

HOUSE BILL 350

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71r2404

By: **Delegate Barkley**

Introduced and read first time: February 1, 2007

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Responsible Officers of Political Committees**

3 FOR the purpose of specifying that a candidate is a responsible officer of the
4 candidate's authorized political committee; clarifying that certain current or
5 former responsible officers are subject to certain penalties and restrictions
6 under certain circumstances; providing for a delayed effective date; and
7 generally relating to responsible officers under the Election Law.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 1–101(mm), 13–332, and 13–333
11 Annotated Code of Maryland
12 (2003 Volume and 2006 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Election Law
15 Section 13–331(d)
16 Annotated Code of Maryland
17 (2003 Volume and 2006 Supplement)

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

20 **Article – Election Law**

21 1–101.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (mm) “Responsible officers” means:

2 (1) **FOR A CANDIDATE’S AUTHORIZED POLITICAL COMMITTEE,**
3 **THE CANDIDATE, CHAIRMAN, AND TREASURER; AND**

4 (2) **FOR A POLITICAL COMMITTEE THAT IS NOT AUTHORIZED BY A**
5 **CANDIDATE,** the chairman and treasurer of a political committee.

6 13–331.

7 (d) A late filing fee is the joint and several liability of the responsible officers
8 and:

9 (1) may not be paid, directly or indirectly, by the campaign finance
10 entity; and

11 (2) is neither a contribution to nor an expenditure of the entity.

12 13–332.

13 [An individual] **A CURRENT OR FORMER RESPONSIBLE OFFICER** may not
14 become a candidate for any public or party office in this State or become a treasurer
15 for a campaign finance entity if, as to any campaign finance report due under § 13–304
16 of this subtitle from, or on behalf of, that [individual] **RESPONSIBLE OFFICER** during
17 the preceding five calendar years:

18 (1) there exists a failure to file as specified in § 13–327 of this subtitle;
19 or

20 (2) the [individual] **RESPONSIBLE OFFICER** has failed to pay a late
21 filing fee that is due.

22 13–333.

23 (a) [An individual] **A CURRENT OR FORMER RESPONSIBLE OFFICER** who,
24 within the meaning of § 13–327 of this subtitle, has failed to file a campaign finance
25 report that is due from, or on behalf of, that [individual] **RESPONSIBLE OFFICER,**
26 may not, until the [individual] **RESPONSIBLE OFFICER** corrects the failure to file:

27 (1) be deemed to be elected to a public or party office in this State;

1 (2) take the oath or otherwise assume the duties of the office; or

2 (3) receive any salary or compensation for the office.

3 (b) An official of the State or any of its political subdivisions may not issue a
4 commission or administer an oath of office to [an individual] **A CURRENT OR**
5 **FORMER RESPONSIBLE OFFICER** until that official receives certification from the
6 State Board that all campaign finance reports due under § 13-304 of this subtitle
7 from, or on behalf of, that [individual] **RESPONSIBLE OFFICER** have been filed.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 January 1, 2008.