

SENATE BILL 386

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HB 539/98 - CGM

1999 Regular Session
9r1644

By: **Senators Harris, Jacobs, Mooney, Hooper, Roesser, McCabe, and
Madden**

Introduced and read first time: February 5, 1999
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Laws - Campaign Contributions by Persons Awarded Grants from**
3 **the State "Sunny Day Fund"**

4 FOR the purpose of prohibiting, for a specified period of time, certain persons who are
5 awarded grants from the State "Sunny Day Fund" from making political
6 contributions to certain State officeholders; and generally relating to
7 restrictions on political contributions by persons who are awarded grants from
8 the State "Sunny Day Fund".

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

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

16 **Article 33 - Election Code**

17 13-212.

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

26 (2) Notwithstanding any other provision of this article, the limit on
27 contributions during a 4-year election cycle by the governing body for a political party
28 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) Except as otherwise provided by law, an individual, association,
18 unincorporated association, corporation, or other entity may make contributions in
19 accordance with the limitations on contributions set forth in this section, provided
20 that, for the purpose of determining the maximum amount that a corporation may
21 contribute, a contribution by a corporation and any wholly owned subsidiary of the
22 corporation or 2 or more corporations owned by the same stockholders shall be
23 considered as being made by 1 contributor.

24 (C) (1) IN THIS SUBSECTION, "ECONOMIC DEVELOPMENT OPPORTUNITY
25 FUND" MEANS THE PROGRAM DESCRIBED UNDER § 7-314 OF THE STATE FINANCE
26 AND PROCUREMENT ARTICLE.

27 (2) THIS SUBSECTION APPLIES TO THE FOLLOWING PERSONS:

- 28 (I) A CORPORATION AND ITS OFFICERS;
- 29 (II) A LIMITED LIABILITY COMPANY AND EACH OF ITS MEMBERS;
- 30 (III) A LIMITED LIABILITY PARTNERSHIP AND EACH OF ITS
31 GENERAL PARTNERS; AND
- 32 (IV) A REAL ESTATE INVESTMENT TRUST AND ITS TRUSTEES AND
33 OFFICERS.

34 (3) DURING THE 5-YEAR PERIOD AFTER THE STATE MAKES AN AWARD
35 FROM THE ECONOMIC DEVELOPMENT OPPORTUNITIES FUND TO A PERSON SUBJECT
36 TO THIS SUBSECTION, THE PERSON MAY NOT MAKE, SOLICIT, OR TRANSMIT A

1 POLITICAL CONTRIBUTION FROM ANY PERSON, INCLUDING A POLITICAL
2 COMMITTEE, FOR THE BENEFIT OF:

- 3 (I) THE GOVERNOR;
- 4 (II) THE LIEUTENANT GOVERNOR;
- 5 (III) THE COMPTROLLER;
- 6 (IV) THE ATTORNEY GENERAL; OR
- 7 (V) A MEMBER OF THE GENERAL ASSEMBLY.

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