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By: **Delegates Getty and Jacobs**

Introduced and read first time: February 13, 1998

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Campaign Finance Reports - Identity of Contributors**

3 FOR the purpose of requiring that the full name, mailing address, and amount of  
4 contribution of each contributor be identified in certain campaign finance  
5 reports; and generally relating to the requirements for filing reports of  
6 contributions and expenditures.

7 BY repealing and reenacting, with amendments,  
8 Article 33 - Election Code  
9 Section 26-7(b) and 26-11(a)  
10 Annotated Code of Maryland  
11 (1997 Replacement Volume and 1997 Supplement)

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

14 **Article 33 - Election Code**

15 26-7.

16 (b) (1) Upon receipt and before depositing a contribution, including the  
17 proceeds of ticket sales, a "campaign contribution receipt", in a form prescribed by the  
18 State Administrative Board of Election Laws, shall be issued and delivered either by  
19 mail or in person by the treasurer or subtreasurer (i) to each person or treasurer of a  
20 committee, group, or organization in whose name a contribution or contributions,  
21 other than the purchase of tickets, are made in the individual or cumulative amount  
22 of \$51 or more; (ii) to each person or treasurer of a committee, group, or organization  
23 in whose name a ticket or tickets are purchased for any dinner, testimonial, cocktail  
24 party, barbecue, crab feast or other campaign-related function in the individual  
25 amount of \$51 or more or in the cumulative amount of \$251 or more. Upon request, a  
26 receipt must be given for any lesser amount.

27 (2) If such contribution is received by a subtreasurer, he shall forward  
28 the contribution and a duplicate copy of the "campaign contribution receipt", ALONG  
29 WITH REQUIRED INFORMATION RELATING TO CONTRIBUTIONS FOR WHICH A

1 RECEIPT IS NOT REQUIRED, with his report to the treasurer of the candidate or  
2 committee for which he is subtreasurer, as required by §§ 26-11 and 26-12 of this  
3 article.

4 (3) The treasurer shall retain all "campaign contribution receipts" with  
5 his books and records as required by subsection (a) of this section and report the  
6 information therein, **ALONG WITH REQUIRED INFORMATION RELATING TO**  
7 **CONTRIBUTIONS FOR WHICH A RECEIPT IS NOT REQUIRED**, in the statement of  
8 contributions and expenditures required by §§ 26-11 and 26-12 of this article.

9 (4) The "campaign contribution receipt" issued to a contributor shall  
10 serve as evidence of a contribution by such contributor.

11 26-11.

12 (a) A candidate for nomination or election to public or party office, including  
13 write-in candidates, and the treasurer designated by that candidate shall file the  
14 report or statement of contributions and expenditures as prescribed in accordance  
15 with § 26-12 of this article with the board at which the candidate filed his certificate  
16 of candidacy. All reports or statements of contributions and expenditures shall be filed  
17 in duplicate except those filed with the State Administrative Board of Election Laws.  
18 Election reports as specified below are required by all candidates for public or party  
19 office whether or not the candidate's name appears on the primary ballot, or the  
20 candidate withdraws subsequent to filing his certificate of candidacy, or the candidate  
21 is unsuccessful in the election. Each report filed shall contain all contributions  
22 received and expenditures made in furtherance of the candidate's nomination or  
23 election by the candidate himself or, with the knowledge of the candidate, by any  
24 other person or groups of persons, which shall be complete, except as otherwise  
25 provided in this section through and including the seventh day immediately  
26 preceding the day by which that report is to be filed. **EACH CONTRIBUTOR SHALL BE**  
27 **IDENTIFIED BY FULL NAME, MAILING ADDRESS, AND THE AMOUNT OF**  
28 **CONTRIBUTION.** The initial report filed shall contain all contributions so received and  
29 expenditures so made since the date of the last preceding election to fill the office for  
30 which he is a candidate. Each subsequent report shall contain all contributions so  
31 received and expenditures so made since the end of the period for which the last  
32 preceding report is filed. Even if no contributions or expenditures have been made  
33 since the end of the period for which the last preceding report was filed, a statement  
34 to that effect must be filed on the forms prescribed pursuant to § 26-12 of this article  
35 under the circumstances and at the times specified in this section. The initial and  
36 subsequent reports shall be consecutively filed as follows:

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

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

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

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

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

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

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

16           (8)     If a candidate does not intend to receive contributions or make  
17 expenditures of \$1,000 or more, exclusive of his filing fee, he and his treasurer may  
18 jointly execute an affidavit to that effect on a form prescribed by the State  
19 Administrative Board of Election Laws. If he does not in fact receive contributions or  
20 make expenditures of \$1,000 or more, no further reports need be filed pursuant to  
21 this section. The affidavit shall be filed not later than the date by which the first  
22 report is due. If at any time the cumulative contributions to or expenditures by a  
23 candidate who has filed such an affidavit equal or exceed \$1,000, he and his treasurer  
24 shall thereafter file all reports required by this section and failure to do so constitutes  
25 a failure to file and the commission of a misdemeanor subject to the penalties  
26 prescribed in § 26-20 of this article.

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