

HOUSE BILL 806

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HB 805/09 – W&M

0lr2760

By: **Delegate Heller**

Introduced and read first time: February 9, 2010

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 9, 2010

CHAPTER _____

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; providing for a delayed effective date; and generally relating
9 to debit card disbursements by the 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 2009 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 2009 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **Article – Election Law**

2 13–218.

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

4 (1) delivered to the treasurer; and

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

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

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

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

10 (2) Subject to § 13–220(b)(2) and (c) of this subtitle, the treasurer shall
11 make all disbursements for the campaign finance entity.12 (c) The treasurer of a State or county central committee of a political party
13 may not make any disbursement of the central committee's assets, or incur any
14 liability on its behalf, without authority and direction from the chairman of the central
15 committee.

16 13–219.

17 (a) **[A] SUBJECT TO § 13–220(B)(3) OF THIS SUBTITLE, A** subtreasurer
18 shall:19 (1) deposit, disburse, and account for funds in the same manner as,
20 and under the authority of, the treasurer;21 (2) submit a campaign finance report under oath to the treasurer on a
22 form that the State Board prescribes; and23 (3) include with the report a copy of each campaign contribution
24 receipt issued.25 (b) The campaign finance report filed by the campaign finance entity under
26 Subtitle 3 of this title shall have attached to it a copy of the campaign finance report of
27 the subtreasurer and account for the items in the subtreasurer's report.

28 13–220.

29 (a) (1) Each campaign finance entity shall designate one or more
30 campaign accounts.

1 (2) Each designated campaign account shall:

2 (i) be in a financial institution; and

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

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

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

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

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

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

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

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

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

26 (3) The petty cash fund:

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

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

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

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

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

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 January 1, 2011.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.