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By: **Delegate Krebs**

Introduced and read first time: February 9, 2006

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Fund-Raising During the Legislative Session**

3 FOR the purpose of repealing an exception to the prohibition on certain fund-raising  
4 activity by certain officials during a regular session of the General Assembly;  
5 providing that certain officials who are running for federal or local office shall be  
6 subject to the fund-raising restrictions; and generally relating to fund-raising  
7 during the legislative session.

8 BY repealing and reenacting, with amendments,  
9 Article - Election Law  
10 Section 13-235  
11 Annotated Code of Maryland  
12 (2003 Volume and 2005 Supplement)

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

15 **Article - Election Law**

16 13-235.

17 (a) This section applies to the following officials:

- 18 (1) the Governor;
- 19 (2) the Lieutenant Governor;
- 20 (3) the Attorney General;
- 21 (4) the Comptroller; and
- 22 (5) a member of the General Assembly.

23 (b) Except as provided in subsection (c) [or (d)] of this section, during a  
24 regular session of the General Assembly an official described in subsection (a) of this  
25 section, or a person acting on behalf of the official, may not, as to a candidate for

1 federal, State, or local office, or a campaign finance entity of the candidate or any  
2 other campaign finance entity organized under this title and operated in coordination  
3 with a candidate:

- 4 (1) receive a contribution;
- 5 (2) conduct a fund-raising event;
- 6 (3) solicit or sell a ticket to a fund-raising event; or
- 7 (4) deposit or use any contribution of money that was not deposited prior  
8 to the session.

9 [(c) An official described in subsection (a) of this section, or a person acting on  
10 behalf of the official, is not subject to this section when engaged in activities solely  
11 related to the official's election to an elective federal or local office for which the  
12 official is a filed candidate.

13 (d)] (C) Under the Public Financing Act, a gubernatorial ticket, during the  
14 year of the election only, may accept eligible private contributions and any  
15 disbursement of funds by the State Board that is based on the eligible private  
16 contributions.

17 [(e)] (D) (1) As to a violation of this section, the campaign finance entity of  
18 the official in violation is liable for a civil penalty as provided in this subsection.

19 (2) The State Board, represented by the State Prosecutor, may institute  
20 a civil action in the circuit court for any county seeking the civil penalty provided in  
21 this subsection.

22 (3) A campaign finance entity that receives a contribution as a result of  
23 the violation shall:

- 24 (i) refund the contribution to the contributor; and
- 25 (ii) pay a civil penalty that equals the sum of \$1,000 plus the  
26 amount of the contribution.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2006.