

HOUSE BILL 950

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HB 1144/98 - CGM

1999 Regular Session
9lr0584

By: **Delegate Bobo**

Introduced and read first time: February 12, 1999

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Campaign Finance - Attribution of Contributions**

3 FOR the purpose of altering the treatment of certain contributions that are made by
4 certain associated entities; attributing the campaign contributions of certain
5 associated entities to a single contributor for purposes of determining the
6 maximum amount of the contributions that such associated entities may make;
7 and generally relating to the attribution of campaign contributions made by
8 certain associated entities and the application of campaign finance contribution
9 limitations to such associated entities.

10 BY repealing and reenacting, with amendments,
11 Article 33 - Election Code
12 Section 13-212
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1998 Supplement)

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

17 **Article 33 - Election Code**

18 13-212.

19 (a) (1) Except as provided in §§ 13-213 and 13-214 of this subtitle, it is
20 unlawful for any individual, association, unincorporated association, corporation, or
21 any other entity either directly or indirectly, to contribute any money or thing of value
22 greater than \$4,000 to any candidate or political committee or to contribute money in
23 excess of \$100 except by check in any 4-year election cycle. Contributions may be
24 made by credit card, not to exceed \$100 per transaction, to any candidate or political
25 committee under this subsection. Total contributions by a contributor under this
26 subsection shall not exceed \$10,000 in any 4-year election cycle.

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

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

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

8 (3) (i) The limitations set forth in paragraph (1) of this subsection and
9 § 13-213 of this subtitle shall apply to each 4-year election cycle beginning on
10 January 1 following the gubernatorial election and continuing until December 31 that
11 is 4 years later.

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

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

17 (b) (1) [Except] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AND
18 EXCEPT as otherwise provided by law, an individual, association, unincorporated
19 association, corporation, PARTNERSHIP, LIMITED LIABILITY COMPANY, REAL ESTATE
20 INVESTMENT TRUST, or other entity may make contributions in accordance with the
21 limitations on contributions set forth in this section.

22 (2) [, provided that, for] FOR the purpose of determining the maximum
23 amount that [a corporation] ANY ENTITY DESCRIBED IN PARAGRAPH (1) OF THIS
24 SUBSECTION may contribute, a contribution [by a corporation] SHALL BE
25 CONSIDERED AS BEING MADE BY A SINGLE CONTRIBUTOR IF AN ENTITY and any
26 wholly owned subsidiary of the [corporation] ENTITY or [2] TWO or more
27 [corporations owned by the same stockholders shall be considered as being made by 1
28 contributor] OF SUCH CONTRIBUTING ENTITIES:

29 (I) AS TO CORPORATIONS, ARE OWNED BY THE SAME
30 STOCKHOLDERS;

31 (II) AS TO LIMITED LIABILITY COMPANIES, CONSIST OF THE SAME
32 MEMBERS;

33 (III) AS TO REAL ESTATE INVESTMENT TRUSTS, CONSIST OF THE
34 SAME SHAREHOLDERS;

35 (IV) AS TO PARTNERSHIPS UNDER THE MARYLAND UNIFORM
36 PARTNERSHIP ACT, CONSIST OF THE SAME PARTNERS; OR

37 (V) AS TO PARTNERSHIPS UNDER THE MARYLAND LIMITED
38 PARTNERSHIP ACT, CONSIST OF THE SAME GENERAL PARTNERS.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1999.