

# HOUSE BILL 1499

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CF SB 1039

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By: **The Speaker (By Request – Commission to Study Campaign Finance Law)  
and Delegates Cardin, George, and Summers**

Introduced and read first time: February 28, 2013

Assigned to: Rules and Executive Nominations

Re-referred to: Ways and Means, March 6, 2013

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 2013

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Campaign Finance Reform Act of 2013**

3 FOR the purpose of altering certain definitions; authorizing the State Board of  
4 Elections to audit certain account books, records, and statements; requiring an  
5 individual to establish an authorized candidate campaign committee before  
6 filing a declaration of intent; prohibiting a political committee from receiving or  
7 disbursing money if there is a vacancy in certain offices of the committee;  
8 ~~prohibiting a candidate from remaining a member of a slate or joining a slate~~  
9 providing that a candidate may join a slate or continue as a member of a slate  
10 only under certain circumstances; authorizing the establishment of legislative  
11 party caucus committees; providing that the State Board satisfies certain notice  
12 requirements by sending notices to certain addresses; authorizing a central  
13 committee of a political party or legislative party caucus committee to establish  
14 an administrative account; establishing requirements for the functioning of  
15 administrative accounts; altering the circumstances under which a campaign  
16 contribution receipt must be issued; altering certain limits on the aggregate  
17 amount of contributions a person may make in an election cycle; requiring that  
18 certain contribution limits and certain transfer limits be adjusted in a certain  
19 manner at certain times; providing that contributions by two or more business  
20 entities be considered as being made by one contributor under certain  
21 circumstances; providing that certain limits on transfers between campaign  
22 finance entities do not apply to certain campaign finance entities; establishing a  
23 limit on the amount of transfers a slate may make in an election cycle to the

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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 authorized candidate campaign committees of its members; establishing a limit  
2 on the amount of transfers a legislative party caucus committee may make in an  
3 election cycle to the authorized candidate campaign committee of a candidate  
4 the legislative party caucus committee seeks to elect; requiring certain political  
5 action committees to include certain information on the face of a check  
6 transferring funds to another campaign finance entity; authorizing certain  
7 officials to deposit a contribution during a session of the General Assembly  
8 under certain circumstances; repealing a certain provision relating to  
9 expenditures made by a campaign finance entity located outside the State;  
10 requiring an out-of-state political committee to register and file reports with  
11 the State Board that include certain information at certain times and in a  
12 certain manner; altering certain requirements for contributions received from  
13 the sale of a raffle ticket, spin, or chance at a campaign fundraising event;  
14 prohibiting an authorized candidate campaign committee from reporting more  
15 than a certain amount of certain contributions in an election cycle on its  
16 campaign finance reports without providing certain information about each  
17 contribution; authorizing a political committee to report certain contributions  
18 collected in a certain manner on its campaign finance reports without providing  
19 certain information about each contribution under certain circumstances;  
20 repealing certain provisions relating to the filing of campaign finance reports or  
21 affidavits by authorized candidate campaign committees of candidates for  
22 election to the central committee of a political party; altering certain definitions  
23 in the law governing disclosure of independent expenditures and electioneering  
24 communications; requiring a person who makes a certain amount of  
25 independent expenditures or electioneering communications to register and file  
26 certain reports with the State Board within a certain time; requiring an  
27 independent expenditure or electioneering communication report to identify  
28 persons who made donations of a certain amount to the person making the  
29 independent expenditure or electioneering communication; requiring a person to  
30 file an amended independent expenditure or electioneering communication  
31 report under certain circumstances; authorizing the State Board to assess  
32 certain civil penalties for failure to file properly an independent expenditure or  
33 electioneering communication report; requiring a campaign finance entity to file  
34 a campaign finance report on a certain date immediately preceding a general  
35 election; providing that the authorized candidate campaign committee of a  
36 candidate for election to the central committee of a political party is required to  
37 file certain campaign finance reports and is not required to file any other  
38 campaign finance reports; requiring a political committee that makes only  
39 independent expenditures or electioneering communications to file campaign  
40 finance reports at certain times and subject to certain sanctions; requiring a  
41 campaign finance entity to file an amended campaign finance report under  
42 certain circumstances; providing for certain fees and other sanctions for late  
43 filing of an amended campaign finance report; altering certain fees for late filing  
44 of a campaign finance report; requiring that a late filing fee be paid by a  
45 campaign finance entity except under certain circumstances; authorizing the  
46 governing body of a county to establish a system of public campaign financing  
47 for elective offices in the executive or legislative branches of county government;

1 specifying certain requirements for a county system of public campaign  
 2 financing; authorizing the State Board to assess a civil penalty for certain  
 3 violations of campaign finance law; providing for the maximum amount of a civil  
 4 penalty and requirements for issuing, paying, and contesting a civil penalty;  
 5 authorizing a person who is assessed a civil penalty to elect to stand trial for the  
 6 violation in District Court; requiring the State Prosecutor to assume  
 7 responsibility for prosecuting a violation in District Court; providing for the  
 8 procedures to be followed in the District Court; providing that a civil penalty is  
 9 not a criminal conviction; altering certain definitions in the law governing  
 10 disclosure of contributions by persons doing public business; altering certain  
 11 requirements relating to certain statements of contributions by persons doing  
 12 public business; transferring responsibility for waiving certain disclosure  
 13 requirements applicable to persons doing public business from the Attorney  
 14 General to the State Board; requiring a person doing public business to  
 15 maintain certain records for a certain period of time; requiring a governmental  
 16 entity to ~~verify that~~ require a person doing public business with the  
 17 governmental entity to certify that the person has filed a certain statement of  
 18 contributions before allowing the person to begin performance of a contract;  
 19 requiring a governmental entity to notify the State Board of persons doing  
 20 public business with the governmental entity who are required to file a certain  
 21 statement of contributions within a certain period of time; requiring a person  
 22 doing public business to file an amended statement of contributions under  
 23 certain circumstances; authorizing the State Board to impose certain fees for  
 24 late filing of a statement of contributions by a person doing public business in a  
 25 certain manner; authorizing the State Board to adopt regulations implementing  
 26 the law governing disclosure of contributions by persons doing public business;  
 27 extending the statute of limitations for a misdemeanor constituting a criminal  
 28 offense under the State election laws; providing for the application of the  
 29 extension of the statute of limitations under this Act; making technical and  
 30 clarifying corrections; making conforming changes; defining certain terms;  
 31 making the provisions of this Act severable; providing for a delayed effective  
 32 date; and generally relating to campaign finance.

