

SENATE BILL 381

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HB 951/99 - CGM

2000 Regular Session
0lr2028

By: **Senators Frosh, Sfikas, Van Hollen, and Pinsky**
Introduced and read first time: February 3, 2000
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 21, 2000

CHAPTER _____

1 AN ACT concerning

2 **Election Law - ~~Political Action Committees - Transfers to Candidates -~~**
3 **~~Check Identification~~**

4 FOR the purpose of providing that a political action committee that makes a transfer
5 to the treasurer or political committee of a candidate or a slate of candidates
6 shall display its official name, as filed with the State Board of Elections, and a
7 reference that the entity is a political action committee, in a prominent place on
8 the face of the check by which the funds are transferred; repealing a
9 requirement that in elections for certain offices the name of a candidate be
10 identified by the county in which the candidate resides; defining a certain term;
11 and generally relating to ~~the identification of a political action committee by~~
12 ~~name on the face of the check by which the political action committee makes a~~
13 ~~transfer~~ election law.

14 BY renumbering
15 Article 33 - Election Code
16 Section 1-101(y) through (pp), respectively
17 to be Section 1-101(z) through (qq), respectively
18 Annotated Code of Maryland
19 (1997 Replacement Volume and 1999 Supplement)

20 BY adding to
21 Article 33 - Election Code
22 Section 1-101(y)
23 Annotated Code of Maryland
24 (1997 Replacement Volume and 1999 Supplement)

1 BY repealing and reenacting, with amendments,
2 Article 33 - Election Code
3 Section 9-210(h) and 13-213
4 Annotated Code of Maryland
5 (1997 Replacement Volume and 1999 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
7 MARYLAND, That Section(s) 1-101(y) through (pp), respectively, of Article 33 -
8 Election Code of the Annotated Code of Maryland be renumbered to be Section(s)
9 1-101(z) through (qq), respectively.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
11 read as follows:

12 **Article 33 - Election Code**

13 1-101.

14 (Y) "POLITICAL ACTION COMMITTEE" MEANS A POLITICAL COMMITTEE THAT
15 IS NOT:

16 (1) A POLITICAL PARTY;

17 (2) A CENTRAL COMMITTEE;

18 (3) A SLATE;

19 (4) A POLITICAL COMMITTEE ORGANIZED AND OPERATED SOLELY TO
20 SUPPORT OR OPPOSE A SINGLE CANDIDATE; OR

21 (5) A POLITICAL COMMITTEE ORGANIZED AND OPERATED SOLELY TO
22 SUPPORT OR OPPOSE A BALLOT ISSUE.

23 9-210.

24 (h) [(1) In an election for an office that represents more than one county, in
25 whole or in part, the name of a candidate shall be identified by the county in which
26 the candidate resides.

27 (2)] A candidate for President of the United States or Vice President of
28 the United States shall be identified by the state in which the candidate resides.

29 13-213.

30 (a) In this subsection, "political committee" includes a political committee
31 registered under § 13-202 of this subtitle and an out-of-state political committee.

32 (b) Except as provided in subsection (c) of this section, during a 4-year
33 election cycle the treasurer of a political committee or the treasurer of a candidate

1 may not directly or indirectly transfer any money greater than \$6,000 to the treasurer
2 or political committee of a candidate or any other political committee.

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

5 (1) Transfers between and among political committees that are State or
6 local committees of the same political party;

7 (2) Transfers between and among a slate and its candidate members;
8 and

9 (3) Transfers between a campaign committee authorized by a candidate
10 and that candidate's treasurer.

11 (d) In applying the limitations of this subsection, all affiliated political
12 committees are treated as a single transferor. Political committees are "affiliated" if
13 they are organized and operated in coordination and cooperation with each other or
14 otherwise conduct their operations and make their contribution decisions under the
15 control of the same individual or entity.

16 (e) The limitations on transfers to the treasurer or political committee of a
17 candidate set forth in subsection (b) of this section shall apply to the individual
18 regardless of the number of offices for which that individual files a certificate of
19 candidacy within a 4-year election cycle.

20 (f) (1) No transfer of any kind, in any amount, is permitted if it is intended
21 to conceal the true identity of the actual contributor or the identity of the intended
22 recipient.

23 (2) A POLITICAL ACTION COMMITTEE THAT MAKES A TRANSFER TO THE
24 TREASURER OR POLITICAL COMMITTEE OF A CANDIDATE OR A SLATE OF
25 CANDIDATES UNDER THIS SECTION SHALL:

26 (I) DISPLAY ITS OFFICIAL NAME, AS FILED WITH THE STATE
27 BOARD UNDER § 13-202 OF THIS SUBTITLE, IN A PROMINENT PLACE ON THE FACE OF
28 THE CHECK BY WHICH THE FUNDS ARE TRANSFERRED; AND

29 (II) INCLUDE IN A PROMINENT PLACE ON THE FACE OF THE CHECK
30 THE WORDS "POLITICAL ACTION COMMITTEE" OR THE NOTATION "PAC" TO INDICATE
31 THAT THE ENTITY IS A POLITICAL ACTION COMMITTEE.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 October 1, 2000.

