior to the time of filing the final report required by § 13-401 of this title,
4 any surplus funds remaining after payment of all campaign expenditures shall be:

5 (1) Returned, pro rata, to the contributors by the treasurer;

6 (2) Paid to the State central committee of the party of which the
7 candidate is a member or for which the political committee is acting;

8 (3) Paid to a central committee of the party of which the candidate is a
9 member or for which the political committee is acting so long as the central committee
10 is located in a county in which the candidate resides or seeks to represent;

11 (4) Paid to the local board of education or to a recognized nonprofit
12 organization providing services or funds for the benefit of pupils or teachers;

13 (5) Paid to a charitable organization registered or exempt from
14 registration under the Maryland Charitable Solicitations Act; or

15 (6) Paid to any public or private institution of higher education in this
16 State that possesses a certificate of approval from the Maryland Higher Education
17 Commission, to be used by that institution to award scholarships, grants, or loans to
18 students attending the institution.

19 (E) (1) THIS SUBSECTION APPLIES TO A POLITICAL COMMITTEE THAT
20 CONTINUES IN EXISTENCE FROM YEAR TO YEAR THAT IS AFFILIATED WITH:

21 (I) A MEMBER OF THE HOUSE OF DELEGATES;

22 (II) A MEMBER OF THE SENATE OF MARYLAND; OR

23 (III) ANY OTHER PERSON ELECTED TO OFFICE STATEWIDE.

24 (2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, COMMENCING
25 WITH THE 4-YEAR ELECTION CYCLE BEGINNING ON JANUARY 1 FOLLOWING THE
26 GUBERNATORIAL ELECTION AND CONTINUING UNTIL DECEMBER 31 THAT IS 4 YEARS
27 LATER, A POLITICAL COMMITTEE THAT CONTINUES IN EXISTENCE FROM YEAR TO
28 YEAR MAY NOT CARRY OVER FROM THE IMMEDIATELY PRECEDING 4-YEAR
29 ELECTION CYCLE FUNDS IN EXCESS OF:

30 (I) THE GREATER OF \$10,000 OR 10 PERCENT OF THE AGGREGATE
31 AMOUNT OF THE CONTRIBUTIONS RECEIVED BY THE POLITICAL COMMITTEE
32 DURING THAT IMMEDIATELY PRECEDING 4-YEAR ELECTION CYCLE; AND

33 (II) AN AMOUNT SUFFICIENT TO PAY ANY OUTSTANDING
34 CAMPAIGN OBLIGATIONS INCURRED BY THE POLITICAL COMMITTEE IN A PRIOR
35 ELECTION.

1 (3) WITHIN 60 DAYS AFTER THE GENERAL ELECTION AT WHICH THE
2 GOVERNOR IS ELECTED, ANY CARRYOVER FUNDS OF A CONTINUING POLITICAL
3 COMMITTEE OF A PERSON SPECIFIED IN PARAGRAPH (1) OF THIS SUBSECTION THAT
4 ARE IN EXCESS OF THE AMOUNTS SPECIFIED IN PARAGRAPH (2) OF THIS
5 SUBSECTION SHALL BE DEEMED SURPLUS FUNDS AND DISPOSED OF AS PROVIDED
6 UNDER SUBSECTION (D) OF THIS SECTION.

7 SECTION 2. AND BE IT FURTHER ENACTED, That, with regard to the
8 disposition of carryover funds from the 4-year election cycle that ends on December
9 31, 1998 which are, on the effective date of this Act, in the possession of a committee
10 that continues in existence from year to year that is subject to the provisions of this
11 Act, the committee shall comply with the requirements of this Act by June 1, 1999.

12 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 January 1, 1999.