

# HOUSE BILL 347

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By: **Delegates Ali, Bobo, and Gutierrez**  
Introduced and read first time: January 25, 2008  
Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Special Session Legislative Campaign Finance Reform Act**

3 FOR the purpose of prohibiting certain elected officials from engaging in certain  
4 campaign fund-raising activities during a special session of the General  
5 Assembly; requiring a certain campaign finance entity to file a campaign  
6 finance report on a certain date, under certain circumstances, in the event of a  
7 special session of the General Assembly; and generally relating to a prohibition  
8 on and reporting of certain campaign financing activities during a special  
9 session of the General Assembly.

10 BY repealing and reenacting, without amendments,  
11 Article – Election Law  
12 Section 13–235(a), 13–304(a), and 13–312  
13 Annotated Code of Maryland  
14 (2003 Volume and 2007 Supplement)

15 BY repealing and reenacting, with amendments,  
16 Article – Election Law  
17 Section 13–235(b) and 13–309  
18 Annotated Code of Maryland  
19 (2003 Volume and 2007 Supplement)

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

22 **Article – Election Law**  
23 13–235.

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

25 (1) the Governor;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



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

5 (b) Except as provided in subsection (c) or (d) of this section, during a regular  
6 **OR SPECIAL** session of the General Assembly an official described in subsection (a) of  
7 this section, or a person acting on behalf of the official, may not, as to a candidate for  
8 federal, State, or local office, or a campaign finance entity of the candidate or any  
9 other campaign finance entity organized under this title and operated in coordination  
10 with a candidate:

- 11 (1) receive a contribution;
- 12 (2) conduct a fund-raising event;
- 13 (3) solicit or sell a ticket to a fund-raising event; or
- 14 (4) deposit or use any contribution of money that was not deposited  
15 prior to the session.

16 13-304.

17 (a) From the date of its organization until its termination under the  
18 provisions of this title, a campaign finance entity, except a political club, shall file a  
19 campaign finance report at the times, for the periods, and at the locations required by  
20 §§ 13-309, 13-312, and 13-316 of this subtitle.

21 13-309.

22 (a) Subject to other provisions of this subtitle, a campaign finance entity  
23 shall file campaign finance reports as follows:

- 24 (1) except for a ballot issue committee, on or before the fourth Tuesday  
25 immediately preceding each primary election except a presidential primary election;
- 26 (2) except for a ballot issue committee, on or before the second Friday  
27 immediately preceding a primary election;
- 28 (3) on or before the second Friday immediately preceding a general  
29 election; and
- 30 (4) on or before the third Tuesday after a general election.

1 (b) (1) A campaign finance entity is subject to subsection (a) of this  
2 section and this subsection only as to the election in which the entity designates that it  
3 will participate.

4 (2) In addition to the campaign finance reports required under  
5 subsection (a) of this section, but subject to paragraph (4) of this subsection, a  
6 campaign finance entity shall file campaign finance reports on:

7 (I) the third Wednesday in January; AND

8 (II) **IN THE EVENT OF A SPECIAL SESSION OF THE GENERAL**  
9 **ASSEMBLY THAT IS NOT IMMEDIATELY PRECEDED BY A REGULAR SESSION, 7**  
10 **DAYS AFTER THE DAY ON WHICH THE SPECIAL SESSION BEGINS.**

11 (3) (i) If subsequent to the filing of its declaration under §  
12 13-208(c)(3) of this title, a campaign finance entity participates in an election in which  
13 it was not designated to participate, the campaign finance entity shall file all  
14 campaign reports prescribed under subsection (a) of this section for that election.

15 (ii) A violation of subparagraph (i) of this paragraph constitutes  
16 a failure to file by the campaign finance entity, and the responsible officer is guilty of a  
17 misdemeanor and on conviction is subject to the penalties prescribed under Part VII of  
18 this subtitle.

19 (4) If a campaign finance entity has neither a cash balance nor an  
20 outstanding obligation at the end of a reporting period, a campaign finance report for  
21 that period, clearly marked as “final”, shall be filed on or before the due date, and no  
22 further report is required.

23 (c) In addition to the campaign reports required under subsection (a) of this  
24 section, a continuing political committee shall file a campaign finance report on the  
25 third Wednesday in January of each year the committee is in existence.

26 13-312.

27 Campaign finance reports filed under § 13-304 of this subtitle shall cover the  
28 following reporting periods:

29 (1) the first campaign finance report shall cover the period from the  
30 date of organization of the campaign finance entity through the day specified in item  
31 (3) of this section;

32 (2) each subsequent campaign finance report shall cover the period  
33 from the closing date of the previous campaign finance report through the day  
34 specified in item (3) of this section;

1                   (3)   (i)    except as provided in item (ii) of this item, each campaign  
2 finance report shall cover the period that includes the seventh day before the day the  
3 campaign finance report is due; but

4                               (ii)   the campaign finance report that is required on or before the  
5 second Friday immediately preceding an election shall cover the period through and  
6 including the preceding Sunday; and

7                   (4)    if no contribution is received and no expenditure is made during  
8 the period covered by a campaign finance report, the campaign finance entity shall file  
9 a campaign finance report to that effect.

10           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 July 1, 2008.