

HOUSE BILL 413

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HB 138/08 – W&M

9lr1790

By: **Delegates Kaiser, Ali, Barkley, Bronrott, Carr, Frick, Frush, Gutierrez, Hecht, Holmes, Hubbard, Hucker, Jennings, Jones, Kach, Lafferty, Lee, Manno, Montgomery, Morhaim, Olszewski, Reznik, Rice, Riley, Ross, Schuler, and Walker**

Introduced and read first time: February 2, 2009

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Ballot Issue Committee – Additional Campaign Finance**
3 **Report**

4 FOR the purpose of requiring a ballot issue committee to file a campaign finance
5 report on or before a certain date preceding a general election; and generally
6 relating to the filing of an additional campaign finance report by a ballot issue
7 committee.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 13–309
11 Annotated Code of Maryland
12 (2003 Volume and 2008 Supplement)
13 (As enacted by Chapters 40 and 510 of the Acts of the General Assembly of
14 2006, Chapters 219 and 449 of the Acts of the General Assembly of 2007,
15 and Chapter 543 of the Acts of the General Assembly of 2008)

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

18 **Article – Election Law**

19 13–309.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) except for a ballot issue committee, on or before the fourth Tuesday immediately preceding each primary election except a presidential primary election;

(2) except for a ballot issue committee, on or before the second Friday immediately preceding a primary election;

(3) FOR A BALLOT ISSUE COMMITTEE ONLY, ON OR BEFORE THE FOURTH FRIDAY IMMEDIATELY PRECEDING A GENERAL ELECTION;

~~[(3)]~~ (4) on or before the second Friday immediately preceding a general election; and

~~[(4)]~~ (5) on or before the third Tuesday after a general election.

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

(2) In addition to the campaign finance reports required under subsection (a) of this section, but subject to paragraph (4) of this subsection, a campaign finance entity shall file campaign finance reports on the third Wednesday in January.

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2009.