

Department of Legislative Services
Maryland General Assembly
2008 Session

FISCAL AND POLICY NOTE
Revised

House Bill 138

(Delegate Kaiser, *et al.*)

Ways and Means

Education, Health, and Environmental Affairs

Election Law - Ballot Issue Committee - Campaign Finance Reporting
Requirements

This bill requires a ballot issue committee to file an additional campaign finance report prior to a general election, on or before the fourth Friday preceding the election. The bill also specifies that a ballot issue committee, in addition to a candidate's authorized political committee, may file specified affidavits of limited contributions and expenditures in lieu of campaign finance reports.

The bill takes effect July 1, 2008.

Fiscal Summary

State Effect: Programming changes to electronic filing and agency software could be handled with existing budgeted resources of the State Board of Elections.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: For each election that a campaign finance entity has indicated it will participate in on its statement of purpose filed with SBE, the campaign finance entity must file campaign finance reports (or, in specified cases, an affidavit of limited contributions/expenditures – discussed below) at various times prior to and after the primary and general elections. The reports must contain information required by the State Board of Elections 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.

Campaign finance entities other than ballot issue committees must file, on specified days, two reports prior to a primary election and all campaign finance entities (including ballot issue committees) must file, on specified days, one report before a general election, and one after the general election.

Chapter 40 of 2006 amended State law (codifying a longstanding policy of SBE) to require ballot issue committees to file campaign finance reports both before and after a general election. Prior to that enactment, State law only required ballot issue committees to file a report after a general election.

A candidate’s authorized political committee (campaign finance entity) may file, on or before the day when the first campaign finance report is due, an affidavit generally stating that the campaign finance entity does not intend to raise contributions of \$1,000 or more or spend \$1,000 or more and not be obligated to file campaign finance reports unless the campaign finance entity later receives or spends \$1,000 or more.

A candidate’s authorized political committee may also file a similar affidavit in place of campaign finance reports, stating that the campaign finance entity generally did not raise contributions of \$1,000 or more or spend \$1,000 or more during the applicable reporting period and not be required to file further campaign finance reports, with the exception of the annual report in January. If a campaign finance entity later receives or spends \$1,000 or more in a reporting period, a campaign finance report must be filed.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - January 28, 2008
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