

**HB1398/545366/1**

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 1398  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through “committee;” in line 11; strike beginning with “requiring” in line 13 down through “authorize;” in line 21; strike line 23 in its entirety; in line 24, strike “clarifying the certain time period when” and substitute “altering the date by which”; and strike beginning with “requiring” in line 25 down through “satisfied;” in line 29 and substitute “exempting electronically transmitted documents from certain provisions restricting the dissemination by members of the General Assembly of certain unsolicited documents; specifying that certain electronically transmitted documents shall be subject to certain standards; stating the intent of the General Assembly regarding standards for electronic communications;”.

On pages 1 and 2, strike beginning with “repealing” in line 30 on page 1 through “State;” in line 3 on page 2 and substitute “prohibiting a contribution if it is intended to conceal the source of the funds or intended recipient;”.

On page 2, in line 7, strike “13-214;”; in the same line, strike “13-220;”; in the same line, strike “13-245;”; in line 9, strike “13-335,” and substitute “13-406, and”; in the same line, strike “, and 13-605”; and strike in their entirety lines 17 through 24, inclusive, and substitute:

“BY repealing and reenacting, without amendments,

Article – Election Law

Section 13-407 and 13-408

Annotated Code of Maryland

(2003 Volume and 2008 Supplement)”.

AMENDMENT NO. 2

(Over)

On page 3, in line 13, strike “**WITHIN**” and substitute “**AT LEAST**”; strike beginning with the third “**OF**” in line 13 down through “**CHANGE**” in line 14 and substitute “**BEFORE THE DATE THAT THE NEXT CAMPAIGN FINANCE REPORT IS DUE**”; and strike in their entirety lines 21 through 24, inclusive.

On page 4, strike in their entirety lines 3 through 7, inclusive.

On pages 4 and 5, strike in their entirety the lines beginning with line 26 on page 4 through line 7 on page 5, inclusive.

On pages 6 and 7, strike in their entirety the lines beginning with line 14 on page 6 through line 32 on page 7, inclusive.

On page 8, in line 3, strike “**WITHIN 30**” and substitute “**WITHIN 90**”; and in the same line, after “**CONTRIBUTION**” insert “**OR BY THE END OF THE CURRENT CAMPAIGN FINANCE REPORTING PERIOD, WHICHEVER IS EARLIER**”.

On pages 8 and 9, strike in their entirety the lines beginning with line 19 on page 8 through line 23 on page 9, inclusive.

On pages 10 and 11, strike in their entirety the lines beginning with line 25 on page 10 through line 28 on page 11, inclusive.

AMENDMENT NO. 3

On page 14, strike in their entirety lines 11 through 33, inclusive, and substitute:

“13-406.

(a) In this Part II of this subtitle the following words have the meanings indicated.

(b) “Incumbent” means a member of the General Assembly.

(c) (1) “Legislative newsletter” means an unsolicited document used by an incumbent, without supervision by, or coordination with, the General Assembly, to disseminate information to a constituent, voter, or potential voter about:

[(1)] (I) the incumbent’s performance in legislative office; or

[(2)] (II) one or more issues of public interest chosen by the incumbent.

(2) (I) “LEGISLATIVE NEWSLETTER” DOES NOT INCLUDE A DOCUMENT THAT IS DISSEMINATED TO RECIPIENTS BY ELECTRONIC MAIL OR ANY OTHER MODE OF ELECTRONIC TRANSMISSION.

(II) A DOCUMENT DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE SUBJECT TO STANDARDS ADOPTED BY THE PRESIDING OFFICERS, OR AN APPROPRIATE ENTITY, OF THE GENERAL ASSEMBLY.

(d) “Publication expense” means an expenditure relating to writing, publishing, printing, issuing, mailing, or distributing a legislative newsletter.

13-407.

Part II of this subtitle does not restrict the use by the General Assembly of any funds appropriated in the State budget.

13-408.

(a) Publication expenses may not be paid from public funds.

(Over)

(b) Publication expenses may be paid from:

(1) a campaign account of a campaign finance entity of the incumbent if the campaign finance entity complies with all other requirements of this title regarding expenditures and campaign material; or

(2) the personal funds of the incumbent or the spouse of the incumbent if, as to each issue:

(i) the incumbent has not filed a certificate of candidacy;

(ii) the legislative newsletter contains a notice that it is disseminated at the personal expense of the incumbent; and

(iii) within 10 days after the first mailing or distribution of the issue, the incumbent files a campaign finance report with the State Board that contains:

1. a detailed list of publication expenses; and

2. an affidavit that no funds for the legislative newsletter have been solicited or received from any source to supplement the personal funds.”.

On page 17, strike in their entirety lines 7 through 13, inclusive, and substitute:

“SECTION 2. AND BE IT FURTHER ENACTED, That it is the intent of the General Assembly that the presiding officers of the General Assembly or, if designated by the presiding officers, the Joint Committee on Legislative Ethics, the Joint Advisory Committee on Legislative Data Systems, or other appropriate entity of the General Assembly, shall adopt reasonable standards for the use of the General

Assembly's electronic mail system and other General Assembly resources that may be used in the dissemination of electronic communications.”;

and in line 14, strike “2.” and substitute “3.”.