

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE

House Bill 347
Ways and Means

(Delegate Ali, *et al.*)

Special Session Legislative Campaign Finance Reform Act

This bill makes an existing prohibition against specified campaign finance activities during a regular session of the General Assembly also applicable to a special session. In addition, in the event of a special session that is not immediately preceded by a regular session, a campaign finance entity must file a campaign finance report seven days after the special session begins.

The bill takes effect July 1, 2008.

Fiscal Summary

State Effect: The State Board of Elections would need to make adjustments to campaign finance entity and agency electronic filing software to account for adjusted reporting periods. Costs associated with this change cannot be reliably estimated at this time but, are assumed to be minimal.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: State campaign finance law prohibits specified campaign finance activity by or on behalf of the Governor, Lieutenant Governor, Attorney General, Comptroller, and members of the General Assembly (with the exception of activities solely related to the official's election to an elective federal or local office for which the official is a filed

candidate) including the receipt of a contribution or deposit or use of any contribution of money that was not deposited prior to the session. Violations can be subject to a civil penalty of \$1,000 plus the amount of the contribution, in addition to a requirement that the contribution be refunded.

For each election a campaign finance entity has indicated it will participate in on its statement of purpose filed with the State Board of Elections, the campaign finance entity must file campaign finance reports (or, in specified cases, an affidavit of limited contributions/expenditures) at various times prior to and after the primary and general elections. The reports must contain information required by SBE with respect to all contributions received and all expenditures made by or on behalf of the campaign finance entity during a reporting period. Annual reports generally must also be filed on the third Wednesday in January. A campaign finance entity with no cash balance or outstanding obligations at the end of a reporting period may mark a campaign finance report as “final” and not be obligated to file any further reports.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - February 22, 2008
ncs/ljm

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