

SENATE BILL 36
EMERGENCY BILL

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SB 678/00 - EEA

2001 Regular Session
11r0586

(PRE-FILED)

By: **Senator Forehand**

Requested: September 28, 2000

Introduced and read first time: January 10, 2001

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 14, 2001

CHAPTER _____

1 AN ACT concerning

2 **Election Law - Campaign Finance Reports - Expenditures - Receipts**
3 **Required**

4 FOR the purpose of requiring that every expenditure made from a campaign account
5 be supported by a receipt that is retained by the treasurer or subtreasurer of the
6 campaign entity; authorizing certain persons to pay certain campaign expenses
7 from funds other than a campaign account, provided the expenses are
8 reimbursed by check from a campaign account and reported in accordance with
9 law; making this Act an emergency measure; and generally relating to receipts
10 for all expenditures made from a campaign account.

11 BY repealing and reenacting, with amendments,
12 Article 33 - Election Code
13 Section 13-204 and 13-206(a)(1)
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 2000 Supplement)

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

18 **Article 33 - Election Code**

19 13-204.

20 (a) Each candidate, political committee, or central committee shall designate a
21 campaign depository or depositories and all funds and contributions in furtherance of
22 a candidacy, political committee or central committee shall, after receipt, be deposited

1 by the treasurer or subtreasurer in the designated campaign depository in an account
2 properly identifying the name of and the existence of the political candidacy, political
3 committee, or central committee.

4 (b) (1) Except as provided in PARAGRAPH (2) OF THIS SUBSECTION AND IN
5 subsection (c) of this section, a candidate, campaign treasurer or subtreasurer may
6 not pay any expense on behalf of a candidate, directly or indirectly, and a political
7 committee or central committee, including political clubs, may not pay any expense of
8 such organization except by check from the designated depository.

9 (2) A CANDIDATE, CAMPAIGN TREASURER, OR SUBTREASURER, OR A
10 PERSON AUTHORIZED BY A CANDIDATE, CAMPAIGN TREASURER, OR SUBTREASURER,
11 MAY PAY AN EXPENSE OF THE CANDIDATE OR CAMPAIGN ENTITY FROM FUNDS
12 OTHER THAN A CAMPAIGN ACCOUNT PROVIDED:

13 (I) THE EXPENSE IS SUPPORTED BY A RECEIPT THAT IS RETAINED
14 BY THE TREASURER OR SUBTREASURER OF THE CAMPAIGN ENTITY; AND

15 (II) THE TREASURER OR SUBTREASURER REIMBURSES THE
16 PERSON WHO PAID THE EXPENSE BY CHECK FROM THE CAMPAIGN ACCOUNT AND
17 REPORTS THE NATURE OF THE EXPENSE AND THE AMOUNT OF THE
18 REIMBURSEMENT AS AN EXPENDITURE IN ACCORDANCE WITH THIS ARTICLE.

19 (c) A separate book or ledger shall be maintained for any petty cash
20 expenditures. Expenditures from the petty cash fund shall be supported by
21 [vouchers] RECEIPTS THAT ARE retained by the treasurer OR SUBTREASURER and
22 reported by category on the appropriate campaign fund report. The petty cash fund
23 may not exceed \$250 at any given time and the fund may be replenished only by check
24 as provided in subsection (b) of this section. No more than \$25 in the aggregate may
25 be disbursed from the petty cash fund to any single recipient in any primary or
26 general election. This section does not authorize expenditures for any purpose which
27 is unlawful under this article.

28 13-206.

29 (a) (1) Except as provided in paragraph (3) of this subsection, every
30 treasurer and every subtreasurer shall keep detailed, full and accurate accounts in a
31 proper book or books, to be called "account books", to be provided and preserved by the
32 treasurer or subtreasurer, of all contributions, money, or valuable things received by
33 or promised to, and of all expenditures, disbursements, and promises of payment or
34 disbursements of money or valuable things made by any committee, or any of its
35 officers or members, or by any person acting under its authority, or on its behalf or by
36 the treasurer or subtreasurer, and setting forth in such statement and accounts the
37 sum or valuable thing so received, or disbursed, or promised, as the case may be, and
38 the date when, the name and address of the person from whom received or promised,
39 or to whom paid or promised, as the case may be, and the object and purposes for
40 which the sum, or other valuable thing, was received, or disbursed, or promised, as
41 the case may be. EVERY EXPENDITURE MADE FROM A CAMPAIGN ACCOUNT SHALL

1 BE SUPPORTED BY A RECEIPT THAT IS RETAINED BY THE TREASURER OR
2 SUBTREASURER OF THE CAMPAIGN ENTITY.

3 ~~SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect~~
4 ~~October 1, 2001.~~

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
6 measure, is necessary for the immediate preservation of the public health and safety,
7 has been passed by a yea and nay vote supported by three-fifths of all of the members
8 elected to each of the two Houses of the General Assembly, and shall take effect from
9 the date it is enacted.