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By: **Senator Pinsky**  
Introduced and read first time: February 4, 2005  
Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable  
Senate action: Adopted  
Read second time: March 11, 2005

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CHAPTER\_\_\_\_\_

1 AN ACT concerning

2 **Election Law - Not-for-Profit Organizations - Attribution of Contributions**  
3 **by Officers**

4 FOR the purpose of providing that certain campaign contributions made by certain  
5 officers of certain not-for-profit organizations are not attributable to the  
6 organizations, except under certain circumstances; defining a certain term; and  
7 generally relating to the attribution of certain contributions by certain officers of  
8 certain not-for-profit organizations.

9 BY repealing and reenacting, with amendments,  
10 Article - Election Law  
11 Section 14-105  
12 Annotated Code of Maryland  
13 (2003 Volume and 2004 Supplement)

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

16 **Article - Election Law**

17 14-105.

18 (a) Except as provided in subsection (f) of this section, an applicable  
19 contribution made by an officer, director, or partner of a business entity doing public  
20 business shall be attributed to the business entity.

21 (b) Except as provided in subsection (f) of this section, each officer, director, or  
22 partner of a business entity doing public business who makes an applicable

1 contribution shall report the applicable contribution to the chief executive officer of  
2 the business entity.

3 (c) A contribution by an officer, director, partner, employee, agent, or other  
4 person made at the suggestion or direction of a business entity doing public business  
5 shall be attributed to the business entity.

6 (d) Each officer, director, partner, employee, agent, or other person who, at the  
7 suggestion or direction of a business entity doing public business, makes an  
8 applicable contribution shall report the applicable contribution to the chief executive  
9 officer of the business entity.

10 (e) (1) Business done with a governmental entity by a subsidiary of a  
11 business entity shall be attributed to the business entity if 30% or more of the equity  
12 of the subsidiary is owned or controlled by the business entity.

13 (2) Applicable contributions made by or attributed to a subsidiary  
14 described in paragraph (1) of this subsection shall be attributed to the business entity.

15 (f) (1) IN THIS SUBSECTION, "OFFICER" HAS THE MEANING PRESCRIBED BY  
16 REGULATION ADOPTED BY THE STATE BOARD UNDER § 15-715(G) OF THE STATE  
17 GOVERNMENT ARTICLE.

18 [(1)] (2) Subject to paragraph [(2)] (3) of this subsection, an applicable  
19 contribution made by an individual who serves as a trustee or member of the board of  
20 directors OR AS AN OFFICER of a not-for-profit organization doing public business is  
21 not attributable to the organization, and the individual is not required to report the  
22 applicable contribution to the chief executive officer of the organization.

23 [(2)] (3) This subsection does not apply if:

24 (i) the applicable contribution is made on the recommendation of  
25 the not-for-profit organization; or

26 (ii) the individual described in paragraph [(1)] (2) of this subsection  
27 is paid by the not-for-profit organization.

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