33 BY repealing and reenacting, with amendments,

34 Article – Election Law

35 Section 1–101(o), (ff), and (gg), 2–102, 13–202, 13–207, 13–209, 13–214, 13–222,  
 36 13–226, 13–227, 13–228, 13–234, 13–235, 13–240, 13–304, 13–305,  
 37 13–306, 13–307, 13–309, 13–327, 13–331, 13–340, 14–101, 14–104,  
 38 14–105, and 14–107

39 Annotated Code of Maryland

40 (2010 Replacement Volume and 2012 Supplement)

41 BY adding to

42 Article – Election Law

43 Section 1–101(bb–1), 13–208.1, 13–220.1, 13–301, 13–309.1, 13–505, 13–604.1,  
 44 and 14–109

45 Annotated Code of Maryland

1 (2010 Replacement Volume and 2012 Supplement)

2 BY repealing

3 Article – Election Law

4 Section 13–301

5 Annotated Code of Maryland

6 (2010 Replacement Volume and 2012 Supplement)

7 BY repealing and reenacting, without amendments,

8 Article – Election Law

9 Section 14–102, 14–103, 14–106, and 14–108

10 Annotated Code of Maryland

11 (2010 Replacement Volume and 2012 Supplement)

12 BY repealing and reenacting, with amendments,

13 Article – Courts and Judicial Proceedings

14 Section 5–106(f) and (h)

15 Annotated Code of Maryland

16 (2006 Replacement Volume and 2012 Supplement)

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

19 **Article – Election Law**

20 1–101.

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

25 (2) “Contribution” includes:

26 (I) proceeds from the sale of tickets to a campaign fund–raising  
27 event; AND

28 (II) A DISBURSEMENT OR DEPOSIT OF MONEY OR A GIFT, A  
29 SUBSCRIPTION, ~~A LOAN~~, AN ADVANCE, OR ANYTHING OF VALUE THAT IS MADE  
30 BY A PERSON IN COORDINATION WITH, OR AT THE REQUEST OR SUGGESTION OF,  
31 A CANDIDATE OR A CAMPAIGN FINANCE ENTITY OF A CANDIDATE.

32 (BB–1) “LEGISLATIVE PARTY CAUCUS COMMITTEE” MEANS A  
33 POLITICAL COMMITTEE THAT IS ESTABLISHED TO PROMOTE THE ELECTION OF  
34 CANDIDATES OF A SINGLE POLITICAL PARTY TO ONE OF THE TWO HOUSES OF  
35 THE GENERAL ASSEMBLY.

1 (ff) “Political action committee” means a political committee that is not:

2 (1) a political party;

3 (2) a central committee;

4 (3) a slate;

5 **(4) A LEGISLATIVE PARTY CAUCUS COMMITTEE;**

6 **[(4)] (5)** a political committee organized and operated solely to  
7 support or oppose a single candidate; or

8 **[(5)] (6)** a political committee organized and operated solely to  
9 support or oppose a ballot issue.

10 (gg) “Political committee” means a combination of two or more individuals  
11 that [assists or attempts] **HAS AS ITS MAJOR PURPOSE ASSISTING OR**  
12 ~~ATTEMPTING to assist in~~ promoting the success or defeat of a candidate, political  
13 party, or question submitted to a vote at any election.

14 2–102.

15 (a) The State Board shall manage and supervise elections in the State and  
16 ensure compliance with the requirements of this article and any applicable federal law  
17 by all persons involved in the elections process.

18 (b) In exercising its authority under this article and in order to ensure  
19 compliance with this article and with any requirements of federal law, the State Board  
20 shall:

21 (1) supervise the conduct of elections in the State;

22 (2) direct, support, monitor, and evaluate the activities of each local  
23 board;

24 (3) have a staff sufficient to perform its functions;

25 (4) adopt regulations to implement its powers and duties;

26 (5) receive, [and] **OR** in its discretion audit, campaign finance reports,  
27 **ACCOUNT BOOKS AND RECORDS KEPT UNDER § 13–221 OF THIS ARTICLE,**  
28 independent expenditure reports filed **AND RECORDS KEPT** under § 13–306 of this  
29 article, [and] electioneering communication reports filed **AND RECORDS KEPT** under

1 § 13–307 of this article, AND STATEMENTS FILED AND RECORDS KEPT UNDER §  
2 14–105 OF THIS ARTICLE;

3 (6) appoint a State Administrator in accordance with § 2–103 of this  
4 subtitle;

5 (7) maximize the use of technology in election administration,  
6 including the development of a plan for a comprehensive computerized elections  
7 management system;

8 (8) canvass and certify the results of elections as prescribed by law;

9 (9) make available to the general public, in a timely and efficient  
10 manner, information on the electoral process, including a publication that includes the  
11 text of this article, relevant portions of the Maryland Constitution, and information  
12 gathered and maintained regarding elections;

13 (10) subject to § 2–106 of this subtitle and § 13–341 of this article,  
14 receive, maintain, and serve as a depository for elections documents, materials,  
15 records, statistics, reports, certificates, proclamations, and other information  
16 prescribed by law or regulation;

17 (11) prescribe all forms required under this article; and

18 (12) serve as the official designated office in accordance with the  
19 Uniformed and Overseas Citizens Absentee Voting Act for providing information  
20 regarding voter registration and absentee ballot procedures for absent uniformed  
21 services voters and overseas voters with respect to elections for federal office.

