

Department of Legislative Services
2010 Session

FISCAL AND POLICY NOTE**Revised**

House Bill 1440

(Delegate Barve)

Ways and Means

Education, Health, and Environmental Affairs

**Election Law - Campaign Finance Entity - Officers Authorized to Perform Duties
of Treasurer**

This bill allows a chairman of a campaign finance entity, who is not a candidate, to make a disbursement on behalf of the campaign finance entity in the same manner as the treasurer if the treasurer is temporarily unable to perform the duties of the office. If a chairman makes such a disbursement, the chairman must submit a specified report to the treasurer regarding the expenditure for the account book of the campaign finance entity. The report must be submitted within seven days after making the disbursement. The bill also eliminates the position of subtreasurer within a campaign finance entity.

The bill takes effect June 1, 2010.

Fiscal Summary

State Effect: The bill does not directly affect State operations or finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Assets received by or on behalf of a campaign finance entity must be delivered to and maintained by the treasurer for the purposes of the campaign finance entity. Assets may be disbursed only if they have passed through the hands of the treasurer and only in accordance with the purposes of the entity. With limited exceptions, the treasurer has to make all disbursements for the campaign finance entity. The treasurer of a campaign finance entity has to keep a detailed account book of assets

received, expenditures made, and obligations incurred by or on behalf of the entity. A candidate may not act as the treasurer or subtreasurer of a campaign finance entity.

The chairman and treasurer of a campaign finance entity are jointly and severally responsible for filing all campaign finance reports in full and accurate detail and for all other actions of the entity.

A treasurer of a campaign finance entity may appoint a subtreasurer for any county, each precinct in a county, or any political subdivision. A subtreasurer deposits, disburses, and accounts for funds in the same manner as, and under the authority of, the treasurer.

Background: The State Board of Elections advises that subtreasurers have not been used by campaign finance entities in recent years.

Additional Information

Prior Introductions: HB 723 of 2009, a similar bill, passed in the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee, but no further action was taken.

Cross File: None.

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

Fiscal Note History: First Reader - March 15, 2010
ncs/mwc Revised - Enrolled Bill - May 14, 2010

Analysis by: Scott D. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510