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By: **Delegate Kittleman**

Introduced and read first time: January 29, 1999

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Campaign Finance - Elimination of Slates**

3 FOR the purpose of repealing certain provisions relating to slates; repealing the  
4 authority for two or more candidates to form a political committee known as a  
5 "slate" under the State election law; and generally relating to the repeal of  
6 certain provisions of State law relating to slates.

7 BY repealing  
8 Article 33 - Election Code  
9 Section 1-101(gg) and 13-201(e)  
10 Annotated Code of Maryland  
11 (1997 Replacement Volume and 1998 Supplement)

12 BY repealing and reenacting, with amendments,  
13 Article 33 - Election Code  
14 Section 13-213(c), 13-301, 13-302, 13-303, 13-401(l), and 15-104(c)  
15 Annotated Code of Maryland  
16 (1997 Replacement Volume and 1998 Supplement)

17 BY repealing and reenacting, with amendments,  
18 Article - State Government  
19 Section 15-838(f) and 15-848(f)  
20 Annotated Code of Maryland  
21 (1995 Replacement Volume and 1998 Supplement)

22 BY renumbering  
23 Article 33 - Election Code  
24 Section 1-101(hh) through (pp), respectively  
25 to be Section 1-101(gg) through (oo), respectively  
26 Annotated Code of Maryland  
27 (1997 Replacement Volume and 1998 Supplement)

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

3 **Article 33 - Election Code**

4 1-101.

5 [(gg) "Slate" means a political committee of two or more candidates who join  
6 together to conduct and pay for joint campaign activities.]

7 13-201.

8 [(e) Any candidate, after filing the name of a treasurer as prescribed in  
9 subsection (a) of this section, may choose, at any time after the filing to join a group,  
10 combination or organization of candidates, commonly known as a "slate", at which  
11 time the candidate shall notify the board of the county or Baltimore City, or the State  
12 Board, with which his certificate of candidacy was filed in writing, of the fact that he  
13 has joined the slate and the date on which he did so. The treasurer of the slate shall  
14 report in the same manner as the treasurer of any political committee as prescribed in  
15 § 13-202 of this subtitle.]

16 13-213.

17 (c) The limitations on transfers and the provisions on affiliations set forth in  
18 this subsection may not apply to:

19 (1) Transfers between and among political committees that are State or  
20 local committees of the same political party; AND

21 (2) [Transfers between and among a slate and its candidate members;  
22 and

23 (3)] Transfers between a campaign committee authorized by a candidate  
24 and that candidate's treasurer.

25 13-301.

26 (a) (1) In this section the following words have the meanings indicated.

27 (2) "Candidate" means a candidate for election to the County Council of  
28 Prince George's County who becomes a member.

29 (3) "Continuing political committee" means a committee specifically  
30 created to promote the candidacy of a member running for any elective office.

31 (4) "Contributor" means a person or business entity that makes a  
32 payment.

33 (5) "Member" means a member of the County Council of Prince George's  
34 County.

1 (6) "Payment" means any payment or contribution of money or property  
2 or the incurring of any liability or promise of anything of value to a treasurer of a  
3 candidate or of a continuing political committee.

4 (7) "Political action committee" means a political committee that is not:

5 (i) A political party;

6 (ii) A central committee; OR

7 (iii) [A slate; or

8 (iv)] A political committee organized and operated by, and solely on  
9 behalf of[:

10 1. An] AN individual running for any elective office[; or

11 2. A slate].

12 (8) ["Slate" means a group, combination, or organization of candidates  
13 created pursuant to the provisions of this article.

14 (9)] "Treasurer" includes a subtreasurer.

15 (b) Except as provided in subsection (c) of this section, a contributor, member,  
16 or political action committee is subject to the provisions of Title 15, Subtitle 8, Part IV  
17 of the State Government Article if a payment is made by the contributor, or a transfer  
18 is made by the political action committee, to the treasurer of the candidate or the  
19 treasurer of the candidate's continuing political committee.