22 (c) The powers and duties assigned to the State Board under this article  
23 shall be exercised in accordance with an affirmative vote by a supermajority of the  
24 members of the State Board.

25 13–202.

26 (a) Unless otherwise expressly authorized by law, all campaign finance  
27 activity for an election under this article shall be conducted through a campaign  
28 finance entity.

29 (b) An individual may not file a certificate of candidacy **OR A DECLARATION**  
30 **OF INTENT UNDER § 5–703 OR § 5–703.1 OF THIS ARTICLE** until the individual  
31 establishes, or causes to be established, an authorized [political] **CANDIDATE**  
32 **CAMPAIGN** committee.

33 13–207.

1 (a) This section applies to a political committee other than a political club.

2 (b) A political committee may not receive or disburse money or any other  
3 thing of value unless the political committee is established in accordance with the  
4 requirements of this section.

5 (c) To establish a political committee:

6 (1) a chairman and a treasurer shall be appointed on a form that the  
7 State Board prescribes and that is signed by the chairman and treasurer and includes:

8 (i) the residence addresses of the chairman and the treasurer;

9 (ii) if the chairman and treasurer affirmatively consent to  
10 receiving notice under this title only by electronic mail, the electronic mail address of  
11 the chairman and the treasurer; and

12 (iii) the information required by § 13–208 of this subtitle; and

13 (2) the form shall be filed with the [board where the political  
14 committee is required to file campaign finance reports] **STATE BOARD**.

15 (3) The chairman or treasurer of a political committee shall notify the  
16 State Board of a change in the residence address of the chairman or treasurer no later  
17 than 21 days before the day on which the political committee's next campaign finance  
18 report is due under § 13–309 of this title.

19 (4) The chairman or treasurer of a political committee shall notify the  
20 State Board of a change in the electronic mail address of the chairman or treasurer by  
21 the date specified in paragraph (3) of this subsection if the chairman and treasurer of  
22 the political committee have affirmatively consented to receiving notice under this title  
23 only by electronic mail.

24 (d) (1) A chairman or treasurer of a political committee may resign by  
25 completing a resignation form that the State Board prescribes and filing the form with  
26 the [board where the political committee was established] **STATE BOARD**.

27 (2) If a vacancy occurs in the office of chairman or the office of  
28 treasurer, the political committee promptly shall appoint a new chairman or treasurer  
29 in accordance with this section.

30 (3) **A POLITICAL COMMITTEE MAY NOT RECEIVE OR DISBURSE**  
31 **MONEY OR ANY OTHER THING OF VALUE IF THERE IS A VACANCY IN THE OFFICE**  
32 **OF CHAIRMAN OR THE OFFICE OF TREASURER.**

33 **13–208.1.**

1           (A) EACH POLITICAL PARTY MAY ESTABLISH ONE LEGISLATIVE PARTY  
2 CAUCUS COMMITTEE FOR EACH HOUSE OF THE GENERAL ASSEMBLY.

3           (B) THE STATE BOARD SHALL ADOPT REGULATIONS GOVERNING THE  
4 ESTABLISHMENT, STRUCTURE, AND OPERATION OF LEGISLATIVE PARTY  
5 CAUCUS COMMITTEES.

6 13-209.

7           (a) Two or more candidates who have established separate campaign finance  
8 entities may form a slate.

9           (b) After establishing a campaign finance entity in accordance with §  
10 13-202(b) of this subtitle, a candidate may join a slate.

11           (c) (1) To join a slate, a candidate shall file a written notice with the State  
12 Board.

13                   (2) The notice shall specify:

14                           (i) the name of the slate that the candidate has joined; and

15                           (ii) the date on which the candidate joined the slate.

16           ~~(D) A CANDIDATE MAY NOT REMAIN A MEMBER OF A SLATE OR JOIN A~~  
17 ~~SLATE IF THE CANDIDATE:~~

18                   ~~(1) HAS NOT FILED A CERTIFICATE OF CANDIDACY; AND~~

19                   ~~(2) IS NOT AN INCUMBENT OFFICEHOLDER.~~

20           (D) A CANDIDATE MAY JOIN A SLATE OR CONTINUE AS A MEMBER OF A  
21 SLATE ONLY IF:

22                   (1) THE CANDIDATE HAS FILED A CERTIFICATE OF CANDIDACY;  
23 OR

24                   (2) (i) THE CANDIDATE IS AN INCUMBENT OFFICEHOLDER;  
25 AND

26                           (ii) THE DEADLINE FOR FILING A CERTIFICATE OF  
27 CANDIDACY FOR THE OFFICE THE CANDIDATE HOLDS HAS NOT PASSED.

28 13-214.



1 (a) The responsible officers of a campaign finance entity are jointly and  
2 severally responsible for:

3 (1) filing all campaign finance reports in full and accurate detail; and  
4 [for]

5 (2) **EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE**, all other  
6 actions of the entity.

7 (b) Notice shall be provided to a campaign finance entity by serving the  
8 responsible officers.

9 (c) **THE STATE BOARD SATISFIES ALL NOTICE REQUIREMENTS UNDER  
10 THIS TITLE BY SENDING NOTICES TO THE ADDRESSES PROVIDED BY THE  
11 RESPONSIBLE OFFICERS OF A CAMPAIGN FINANCE ENTITY UNDER § 13-207(C)  
12 OF THIS SUBTITLE.**

13 **13-220.1.**

14 (A) **EACH CENTRAL COMMITTEE OF A POLITICAL PARTY OR  
15 LEGISLATIVE PARTY CAUCUS COMMITTEE MAY ESTABLISH ONE  
16 ADMINISTRATIVE ACCOUNT.**

17 (B) **DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT MAY BE  
18 MADE ONLY FOR NONELECTORAL PURPOSES.**

19 (C) **A DONATION TO AN ADMINISTRATIVE ACCOUNT:**

20 (1) **MAY BE MADE ONLY IF THE DONOR IS AWARE THAT THE  
21 DONATION WILL BE USED FOR ~~ADMINISTRATIVE~~ NONELECTORAL PURPOSES  
22 AND CONSENTS TO THAT USE BEFORE MAKING THE DONATION; AND**

