

HOUSE BILL 805

G1
HB 544/08 – W&M

9lr2378

By: **Delegate Heller**

Introduced and read first time: February 11, 2009

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Campaign Account – Debit Card Disbursements**

3 FOR the purpose of authorizing only the treasurer of a campaign finance entity to
4 make a disbursement by debit card from a campaign account; authorizing the
5 treasurer of a campaign finance entity to reimburse a person by debit card
6 disbursement to pay an expense of the campaign finance entity; authorizing the
7 treasurer of a campaign finance entity to replenish a petty cash fund by debit
8 card disbursement; and generally relating to debit card disbursements by the
9 treasurer of a campaign finance entity.

10 BY repealing and reenacting, without amendments,
11 Article – Election Law
12 Section 13–218
13 Annotated Code of Maryland
14 (2003 Volume and 2008 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Election Law
17 Section 13–219 and 13–220
18 Annotated Code of Maryland
19 (2003 Volume and 2008 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 13–218.

24 (a) All assets received by or on behalf of a campaign finance entity shall be:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) delivered to the treasurer; and

2 (2) maintained by the treasurer for the purposes of the campaign
3 finance entity.

4 (b) (1) Assets of a campaign finance entity may be disbursed only:

5 (i) if they have passed through the hands of the treasurer; and

6 (ii) in accordance with the purposes of the entity.

7 (2) Subject to § 13–220(b)(2) and (c) of this subtitle, the treasurer shall
8 make all disbursements for the campaign finance entity.

9 (c) The treasurer of a State or county central committee of a political party
10 may not make any disbursement of the central committee's assets, or incur any
11 liability on its behalf, without authority and direction from the chairman of the central
12 committee.

13 13–219.

14 (a) **[A] SUBJECT TO § 13–220(B)(3) OF THIS SUBTITLE, A** subtreasurer
15 shall:

16 (1) deposit, disburse, and account for funds in the same manner as,
17 and under the authority of, the treasurer;

18 (2) submit a campaign finance report under oath to the treasurer on a
19 form that the State Board prescribes; and

20 (3) include with the report a copy of each campaign contribution
21 receipt issued.

22 (b) The campaign finance report filed by the campaign finance entity under
23 Subtitle 3 of this title shall have attached to it a copy of the campaign finance report of
24 the subtreasurer and account for the items in the subtreasurer's report.

25 13–220.

26 (a) (1) Each campaign finance entity shall designate one or more
27 campaign accounts.

28 (2) Each designated campaign account shall:

29 (i) be in a financial institution; and

30 (ii) be registered in a manner that identifies it as the account of
31 a campaign finance entity.

1 (3) A campaign finance entity shall deposit all funds received in a
2 designated campaign account.

3 (b) (1) Subject to [paragraph (2)] **PARAGRAPHS (2) AND (3)** of this
4 subsection and subsection (c) of this section, a campaign finance entity may not
5 directly or indirectly make a disbursement except by check **OR DEBIT CARD** from a
6 campaign account designated under subsection (a) of this section.

7 (2) A campaign finance entity, or a person authorized by the campaign
8 finance entity, may pay an expense of the campaign finance entity from funds other
9 than a campaign account if:

10 (i) the expense is supported by a receipt that is provided to the
11 campaign finance entity; and

12 (ii) the campaign finance entity reimburses the person who paid
13 the expense by check **OR DEBIT CARD DISBURSEMENT** from the campaign account
14 and reports the expense as an expenditure of the campaign finance entity in
15 accordance with Subtitle 3 of this title.

16 **(3) ONLY THE TREASURER OF THE CAMPAIGN FINANCE ENTITY**
17 **MAY MAKE A DISBURSEMENT BY DEBIT CARD FROM A CAMPAIGN ACCOUNT**
18 **DESIGNATED UNDER SUBSECTION (A) OF THIS SECTION.**

19 (c) (1) A campaign finance entity may maintain a petty cash fund.

20 (2) The campaign finance entity shall maintain a separate account
21 book for the petty cash fund.

22 (3) The petty cash fund:

23 (i) may not exceed \$250 at any time; and

24 (ii) may be replenished only by check, **OR BY DEBIT CARD**
25 **DISBURSEMENT BY THE TREASURER**, from a campaign account designated under
26 subsection (a) of this section.

27 (4) Not more than \$25 may be disbursed from the petty cash fund in a
28 primary or general election to a single recipient.

29 (5) Each petty cash expenditure shall be supported by a receipt and
30 reported by category on the appropriate campaign finance report.

31 (6) This subsection does not authorize an expenditure that otherwise
32 is unlawful under this article.

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