

HOUSE BILL 6

G1
HB 122/11 – W&M

(PRE-FILED)

2lr0473

By: **Delegates Howard and Cardin**

Requested: August 26, 2011

Introduced and read first time: January 11, 2012

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: February 21, 2012

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Use of Campaign Funds for Meeting and Conference Expenses**

3 FOR the purpose of including a disbursement to pay the costs for travel, lodging,
4 meals, and registration expenses to attend certain meetings or conferences as
5 an allowable expenditure of funds from a campaign account under the State
6 election law; and generally relating to the use of campaign funds to pay
7 expenses for a candidate's or an elected official's attendance at certain meetings
8 and conferences.

9 BY repealing and reenacting, without amendments,
10 Article – Election Law
11 Section 1–101(o)
12 Annotated Code of Maryland
13 (2010 Replacement Volume and 2011 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Election Law
16 Section 1–101(aa)
17 Annotated Code of Maryland
18 (2010 Replacement Volume and 2011 Supplement)

19 Preamble

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 WHEREAS, Campaign contributions regulated by the Maryland State Board of
2 Elections may be used for legally procured goods and services that "... promote or
3 assist in the promotion of the success or defeat of a candidate ..."; i.e., to enhance the
4 electability of the person on whose behalf the campaign finance entity is established;
5 and

6 WHEREAS, State election law does not explicitly specify or limit the categories
7 of expenditures that a campaign finance entity may make from a campaign account to
8 "... promote or assist in the promotion of the success or defeat of a candidate ..."; and

9 WHEREAS, A letter of advice issued July 22, 2009, by the Attorney General of
10 Maryland, Office of Counsel to the General Assembly, advises that campaign funds
11 may not be used to fund a State legislator's travel, lodging, meals, and registration
12 expenses at a legislative conference; and

13 WHEREAS, The purposes of many such meetings and conferences are to: (1)
14 educate participants about the legislative process; (2) inform participants regarding
15 other states' legislative solutions to similar problems that may be impacting
16 Maryland; and (3) engage participants about issues and strategies to address matters
17 emanating from the federal government; now, therefore,

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

20 **Article – Election Law**

21 1–101.

22 (o) (1) "Contribution" means the gift or transfer, or promise of gift or
23 transfer, of money or other thing of value to a campaign finance entity to promote or
24 assist in the promotion of the success or defeat of a candidate, political party, or
25 question.

26 (2) "Contribution" includes proceeds from the sale of tickets to a
27 campaign fund-raising event.

28 (aa) "Expenditure" means a gift, transfer, disbursement, or promise of money
29 or a thing of value by or on behalf of a campaign finance entity to:

30 (1) promote or assist in the promotion of the success or defeat of a
31 candidate, political party, or question at an election; [or]

32 (2) pay for the publication expense of a legislative newsletter under
33 Title 13, Subtitle 4 of this article; **OR**

34 **(3) PAY FOR TRAVEL, LODGING, MEALS, AND REGISTRATION**
35 **EXPENSES OF AN ELECTED OFFICIAL OR A CANDIDATE ASSOCIATED WITH**

1 ATTENDANCE AT MEETINGS OR CONFERENCES FOCUSED ON LEGISLATIVE
2 ISSUES, PROCESS, OR PUBLIC POLICY ANALYSIS PERTINENT TO THE OFFICE
3 THAT THE ELECTED OFFICIAL HOLDS OR THAT THE CANDIDATE SEEKS.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2012.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.