23 (2) **IS NOT SUBJECT TO § 13-226(B) OF THIS SUBTITLE.**

24 (D) **A CAMPAIGN FINANCE ENTITY MAY NOT MAKE A TRANSFER TO AN  
25 ADMINISTRATIVE ACCOUNT.**

26 (E) **THE STATE BOARD SHALL ADOPT REGULATIONS THAT:**

27 (1) **DEFINE PERMISSIBLE NONELECTORAL DISBURSEMENTS  
28 FROM AN ADMINISTRATIVE ACCOUNT; AND**

29 (2) **REQUIRE DISCLOSURE OF:**

30 (I) **DONATIONS TO AN ADMINISTRATIVE ACCOUNT; AND**

1 (II) DISBURSEMENTS FROM AN ADMINISTRATIVE ACCOUNT.

2 13-222.

3 (a) (1) By the next deadline for filing a campaign finance report after  
4 receiving a contribution specified in paragraph (2) of this subsection, a treasurer shall  
5 issue a campaign contribution receipt on the form that the State Board prescribes.

6 (2) A campaign contribution receipt shall be mailed or delivered to  
7 each person who[:

8 (i) makes one or more contributions[, other than the purchase  
9 of tickets for a campaign event,] in the cumulative amount of \$51 or more[; or

10 (ii) purchases one or more tickets for a campaign event:

11 1. at a cost of \$51 or more per ticket; or

12 2. in the cumulative amount of \$251 or more].

13 (3) At the request of a contributor, a treasurer shall issue a campaign  
14 contribution receipt for any other contribution.

15 (4) A campaign contribution receipt issued under this section is  
16 evidence of the contribution.

17 (b) The information from a campaign contribution receipt shall be included  
18 in the campaign finance report filed by the treasurer under this title.

19 13-226.

20 (a) The limits on contributions in this section do not apply to:

21 (1) a contribution to a ballot issue committee; or

22 (2) those contributions defined as transfers.

23 (b) Subject to [subsection] **SUBSECTIONS (c) AND (D)** of this section, a  
24 person may not, either directly or indirectly, in an election cycle make aggregate  
25 contributions in excess of:

26 (1) [~~\$4,000~~] **\$6,000** to any one campaign finance entity; or

27 (2) [~~\$10,000~~] **\$24,000** to all campaign finance entities.

1 (c) (1) Notwithstanding subsection (b) of this section, a central committee  
2 of a political party **OR LEGISLATIVE PARTY CAUCUS COMMITTEE** may make  
3 aggregate in-kind contributions **TO A SINGLE CANDIDATE** during an election cycle  
4 that are not in excess of:

5 (i) for a State central committee **OR LEGISLATIVE PARTY**  
6 **CAUCUS COMMITTEE**, \$1 for every two registered voters in the State; and

7 (ii) for a local central committee, \$1 for every two registered  
8 voters in the county.

9 (2) For the purposes of paragraph (1) of this subsection, the number of  
10 registered voters is determined, regardless of party affiliation, as of the first day of the  
11 election cycle.

12 **(D) (1) BEGINNING WITH THE ELECTION CYCLE THAT BEGINS ON**  
13 **JANUARY 1, 2019, AND AT THE BEGINNING OF EACH ELECTION CYCLE**  
14 **THEREAFTER, THE CONTRIBUTION LIMITS UNDER SUBSECTION (B) OF THIS**  
15 **SECTION AND THE TRANSFER LIMITS UNDER § 13-227(C) OF THIS SUBTITLE**  
16 **SHALL BE ADJUSTED IN ACCORDANCE WITH THIS SUBSECTION.**

17 **(2) ON OR BEFORE THE DECEMBER 20 IMMEDIATELY PRECEDING**  
18 **THE END OF AN ELECTION CYCLE, THE STATE BOARD SHALL DETERMINE AND**  
19 **ANNOUNCE THE CONTRIBUTION LIMITS AND TRANSFER LIMITS EFFECTIVE FOR**  
20 **THE NEXT ELECTION CYCLE.**

21 **(3) SUBJECT TO PARAGRAPHS (5) AND (6) OF THIS SUBSECTION,**  
22 **THE CONTRIBUTION LIMIT IN SUBSECTION (B)(1) OF THIS SECTION AND THE**  
23 **TRANSFER LIMIT UNDER § 13-227(C)(1) OF THIS SUBTITLE SHALL BE**  
24 **INCREASED BY THE AMOUNT THAT EQUALS THE PRODUCT OF MULTIPLYING:**

25 **(I) THE CONTRIBUTION LIMIT OR TRANSFER LIMIT IN**  
26 **EFFECT FOR THE CURRENT ELECTION CYCLE; AND**

27 **(II) THE PERCENTAGE GROWTH IN THE CONSUMER PRICE**  
28 **INDEX AS DETERMINED BY THE STATE BOARD UNDER PARAGRAPH (4) OF THIS**  
29 **SUBSECTION.**

30 **(4) (I) IN THIS PARAGRAPH, “CONSUMER PRICE INDEX”**  
31 **MEANS THE INDEX FOR ALL URBAN CONSUMERS PUBLISHED MONTHLY BY THE**  
32 **BUREAU OF LABOR STATISTICS OF THE U.S. DEPARTMENT OF LABOR THAT IS**  
33 **~~A-WEIGHTED~~ THE U.S. CITY AVERAGE OF ALL ITEMS IN A BASKET OF CONSUMER**  
34 **GOODS AND SERVICES.**

1                   **(II) THE PERCENTAGE GROWTH IN THE CONSUMER PRICE**  
2 **INDEX SHALL BE DETERMINED BY COMPARING THE AVERAGE OF THE INDEX**  
3 **FOR THE CURRENT YEAR THROUGH NOVEMBER 30 AND THE PRECEDING 3**  
4 **YEARS TO THE AVERAGE OF THE INDEX FOR THE PRIOR 4 YEARS.**

