

Department of Legislative Services
Maryland General Assembly
2005 Session

FISCAL AND POLICY NOTE

House Bill 1097
Ways and Means

(Delegate Cadden, *et al.*)

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

This bill requires a campaign finance entity to obtain written authorization from an individual prior to posting that individual's name on the Internet or other electronic medium as part of campaign material that lists the names of persons who purportedly support a candidate. The campaign finance entity must show the individual specifically how the individual's name is to be used in the campaign material and must maintain the written statement to be made available on request of the State Board of Elections (SBE). SBE may direct an entity to remove, within 24 hours, the name of a person for whom the entity has not obtained a written authorization. Any person who willfully and knowingly violates this provision is guilty of a misdemeanor and subject to a fine of not less than \$50 nor more than \$500 or imprisonment for not more than 60 days or both.

Fiscal Summary

State Effect: Any revenue increase from fines imposed under the bill is assumed to be minimal. SBE could handle the bill's requirements with existing resources.

Local Effect: Any effect on local incarceration expenditures is assumed to be minimal.

Small Business Effect: None.

Analysis

Current Law: Campaign material is defined in State law as any material that contains text, graphics, or other images that relate to a candidate, a prospective candidate, or the

approval or rejection of a question that is published or distributed, including material transmitted by or appearing on the Internet or other electronic medium.

Each item of campaign material must contain an “authority line” that is set apart from any other message and states identifying information of the campaign finance entity and its treasurer.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Board of Elections, Department of Legislative Services

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ncs/jr

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