

SENATE BILL 510

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HB 888/92 - CGM

1998 Regular Session  
8r1995

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By: **Senator Fry**

Introduced and read first time: February 6, 1998

Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Election Laws - Reports**

3 FOR the purpose of requiring the Governor, Lieutenant Governor, Attorney General,  
4 and members and members-elect of the General Assembly, and their political  
5 committees, to report certain contributions received and expenditures made  
6 during a certain period prior to each regular session of the General Assembly.

7 BY repealing and reenacting, with amendments,  
8 Article 33 - Election Code  
9 Section 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 26-11.

16 (a) A candidate for nomination or election to public or party office, including  
17 write-in candidates, and the treasurer designated by that candidate shall file the  
18 report or statement of contributions and expenditures as prescribed in accordance  
19 with § 26-12 of this article with the board at which the candidate filed his certificate  
20 of candidacy. All reports or statements of contributions and expenditures shall be filed  
21 in duplicate except those filed with the State Administrative Board of Election Laws.  
22 Election reports as specified below are required by all candidates for public or party  
23 office whether or not the candidate's name appears on the primary ballot, or the  
24 candidate withdraws subsequent to filing his certificate of candidacy, or the candidate  
25 is unsuccessful in the election. Each report filed shall contain all contributions  
26 received and expenditures made in furtherance of the candidate's nomination or  
27 election by the candidate himself or, with the knowledge of the candidate, by any  
28 other person or groups of persons, which shall be complete, except as otherwise  
29 provided in this section through and including the seventh day immediately  
30 preceding the day by which that report is to be filed. The initial report filed shall

1 contain all contributions so received and expenditures so made since the date of the  
2 last preceding election to fill the office for which he is a candidate. Each subsequent  
3 report shall contain all contributions so received and expenditures so made since the  
4 end of the period for which the last preceding report is filed. Even if no contributions  
5 or expenditures have been made since the end of the period for which the last  
6 preceding report was filed, a statement to that effect must be filed on the forms  
7 prescribed pursuant to § 26-12 of this article under the circumstances and at the  
8 times specified in this section. The initial and subsequent reports shall be  
9 consecutively filed as follows:

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

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

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

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

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

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

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

30 (8) FOR THE GOVERNOR, THE LIEUTENANT GOVERNOR, THE ATTORNEY  
31 GENERAL, OR A MEMBER OR MEMBER-ELECT OF THE GENERAL ASSEMBLY, AND ANY  
32 POLITICAL COMMITTEE OF THESE INDIVIDUALS, NO LATER THAN THE FIFTEENTH  
33 DAY AFTER THE CONVENING OF A REGULAR SESSION OF THE GENERAL ASSEMBLY  
34 FOR CONTRIBUTIONS RECEIVED AND EXPENDITURES MADE FROM THE END OF THE  
35 PERIOD COVERED BY THE LAST PRECEDING REPORT REQUIRED UNDER PARAGRAPHS  
36 (1) THROUGH (7) OF THIS SUBSECTION UP TO, BUT NOT INCLUDING, THE FIRST DAY  
37 OF THE REGULAR LEGISLATIVE SESSION; AND

38 [(8)] (9) If a candidate does not intend to receive contributions or make  
39 expenditures of \$1,000 or more, exclusive of his filing fee, he and his treasurer may  
40 jointly execute an affidavit to that effect on a form prescribed by the State  
41 Administrative Board of Election Laws. If he does not in fact receive contributions or

1 make expenditures of \$1,000 or more, no further reports need be filed pursuant to  
2 this section. The affidavit shall be filed not later than the date by which the first  
3 report is due. If at any time the cumulative contributions to or expenditures by a  
4 candidate who has filed such an affidavit equal or exceed \$1,000, he and his treasurer  
5 shall thereafter file all reports required by this section and failure to do so constitutes  
6 a failure to file and the commission of a misdemeanor subject to the penalties  
7 prescribed in § 26-20 of this article.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 1998.