5                   **(5) THE AMOUNT RESULTING FROM THE CALCULATION UNDER**  
6 **PARAGRAPH (3) OF THIS SUBSECTION SHALL BE ROUNDED TO THE NEAREST**  
7 **MULTIPLE OF \$500.**

8                   **(6) IF THERE IS A DECLINE OR NO GROWTH IN THE CONSUMER**  
9 **PRICE INDEX, THE CONTRIBUTION LIMITS AND TRANSFER LIMITS FOR THE**  
10 **NEXT ELECTION CYCLE SHALL REMAIN UNCHANGED FROM THOSE IN EFFECT**  
11 **FOR THE CURRENT ELECTION CYCLE.**

12                   **(7) THE CONTRIBUTION LIMIT UNDER SUBSECTION (B)(2) OF**  
13 **THIS SECTION AND THE TRANSFER LIMIT UNDER § 13-227(C)(2) OF THIS**  
14 **SUBTITLE SHALL BE ADJUSTED AT THE BEGINNING OF EACH ELECTION CYCLE**  
15 **TO AN AMOUNT EQUAL TO 4 TIMES THE AMOUNT RESULTING FROM THE**  
16 **CALCULATION UNDER PARAGRAPH (3) OF THIS SUBSECTION.**

17                   **[(d)] (E) The limit on contributions to the campaign finance entity of a**  
18 **candidate applies regardless of the number of offices sought by the candidate or**  
19 **campaign finance entities formed to support the candidate.**

20                   **(F) (1) IN THIS SUBSECTION, “BUSINESS ENTITY” INCLUDES A**  
21 **CORPORATION, A SOLE PROPRIETORSHIP, A GENERAL PARTNERSHIP, A LIMITED**  
22 **PARTNERSHIP, A LIMITED LIABILITY COMPANY, A REAL ESTATE INVESTMENT**  
23 **TRUST, ~~AND ANY OTHER BUSINESS OR OTHER ENTITY.~~**

24                   **[(e)] (2) Contributions by [a corporation and any wholly owned subsidiary**  
25 **of the corporation, or by two or more corporations owned by the same stockholders,]**  
26 **TWO OR MORE BUSINESS ENTITIES shall be considered as being made by one**  
27 **contributor IF:**

28                                   **(I) ONE BUSINESS ENTITY IS A WHOLLY OWNED SUBSIDIARY**  
29 **OF ANOTHER; OR**

30                                   **(II) THE BUSINESS ENTITIES ARE OWNED OR CONTROLLED**  
31 **BY AT LEAST 80% OF THE SAME INDIVIDUALS OR BUSINESS ENTITIES.**

32 13-227.

33                   (a) In this section, a “campaign finance entity” includes a nonfederal  
34 out-of-state political committee.

1 (b) The [limit] LIMITS on transfers set forth in subsection (c) of this section  
2 [does] DO not apply to a transfer:

3 (1) by a campaign finance entity to a ballot issue committee; ~~and~~

4 ~~(2)~~ **(2) BY THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF**  
5 **A MEMBER OF A SLATE TO A SLATE OF WHICH THE CANDIDATE IS A MEMBER;**

6 **(3) BY THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEES OF**  
7 **THE CANDIDATES THAT A LEGISLATIVE PARTY CAUCUS COMMITTEE SEEKS TO**  
8 **ELECT TO THE LEGISLATIVE PARTY CAUCUS COMMITTEE; AND**

9 **(4)** between or among:

10 (i) political committees that are State or local central  
11 committees of the same political party;

12 (ii) a slate and the [campaign finance entities of its members]  
13 **AUTHORIZED CANDIDATE CAMPAIGN COMMITTEES OF ITS MEMBERS, IF THE**  
14 **ONLY MEMBERS OF THE SLATE ARE A CANDIDATE FOR GOVERNOR AND A**  
15 **CANDIDATE FOR LIEUTENANT GOVERNOR WHO ARE RUNNING ON THE SAME**  
16 **TICKET; ~~and~~**

17 ~~**(III) A LEGISLATIVE PARTY CAUCUS COMMITTEE AND THE**~~  
18 ~~**AUTHORIZED CANDIDATE CAMPAIGN COMMITTEES OF THE CANDIDATES THE**~~  
19 ~~**LEGISLATIVE PARTY CAUCUS COMMITTEE SEEKS TO ELECT; AND**~~

20 ~~**[(iii)] (IV) the campaign finance entities of a candidate.**~~

21 **(III) THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE**  
22 **OF A CANDIDATE.**

23 (c) (1) [During] **SUBJECT TO § 13-226(D) OF THIS SUBTITLE AND**  
24 ~~**PARAGRAPH (2)**~~ **PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, DURING** an  
25 election cycle, a campaign finance entity may not directly or indirectly make transfers  
26 in a cumulative amount of more than \$6,000 to any one other campaign finance entity.

27 **(2) DURING AN ELECTION CYCLE, A SLATE MAY NOT MAKE**  
28 **TRANSFERS DIRECTLY OR INDIRECTLY TO ~~ONE OR MORE~~ THE AUTHORIZED**  
29 **CANDIDATE CAMPAIGN ~~COMMITTEES~~ COMMITTEE OF ANY SINGLE MEMBER OF**  
30 **THE SLATE IN A CUMULATIVE AMOUNT OF MORE THAN \$24,000.**

31 **(3) DURING AN ELECTION CYCLE, A LEGISLATIVE PARTY CAUCUS**  
32 **COMMITTEE MAY NOT MAKE TRANSFERS DIRECTLY TO THE AUTHORIZED**  
33 **CANDIDATE CAMPAIGN COMMITTEE OF A CANDIDATE THAT THE LEGISLATIVE**

1 PARTY CAUCUS COMMITTEE SEEKS TO ELECT IN A CUMULATIVE AMOUNT OF  
2 MORE THAN \$24,000.

3 (d) (1) All affiliated campaign finance entities are treated as a single  
4 entity in determining:

5 (i) the amount of transfers made by a campaign finance entity;  
6 and

7 (ii) the amount of transfers received by a campaign finance  
8 entity.

