

SENATE BILL 74

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SB 308/01 - EEA

2002 Regular Session
2lr0505

(PRE-FILED)

By: **Senators Van Hollen, Conway, Dyson, Frosh, Mitchell, and Pinsky**
Requested: September 19, 2001
Introduced and read first time: January 9, 2002
Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Campaign Finance Reform Act**

3 FOR the purpose of prohibiting certain candidates or committees from receiving more
4 than a certain percentage of aggregate transfers from political action
5 committees; establishing certain civil penalties for certain violations under
6 certain circumstances; authorizing the State Board of Elections, represented by
7 the State Prosecutor, to institute a civil action for certain violations; defining a
8 certain term; providing for a delayed effective date; and generally relating to
9 campaign financing.

10 BY adding to

11 Article - Election Law
12 Section 13-227.1
13 Annotated Code of Maryland
14 (As enacted by Chapter __ (S.B. 1) of the Acts of the General Assembly of 2002)

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

17 **Article - Election Law**

18 13-227.1.

19 (A) IN THIS SECTION, "POLITICAL ACTION COMMITTEE" MEANS A POLITICAL
20 COMMITTEE THAT IS NOT:

- 21 (1) A POLITICAL PARTY;
- 22 (2) A CENTRAL COMMITTEE; OR
- 23 (3) A POLITICAL COMMITTEE ORGANIZED AND OPERATED BY AND
24 SOLELY ON BEHALF OF AN INDIVIDUAL RUNNING FOR ANY ELECTIVE OFFICE.

25 (B) (1) A CANDIDATE OR A CANDIDATE'S COMMITTEE MAY NOT RECEIVE
26 TRANSFERS FROM POLITICAL ACTION COMMITTEES THAT, IN THE AGGREGATE, ARE

1 MORE THAN 20% OF THE CANDIDATE'S AGGREGATE CONTRIBUTIONS AND
2 TRANSFERS RECEIVED FROM ALL PERSONS BEFORE EACH ELECTION.

3 (2) THE DETERMINATION AS TO WHETHER A CANDIDATE OR A
4 CANDIDATE'S COMMITTEE HAS COMPLIED WITH PARAGRAPH (1) OF THIS
5 SUBSECTION SHALL BE BASED ON THE FINAL ELECTION REPORT SUBMITTED
6 BEFORE THE PRIMARY ELECTION AND BEFORE THE GENERAL ELECTION IN
7 ACCORDANCE WITH § 13-309(A)(2) OF THIS TITLE.

8 (C) IF A CANDIDATE OR A CANDIDATE'S COMMITTEE RECEIVES AGGREGATE
9 TRANSFERS FROM POLITICAL ACTION COMMITTEES THAT EXCEED 20% OF THE
10 CANDIDATE'S AGGREGATE RECEIPTS OF CONTRIBUTIONS AND TRANSFERS FROM
11 ALL PERSONS AND THE AMOUNT THAT EXCEEDS THE 20% IS \$500 OR MORE, THE
12 CANDIDATE IS SUBJECT TO A CIVIL PENALTY THAT IS EQUAL TO TWICE THE AMOUNT
13 OF THE FUNDS THAT EXCEED \$500.

14 (D) THE STATE BOARD OF ELECTIONS, REPRESENTED BY THE STATE
15 PROSECUTOR, MAY INSTITUTE A CIVIL ACTION FOR ANY VIOLATION OF THIS
16 SUBSECTION.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
18 effect January 1, 2004.