

SENATE BILL 224

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1998 Regular Session  
8r1174  
CF 8r0666

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By: **Senators Boozer, Derr, Colburn, Craig, Ferguson, Hafer, Haines, Hogan,  
Madden, McCabe, Middlebrooks, Munson, Neall, Roesser, and Stoltzfus**

Introduced and read first time: January 30, 1998  
Assigned to: Economic and Environmental Affairs

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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  
24 greater than \$4,000 to any candidate or political committee or to contribute money in  
25 excess of \$100 except by check in any 4-year election cycle. Contributions may be  
26 made by credit card, not to exceed \$100 per transaction, to any candidate or political

1 committee under this subsection. Total contributions by a contributor under this  
2 subsection shall not exceed \$10,000 in any 4-year election cycle.

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

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

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

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

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

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

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

25 (2) Except as provided in paragraph (3) of this subsection, during a  
26 4-year election cycle the treasurer of a political committee or the treasurer of a  
27 candidate may not directly or indirectly transfer any money greater than \$6,000 to  
28 the treasurer or political committee of a candidate or any other political committee.

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

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

33 (ii) Transfers between and among a slate and its candidate  
34 members, PROVIDED ALL OF THE MEMBERS OF THE SLATE ARE CANDIDATES FOR  
35 OFFICES THAT ARE ELECTED SOLELY BY THE VOTERS OF THE SAME COUNTY,  
36 LEGISLATIVE DISTRICT, OR, IN THE CASE OF JUDGES, JUDICIAL CIRCUIT; and

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

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

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

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

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