

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

House Bill 350 (Delegate Barkley)
Ways and Means

Election Law - Responsible Officers of Political Committees

This bill makes a candidate a “responsible officer” of the candidate’s authorized political committee. The bill also provides that a current or former responsible officer, rather than an individual, generally may not become a candidate for, or assume the duties of, any public or party office in the State, or become a treasurer for a campaign finance entity, under specified circumstances in which a campaign finance report has not been filed or a late filing fee has not been paid.

The bill takes effect January 1, 2008.

Fiscal Summary

State Effect: None. The bill’s changes would not directly affect State operations or finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The chairman and treasurer of a political committee are responsible officers of the political committee and are jointly and severally responsible for filing all campaign finance reports in full and accurate detail and for all other actions of the entity. A late filing fee is the joint and several liability of the responsible officers and may not be repaid, directly or indirectly, by a campaign finance entity.

An individual may not become a candidate for any public or party office in the State, or become a treasurer for a campaign finance entity, if a campaign finance report or late filing fee due from, or on behalf of, the individual, has not been filed or paid, within the previous five calendar years. An officer also may not be deemed to be elected to, take the oath or otherwise assume the duties of, or receive any salary or compensation for, a public or party office until a failure to file is corrected. A State or local official may not issue a commission or administer an oath of office to an individual without receipt of certification from the State Board of Elections that all campaign finance reports due from, or on behalf of, the individual have been filed.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Wicomico County, Allegany County, Montgomery County, Prince George's County, State Board of Elections, Baltimore City, Department of Legislative Services

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nas/jr

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