9 (2) Campaign finance entities are deemed to be affiliated if they:

10 (i) are organized and operated in coordination and cooperation  
11 with each other; or

12 (ii) otherwise conduct their operations and make their decisions  
13 relating to transfers and other contributions under the control of the same individual  
14 or entity.

15 (e) The limit on transfers to the campaign finance entities of a candidate  
16 prescribed in subsection (c) of this section applies regardless of the number of offices  
17 sought by the candidate.

18 13-228.

19 A political action committee that makes a transfer to the campaign finance  
20 entity of a candidate or to a slate shall:

21 (1) display its official name, as filed with the State Board under this  
22 subtitle, in a prominent place on the face of the check by which the funds are  
23 transferred; and

24 (2) include in a prominent place on the face of the check:

25 (I) the words "political action committee" or the notation "PAC",  
26 to indicate that the transferor is a political action committee; OR

27 (II) IF THE POLITICAL ACTION COMMITTEE IS ORGANIZED  
28 UNDER MARYLAND LAW, THE WORDS "MARYLAND REGISTERED POLITICAL  
29 ACTION COMMITTEE" OR THE NOTATION "MD REGISTERED PAC" TO INDICATE  
30 THAT THE TRANSFEROR IS A MARYLAND POLITICAL ACTION COMMITTEE.

31 13-234.

1 (a) A contribution of money may be made only by:

2 (1) check;

3 (2) credit card;

4 (3) cash, if the contribution does not exceed \$100 **IN AN ELECTION**  
5 **CYCLE**; or

6 (4) an electronic method that the State Board authorizes by  
7 regulation.

8 (b) An electronic method of making a contribution that the State Board  
9 authorizes under this section shall ensure that:

10 (1) the identity of the person making the contribution may be verified;

11 (2) the transaction is secure; and

12 (3) there is an adequate record of the transaction.

13 13–235.

14 (a) This section applies to the following officials:

15 (1) the Governor;

16 (2) the Lieutenant Governor;

17 (3) the Attorney General;

18 (4) the Comptroller; and

19 (5) a member of the General Assembly.

20 (b) Except as provided in subsection (c) **[or]**, (d) **OR (E)** of this section, during  
21 a regular session of the General Assembly an official described in subsection (a) of this  
22 section, or a person acting on behalf of the official, may not, as to a candidate for  
23 federal, State, or local office, or a campaign finance entity of the candidate or any  
24 other campaign finance entity organized under this title and operated in coordination  
25 with a candidate:

26 (1) receive a contribution;

27 (2) conduct a fund–raising event;

28 (3) solicit or sell a ticket to a fund–raising event; or

1 (4) deposit or use any contribution of money that was not deposited  
2 prior to the session.

3 (c) An official described in subsection (a) of this section, or a person acting on  
4 behalf of the official, is not subject to this section when engaged in activities solely  
5 related to the official's election to an elective federal or local office for which the official  
6 is a filed candidate.

7 (d) Under the Public Financing Act, a gubernatorial ticket, during the year of  
8 the election only, may accept eligible private contributions and any disbursement of  
9 funds by the State Board that is based on the eligible private contributions.

10 **(E) AN OFFICIAL DESCRIBED IN SUBSECTION (A) OF THIS SECTION, OR**  
11 **A PERSON ACTING ON BEHALF OF THE OFFICIAL, MAY DEPOSIT A**  
12 **CONTRIBUTION DURING THE LEGISLATIVE SESSION IF THE CONTRIBUTION WAS**  
13 **MADE ELECTRONICALLY BEFORE THE START OF THE SESSION.**

14 **[(e)] (F) (1)** As to a violation of this section, the campaign finance entity  
15 of the official in violation is liable for a civil penalty as provided in this subsection.

16 (2) The State Board, represented by the State Prosecutor, may  
17 institute a civil action in the circuit court for any county seeking the civil penalty  
18 provided in this subsection.

19 (3) A campaign finance entity that receives a contribution as a result  
20 of the violation shall:

21 (i) refund the contribution to the contributor; and

22 (ii) pay a civil penalty that equals the sum of \$1,000 plus the  
23 amount of the contribution.

24 13-240.

25 (a) This section applies to a spin or chance on a paddle wheel or wheel of  
26 fortune OR A RAFFLE that is authorized under the laws of this State to operate at a  
27 campaign fund-raising event.

28 (b) [Notwithstanding] **EXCEPT AS PROVIDED IN § 13-304(C) OF THIS**  
29 **TITLE, BUT NOTWITHSTANDING § 13-239** of this subtitle or any other law that  
30 prohibits an anonymous contribution, a political committee may accept ~~money~~  
31 CONTRIBUTIONS received from the sale of a spin or chance OR A RAFFLE TICKET,  
32 and need not identify the individual ~~purchaser in its account book~~ CONTRIBUTOR ON  
33 ITS CAMPAIGN FINANCE REPORTS, if:



1 (1) the account book of the political committee includes:

2 (i) the net amount received by the political committee FROM  
 3 THE RAFFLE, SPIN, OR CHANCE at the FUNDRAISING event at which the sale was  
 4 made; and

5 (ii) the name and address of each ~~individual~~ PERSON who  
 6 attended the event;

7 (2) no spin or chance is sold at the event for more than \$2;

8 (3) the net income of the sponsoring political committee from spins  
 9 and chances at the event does not exceed \$1,500 in a 24-hour period; ~~and~~

10 (4) the total receipts of the sponsoring political committee from spins  
 11 and chances in that election do not exceed \$2,500;

12 **(5) A RAFFLE IS CONDUCTED IN ACCORDANCE WITH § 12-106(B)**  
 13 **OF THE CRIMINAL LAW ARTICLE; AND**

14 **(6) THE POLITICAL COMMITTEE INCLUDES ON ITS CAMPAIGN**  
 15 **FINANCE REPORT;**

16 **(I) A LUMP SUM CONTRIBUTION OF THE NET AMOUNT**  
 17 **RECEIVED BY THE POLITICAL COMMITTEE FROM THE RAFFLE, SPIN, OR CHANCE**  
 18 **AT THE FUNDRAISING EVENT; AND**

19 **(II) THE TOTAL NUMBER OF PERSONS PURCHASING A**  
 20 **RAFFLE TICKET, SPIN, OR CHANCE AT THE EVENT.**

21 (c) If a political committee raises funds in excess of a limit specified in this  
 22 section, the political committee shall:

23 (1) donate the excess to a charity of its choice; or

24 (2) identify in its account book the amount received from each  
 25 individual who purchased a spin or chance.

