

BY: Delegate Getty

AMENDMENTS TO SENATE BILL NO. 381

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after "Identification" insert "of Candidates and Campaign Contributors"; and in line 10, before "defining" insert "requiring that certain campaign finance reports include the full name, mailing address, and amount of contribution of certain contributors;".

On page 2, in line 3, strike "and" and substitute ", 13-206(b),"; and in the same line, after "13-213" insert ", and 13-401(a)".

AMENDMENT NO. 2

On page 2, after line 28, insert:

"13-206.

(b) (1) Upon receipt and before depositing a contribution, including the proceeds of ticket sales, a "campaign contribution receipt", in a form prescribed by the State Board, shall be issued and delivered either by mail or in person by the treasurer or subtreasurer (i) to each person or treasurer of a committee, group, or organization in whose name a contribution or contributions, other than the purchase of tickets, are made in the individual or cumulative amount of \$51 or more; (ii) to each person or treasurer of a committee, group, or organization in whose name a ticket or tickets are purchased for any dinner, testimonial, cocktail party, barbecue, crab feast, or other campaign-related function in the individual amount of \$51 or more or in the cumulative amount of \$251 or more. Upon request, a receipt must be given for any lesser amount.

(2) If such contribution is received by a subtreasurer, he shall forward the contribution and a duplicate copy of the "campaign contribution receipt", ALONG WITH REQUIRED INFORMATION RELATING TO CONTRIBUTIONS FOR WHICH A RECEIPT IS NOT REQUIRED, with his report to the treasurer of the candidate or committee for which he is

(Over)

subtreasurer, as required by §§ 13-401 and 13-402 of this title.

(3) The treasurer shall retain all “campaign contribution receipts” with his books and records as required by subsection (a) of this section and report the information therein, ALONG WITH REQUIRED INFORMATION RELATING TO CONTRIBUTIONS FOR WHICH A RECEIPT IS NOT REQUIRED, in the statement of contributions and expenditures required by §§ 13-401 and 13-402 of this title.

(4) The “campaign contribution receipt” issued to a contributor shall serve as evidence of a contribution by such contributor.”.

AMENDMENT NO. 3

On page 3, after line 31, insert:

“13-401.

(a) A candidate for nomination or election to public or party office, including write-in candidates, and the treasurer designated by that candidate shall file the report or statement of contributions and expenditures as prescribed in accordance with § 13-402 of this subtitle with the board at which the candidate filed his certificate of candidacy. All reports or statements of contributions and expenditures shall be filed in duplicate except those filed with the State Board. Election reports as specified below are required by all candidates for public or party office whether or not the candidate’s name appears on the primary ballot, or the candidate withdraws subsequent to filing his certificate of candidacy, or the candidate is unsuccessful in the election. Each report filed shall contain all contributions received and expenditures made in furtherance of the candidate’s nomination or election by the candidate himself or, with the knowledge of the candidate, by any other person or groups of persons, which shall be complete, except as otherwise provided in this section through and including the seventh day immediately preceding the day by which that report is to be filed. EACH CONTRIBUTOR SHALL BE IDENTIFIED BY FULL NAME, MAILING ADDRESS, AND THE AMOUNT OF CONTRIBUTION. The initial report filed shall contain all contributions so received and expenditures so made since the date of the last preceding election to fill the office for which he is a candidate. Each subsequent report shall contain all contributions so received and expenditures so made since the end of the period for which the last preceding report is filed. Even if no contributions or expenditures have been made since the end of the period for which the last preceding report was filed, a statement to that effect must be filed on the forms prescribed pursuant to § 13-402 of this subtitle under the circumstances and at the times specified in this section. The initial and subsequent reports shall be consecutively filed as follows:

- (1) No later than the fourth Tuesday immediately preceding any primary election; and
- (2) No later than the second Friday immediately preceding any election which shall be complete through and including the preceding Sunday; and
- (3) No later than the third Tuesday after the general election; and
- (4) If a cash balance exists or if any unpaid bills or deficits remain to be paid as of the end of the period for which the report or statement in paragraph (3) of this subsection is filed, six months after the general election; and
- (5) If a cash balance exists or if any unpaid bills or deficits remain to be paid as of the end of the period for which the report or statement in paragraph (4) of this subsection is filed, one year after the general election; and
- (6) If a cash balance exists or if any unpaid bills or deficits remain to be paid as of the end of the period for which the report or statement in paragraph (5) of this subsection or any subsequent report or statement is filed, annually on the anniversary of the general election until no cash balance, unpaid bill, or deficit remains; and
- (7) If a cash balance or outstanding debts or deficits were reflected on the last preceding report, but have all been eliminated by the date on which the next report is due, then a report clearly marked as "final" shall be filed on or before such date showing all transactions since the last report; and
- (8) If a candidate does not intend to receive contributions or make expenditures of \$1,000 or more, exclusive of his filing fee, he and his treasurer may jointly execute an affidavit to that effect on a form prescribed by the State Board. If he does not in fact receive contributions or make expenditures of \$1,000 or more, no further reports need be filed pursuant to this section. The affidavit shall be filed not later than the date by which the first report is due. If at any time the cumulative contributions to or expenditures by a candidate who has filed such an affidavit equal or exceed \$1,000, he and his treasurer shall thereafter file all reports required by this section and failure

to do so constitutes a failure to file and the commission of a misdemeanor subject to the penalties prescribed in § 13-603 of this title.”.