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By: **Delegates Cadden, Benson, Boschert, Branch, V. Clagett, Conway,  
Frush, Gaines, Gilleland, Holmes, Howard, Kirk, Love, Menes, Minnick,  
Moe, Proctor, Sophocleus, and Weir**

Introduced and read first time: February 11, 2005

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Campaign Material on the Internet - Documentation of**  
3 **Listed Supporters**

4 FOR the purpose of providing that a campaign finance entity that causes campaign  
5 material to be transmitted by or appear on the Internet or other electronic  
6 medium that lists the names of certain persons, first obtain the written  
7 permission of the persons to do so and show each person specifically how the  
8 person's name is to be used; requiring campaign finance entities to maintain  
9 certain documents and, on request, to make them available to the State Board of  
10 Elections; authorizing the State Board to direct a campaign finance entity to  
11 remove the names of certain persons from the Internet within a certain period  
12 after being directed to do so; specifying certain penalties; and generally relating  
13 to campaign material on the Internet.

14 BY repealing and reenacting, without amendments,  
15 Article - Election Law  
16 Section 1-101(k)  
17 Annotated Code of Maryland  
18 (2003 Volume and 2004 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article - Election Law  
21 Section 13-401  
22 Annotated Code of Maryland  
23 (2003 Volume and 2004 Supplement)

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

1 **Article - Election Law**

2 1-101.

3 (k) (1) "Campaign material" means any material that:

4 (i) contains text, graphics, or other images;

5 (ii) relates to a candidate, a prospective candidate, or the approval  
6 or rejection of a question; and

7 (iii) is published or distributed.

8 (2) "Campaign material" includes:

9 (i) material transmitted by or appearing on the Internet or other  
10 electronic medium; and

11 (ii) an oral commercial campaign advertisement.

12 13-401.

13 (a) (1) Except as otherwise provided in this section, each item of campaign  
14 material shall contain, set apart from any other message, an authority line that  
15 states:16 (i) as to campaign material published or distributed by a campaign  
17 finance entity:18 1. the name and address of the treasurer of each campaign  
19 finance entity responsible for the campaign material; and20 2. as to each treasurer named under item 1 of this item, the  
21 name of each campaign finance entity for which the treasurer is acting; and22 (ii) as to campaign material published or distributed by any other  
23 person, the name and address of the person responsible for the campaign material.24 (2) The authority line may omit an address that is on file with the State  
25 Board or a local board.26 (3) If the campaign material is too small to include all the information  
27 specified in paragraph (1) of this subsection in a legible manner, the authority line  
28 need only contain the name and title of the treasurer or other person responsible for  
29 it.30 (4) The authority line for campaign material that is a commercial  
31 advertisement need only contain the information specified in paragraphs (1) and (2)  
32 of this subsection for one campaign finance entity or other person responsible for the  
33 advertisement.

1 (b) Campaign material that is published or distributed in support of or in  
2 opposition to a candidate, but is not authorized by the candidate, shall include the  
3 following statement:

4 "This message has been authorized and paid for by (name of payor or any  
5 organization affiliated with the payor), (name and title of treasurer or president).  
6 This message has not been authorized or approved by any candidate."

7 (C) (1) (I) A CAMPAIGN FINANCE ENTITY THAT CAUSES CAMPAIGN  
8 MATERIAL TO BE TRANSMITTED BY OR APPEAR ON THE INTERNET OR OTHER  
9 ELECTRONIC MEDIUM THAT LISTS THE NAMES OF PERSONS WHO ARE PURPORTED  
10 TO SUPPORT A CANDIDATE SHALL, PRIOR TO POSTING A PERSON'S NAME:

11 1. OBTAIN A WRITTEN STATEMENT FROM THE PERSON  
12 AUTHORIZING THE CAMPAIGN FINANCE ENTITY TO POST THE PERSON'S NAME; AND

13 2. SHOW THE PERSON SPECIFICALLY HOW THE PERSON'S  
14 NAME IS TO BE USED IN THE CAMPAIGN MATERIAL.

15 (II) A CAMPAIGN FINANCE ENTITY SHALL MAINTAIN THE WRITTEN  
16 STATEMENT REQUIRED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH AND ON  
17 REQUEST MAKE THE DOCUMENT AVAILABLE TO THE STATE BOARD.

18 (2) IF DIRECTED BY THE STATE BOARD, A CAMPAIGN FINANCE ENTITY  
19 SHALL REMOVE WITHIN 24 HOURS AFTER IT RECEIVES NOTICE FROM THE STATE  
20 BOARD THE NAME OF A PERSON FOR WHOM THE CAMPAIGN FINANCE ENTITY HAS  
21 NOT OBTAINED THE WRITTEN STATEMENT REQUIRED UNDER PARAGRAPH (1) OF  
22 THIS SUBSECTION.

23 (3) A PERSON WHO WILLFULLY AND KNOWINGLY VIOLATES THIS  
24 SUBSECTION IS GUILTY OF A MISDEMEANOR AND SUBJECT TO A FINE OF NOT LESS  
25 THAN \$50 NOR MORE THAN \$500 OR IMPRISONMENT FOR NOT MORE THAN 60 DAYS OR  
26 BOTH.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2005.