26 (d) The State Board shall adopt regulations to implement this section.

27 [13-301.

28 In this subtitle, the provisions that apply to a “campaign finance entity” also  
 29 apply to a campaign entity located outside the State with regard to all expenditures  
 30 within the State.]

1 13-301.

2 (A) IN THIS SECTION, "OUT-OF-STATE POLITICAL COMMITTEE" MEANS  
3 A NONFEDERAL POLITICAL COMMITTEE ORGANIZED UNDER THE LAW OF  
4 ANOTHER STATE.

5 (B) (1) AN OUT-OF-STATE POLITICAL COMMITTEE SHALL REGISTER  
6 WITH THE STATE BOARD ON A FORM THAT THE STATE BOARD PRESCRIBES  
7 WITHIN 48 HOURS AFTER DIRECTLY OR INDIRECTLY MAKING TRANSFERS IN A  
8 CUMULATIVE AMOUNT OF \$6,000 OR MORE IN AN ELECTION CYCLE TO ONE OR  
9 MORE CAMPAIGN FINANCE ENTITIES ORGANIZED UNDER SUBTITLE 2, PART II  
10 OF THIS TITLE.

11 (2) THE REGISTRATION FORM THE STATE BOARD PRESCRIBES  
12 SHALL REQUIRE AN OUT-OF-STATE POLITICAL COMMITTEE TO DESIGNATE THE  
13 ELECTION YEAR IN WHICH THE COMMITTEE IS PARTICIPATING.

14 (C) AFTER REGISTERING WITH THE STATE BOARD, AN OUT-OF-STATE  
15 POLITICAL COMMITTEE SHALL FILE REPORTS WITH THE STATE BOARD FOR THE  
16 ELECTION YEAR IN WHICH THE COMMITTEE IS PARTICIPATING ON OR BEFORE  
17 EACH DATE THAT A CAMPAIGN FINANCE ENTITY OF A CANDIDATE IS REQUIRED  
18 TO FILE A CAMPAIGN FINANCE REPORT UNDER § 13-309 OF THIS SUBTITLE.

19 (D) THE REPORTS UNDER SUBSECTION (C) OF THIS SECTION SHALL:

20 (1) DISCLOSE ALL EXPENDITURES MADE IN THE STATE BY THE  
21 OUT-OF-STATE POLITICAL COMMITTEE:

22 (I) FROM THE BEGINNING OF THE ELECTION CYCLE IN THE  
23 CASE OF THE FIRST REPORT FILED BY THE OUT-OF-STATE POLITICAL  
24 COMMITTEE; OR

25 (II) DURING THE APPLICABLE REPORTING PERIOD UNDER §  
26 13-312 OF THIS SUBTITLE FOR EACH SUBSEQUENT REPORT FILED BY THE  
27 OUT-OF-STATE POLITICAL COMMITTEE;

28 (2) DESCRIBE HOW TO ACCESS THE CAMPAIGN FINANCE REPORTS  
29 FILED BY THE OUT-OF-STATE POLITICAL COMMITTEE IN THE STATE WHERE  
30 THE COMMITTEE IS ORGANIZED; AND

31 (3) BE FILED IN THE MANNER AND SUBJECT TO THE SANCTIONS  
32 PROVIDED IN PARTS VI AND VII OF THIS SUBTITLE.

33 13-304.

1 (a) (1) From the date of its organization until its termination under the  
2 provisions of this title, a campaign finance entity, except a political club, shall file a  
3 campaign finance report at the State Board at the times and for the periods required  
4 by §§ 13-309, 13-312, and 13-316 of this subtitle.

5 (2) A campaign finance report submitted using an electronic format  
6 shall:

7 (i) be made under oath or affirmation;

8 (ii) require an electronic signature from the treasurer at the  
9 time of the filing of the campaign finance report; and

10 (iii) be made subject to the penalties for perjury.

11 (b) A campaign finance report filed by a campaign finance entity under  
12 subsection (a) of this section shall include:

13 (1) the information required by the State Board with respect to all  
14 contributions received and all expenditures made by or on behalf of the campaign  
15 finance entity during the designated reporting period; and

16 (2) the information regarding the occupations and employers of  
17 contributors required to be recorded by the treasurer of a campaign finance entity  
18 under § 13-221 of this title.