20 (c) Title 15, Subtitle 8, Part IV of the State Government Article does not apply  
21 to:

22 (1) [Any payment or transfer to a slate, unless the slate is composed  
23 solely of candidates or members;

24 (2)] Any transfer to the continuing political committee of a candidate or  
25 member by the continuing political committee of another individual running for  
26 elective office; or

27 [(3)] (2) A payment or transfer to the Prince George's County Central  
28 Committee, or State Central Committee, of a political party, even if the Central  
29 Committee supports a candidate.

30 (d) A person may not make a payment in violation of § 15-831 of the State  
31 Government Article.

32 13-302.

33 (a) (1) In this section the following words have the meanings indicated.

1           (2)     "Candidate" means an individual who wins an election to the office of  
2 County Executive or County Council of Montgomery County.

3           (3)     (i)     "Contribution" means any payment or transfer of money or  
4 property of \$500 or more, calculated cumulatively during a 4-year election cycle, or  
5 the incurring of any liability or promise of anything of value of \$500 or more,  
6 calculated cumulatively during a 4-year election cycle, to the treasurer of either a  
7 candidate or a political committee.

8                     (ii)     [ "Contribution" includes a payment or transfer to a slate with  
9 which a candidate is associated.

10                    (iii)    Except as provided in subparagraph (iv) of this paragraph, the]  
11 THE \$500 cumulative threshold contribution is calculated separately as to each  
12 candidate or elected official.

13                    [(iv)    For purposes of this subsection, a cumulative contribution of  
14 \$500 or more to a slate is fully attributed to each candidate on the slate.]

15           (4)     "Contributor" means an individual or business entity that makes a  
16 contribution.

17           (5)     "Elected official" means an individual who holds the office of County  
18 Executive or member of the County Council of Montgomery County.

19           (6)     "Political action committee" means a political committee that is not:

20                    (i)     A political party;

21                    (ii)    A central committee; OR

22                    (iii)   [A slate; or

23                    (iv)]   A political committee organized and operated by, and solely on  
24 behalf of, an individual running for any elective office [or a slate].

25           (7)     "Political committee" means any combination of two or more persons  
26 appointed by a candidate or any other person or formed in any other manner which  
27 assists or attempts to assist in any manner the promotion of the success or defeat of  
28 any candidate, candidates, political party, principle, or proposition submitted to a vote  
29 at any election.

30           (8)     ["Slate" means a political committee of two or more candidates who  
31 join together to conduct and pay for joint activities. A slate does not include a political  
32 party or a central committee.

33           (9)]     "Treasurer" includes a subtreasurer.

34           (b)     Except as provided in subsection (c) of this section, a contributor is subject  
35 to the provisions of Title 15, Subtitle 8, Part V of the State Government Article if a  
36 contributor makes a contribution to the treasurer of:

1 (1) A candidate; OR

2 (2) [A slate; or

3 (3)] A candidate's political committee.

4 (c) Title 15, Subtitle 8, Part V of the State Government Article does not apply  
5 to a transfer by a political action committee to the treasurer of a candidate or a  
6 treasurer of the candidate's or elected official's political committee.

7 13-303.

8 (a) (1) In this section the following words have the meanings indicated.

9 (2) "Candidate" means a candidate for election as Howard County  
10 Executive or to the Howard County Council who becomes an elected official.

11 (3) "Continuing political committee" means a committee specifically  
12 created to promote the candidacy of a person running for elective office.

13 (4) "Contribution" means any payment or transfer of money or property  
14 or the incurring of any liability or promise of anything of value to the treasurer of  
15 either a candidate or a continuing political committee.

16 (5) "Contributor" means an individual or business entity that makes a  
17 contribution.

18 (6) "Elected official" means an individual who serves as Howard County  
19 Executive or as a member of the Howard County Council.

20 (7) "Political action committee" means a political committee that is not:

21 (i) A political party;

22 (ii) A central committee; OR

23 (iii) [A slate; or

24 (iv)] A political committee organized and operated by, and solely on  
25 behalf of, an individual running for any elective office [or a slate].

26 (8) ["Slate" means a group, combination, or organization of candidates  
27 created under the provisions of this article.

28 (9)] "Treasurer" includes a subtreasurer.

29 (b) Except as provided in subsection (c) of this section, a contributor and an  
30 elected official are subject to the provisions of Title 15, Subtitle 8, Part VII of the  
31 State Government Article if a contributor makes a contribution to the treasurer of:

32 (1) The candidate; OR

1 (2) [A slate; or

2 (3)] The candidate's political committee.

3 (c) Title 15, Subtitle 8, Part VII of the State Government Article does not  
4 apply to a transfer by a political action committee to the treasurer of a candidate or a  
5 treasurer of the candidate's continuing political committee.

6 13-401.

7 (l) (1) A candidate and treasurer designated by that candidate, OR the  
8 chairman and treasurer of a candidate's committee, [or a slate of candidates,] who  
9 are required to file reports or statements under subsection (a), (d)(1), or (e)(3) of this  
10 section with the State Board, shall also file a single copy of all reports, statements,  
11 and affidavits required under this section with the local election board of the county  
12 or Baltimore City where the candidate resides. The report to the local board:

13 (i) Shall be filed according to the schedule set forth in subsections  
14 (a) and (d) of this section;

15 (ii) Before the full implementation of electronic filing under §  
16 13-402(d) of this subtitle, may be in the electronic storage format authorized by the  
17 State Board under § 13-402(c) of this subtitle or in paper copy, as directed by the local  
18 board; and

19 (iii) Is not subject to the requirements relating to the assessment of  
20 a late filing fee provided under § 13-403 of this subtitle.

21 (2) This subsection does not apply to candidates for the offices of  
22 Governor, Lieutenant Governor, Comptroller, Attorney General, or judge of an  
23 appellate court.

24 15-104.

25 (c) The State Administrator shall adopt comprehensive regulations to carry  
26 out the purposes and requirements of this title. The regulations shall include  
27 provisions regarding:

28 (1) The manner and date by which candidates shall notify the State  
29 Board that they intend to qualify for public contributions;

30 (2) The deadline for candidates to submit requests for public  
31 contributions;

32 (3) The dates upon which the State Board is to order, and the  
33 Comptroller is to make, disbursements of public contributions to candidates in  
34 accordance with this title;

35 (4) Pro rata distributions if there is not, or may not be, sufficient money  
36 in the Fund;

1 (5) A formula for distributing supplementary public contributions to the  
2 other eligible candidates if, because an eligible candidate fails to request a public  
3 contribution, withdraws as a candidate, becomes disqualified, or dies, additional  
4 funds become available;

5 (6) The standards by which expenditures by political committees [and  
6 slates] with which an eligible candidate is affiliated are applied to the expenditure  
7 limit of the candidate as specified in § 15-103 of this title;

8 (7) The specification of thresholds for in-kind contributions that will not  
9 be deemed contributions or expenditures for the purposes of this title;

10 (8) Distributions to:

11 (i) Unopposed candidates;

12 (ii) Candidates who are not members of the two principal political  
13 parties; and

14 (iii) Write-in candidates; and

15 (9) The purposes for which public contributions may not be used.

16 **Article - State Government**

17 15-838.

18 (f) (1) "Contribution" means any payment or transfer of money or property  
19 of \$500 or more, calculated cumulatively during a 4-year election cycle, or the  
20 incurring of any liability or promise of anything of value of \$500 or more, calculated  
21 cumulatively during a 4-year election cycle, to the treasurer of either a candidate or  
22 a political committee.

23 (2) ["Contribution" includes a payment or transfer to a slate with which  
24 a candidate is associated.

25 (3) Except as provided in paragraph (4) of this subsection, the] THE \$500  
26 cumulative threshold contribution is calculated separately as to each candidate or  
27 elected official.

28 [(4) For purposes of this subtitle, a cumulative contribution of \$500 or  
29 more to a slate is fully attributed to each candidate on the slate.]

30 15-848.

31 (f) "Contribution" means any payment or transfer of money or property or the  
32 incurring of any liability or promise of anything of value to the treasurer of a  
33 [candidate,] CANDIDATE OR a political [committee, or a slate] COMMITTEE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That Section(s) 1-101(hh)  
2 through (pp), respectively, of Article 33 of the Annotated Code of Maryland be  
3 renumbered to be Section(s) 1-101(gg) through (oo), respectively.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 1999.