19 (c) (1) **IN THIS SUBSECTION, "ELIGIBLE CONTRIBUTION" MEANS A**  
20 **CONTRIBUTION OR SERIES OF CONTRIBUTIONS MADE BY THE SAME PERSON**  
21 **FOR WHICH A RECEIPT IS NOT REQUIRED TO BE ISSUED UNDER § 13-222 OF**  
22 **THIS TITLE.**

23 (2) **THE REQUIREMENTS OF THIS SUBSECTION PREVAIL TO THE**  
24 **EXTENT OF ANY CONFLICT WITH § 13-240(B) OF THIS TITLE.**

25 ~~(2)~~ (3) **EXCEPT AS PROVIDED IN ~~PARAGRAPH (2)~~ PARAGRAPHS**  
26 **(4) AND (5) OF THIS SUBSECTION, AN AUTHORIZED CANDIDATE CAMPAIGN**  
27 **COMMITTEE SHALL REPORT THE FOLLOWING INFORMATION ON ITS CAMPAIGN**  
28 **FINANCE REPORTS FOR EACH CONTRIBUTION THE COMMITTEE RECEIVES:**

29 (I) **THE AMOUNT OF EACH CONTRIBUTION; AND**

30 (II) **THE NAME AND RESIDENTIAL ADDRESS OF EACH**  
31 **CONTRIBUTOR, UNLESS A CONTRIBUTOR RECEIVES A CONFIDENTIALITY**  
32 **WAIVER FROM THE STATE BOARD FOR A RESIDENTIAL ADDRESS, IN WHICH**

1 CASE A SUITABLE ALTERNATIVE ADDRESS APPROVED BY THE STATE BOARD  
 2 MAY BE USED.

3 ~~(3)~~ (4) A CAMPAIGN FINANCE ENTITY OF A CANDIDATE MAY  
 4 REPORT A MAXIMUM OF A CUMULATIVE AMOUNT OF \$25,000 IN ELIGIBLE  
 5 CONTRIBUTIONS IN AN ELECTION CYCLE ON ITS CAMPAIGN FINANCE REPORTS  
 6 WITHOUT PROVIDING THE INFORMATION REQUIRED UNDER PARAGRAPH ~~(2)~~ (3)  
 7 OF THIS SUBSECTION.

8 (5) A POLITICAL COMMITTEE MAY REPORT ELIGIBLE  
 9 CONTRIBUTIONS COLLECTED IN ACCORDANCE WITH § 13-241 OR § 13-242 OF  
 10 THIS TITLE ON ITS CAMPAIGN FINANCE REPORTS IN THE MANNER SPECIFIED IN  
 11 PARAGRAPH (4) OF THIS SUBSECTION IF THE FOLLOWING IS INCLUDED ON THE  
 12 POLITICAL COMMITTEE'S CAMPAIGN FINANCE REPORT:

13 (I) A LUMP SUM CONTRIBUTION OF THE TOTAL AMOUNT  
 14 RECEIVED BY THE POLITICAL COMMITTEE IN THE FORM OF ELIGIBLE  
 15 CONTRIBUTIONS;

16 (II) THE NUMBER OF INDIVIDUALS MAKING ELIGIBLE  
 17 CONTRIBUTIONS; AND

18 (III) THE AVERAGE AMOUNT OF THE ELIGIBLE  
 19 CONTRIBUTIONS RECEIVED BY THE POLITICAL COMMITTEE.

20 [(c)] (D) A campaign finance report prescribed by this subtitle for the  
 21 campaign finance entity of a candidate is required whether or not:

22 (1) the candidate files a certificate of candidacy;

23 (2) the candidate withdraws, declines a nomination, or otherwise  
 24 ceases to be a candidate;

25 (3) the candidate's name appears on the primary ballot; or

26 (4) the candidate is successful in the election.

27 13-305.

28 (a) Instead of filing a report required under § 13-309 of this subtitle, a  
 29 treasurer may file an affidavit stating that the campaign finance entity has not raised  
 30 or spent a cumulative amount of \$1,000 or more, exclusive of the filing fee, and  
 31 regardless of the balance of the campaign account, since:

32 (1) establishing the campaign finance entity; or

1 (2) filing the campaign finance entity's last campaign finance report.

2 (b) The affidavit shall be filed on or before the date a campaign finance  
3 report is due to be filed under § 13-309 of this subtitle.

4 [(c) (1) This subsection only applies to a campaign finance entity of a  
5 candidate for election to the central committee of a political party that is authorized  
6 under subsection (a) of this section to file an affidavit instead of filing a campaign  
7 finance report on a date specified in § 13-309(a) of this subtitle.

8 (2) Subject to paragraph (3) of this subsection, a campaign finance  
9 entity subject to this subsection is not required to file an affidavit under this section or  
10 a campaign finance report on a date specified in § 13-309(a) of this subtitle.

11 (3) A campaign finance entity subject to this subsection shall file an  
12 affidavit under subsection (a) of this section or a campaign finance report on the date  
13 specified in § 13-309(c) of this subtitle.]

14 13-306.

15 (a) (1) In this section the following words have the meanings indicated.

16 (2) (I) "Donation" means the gift or transfer, or promise of gift or  
17 transfer, of money or other thing of value to a person [that is made for the purpose of  
18 furthering] WHO MAKES independent expenditures.

19 (II) "DONATION" DOES NOT INCLUDE ANY AMOUNT OF  
20 MONEY OR ANY OTHER THING OF VALUE:

21 1. RECEIVED BY A PERSON IN THE ORDINARY  
22 COURSE OF ANY TRADE OR BUSINESS CONDUCTED BY THE PERSON, WHETHER  
23 FOR PROFIT OR NOT FOR PROFIT, OR IN THE FORM OF INVESTMENTS IN THE  
24 PERSON'S BUSINESS; OR

25 2. A. THAT THE DONOR AND THE PERSON  
26 RECEIVING THE MONEY OR THING OF VALUE EXPRESSLY AGREE IN WRITING  
27 MAY NOT BE USED FOR INDEPENDENT EXPENDITURES; AND

28 B. IN THE CASE OF A MONETARY DONATION, IS  
29 DEPOSITED IN A SEPARATE BANK ACCOUNT THAT IS NEVER USED FOR  
30 INDEPENDENT EXPENDITURES.

1           **(3) “E-MAIL BLAST” MEANS A TRANSMISSION OF ELECTRONIC**  
 2 **MAIL MESSAGES OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE TO**  
 3 **5,000 OR MORE E-MAIL ACCOUNTS SIMULTANEOUSLY.**

4           **[(3)] (4)** “Mass mailing” means a mailing by United States mail or  
 5 facsimile of more than 500 pieces of mail matter of an identical or substantially  
 6 similar nature within any 30-day period.

7           **[(4)] (5)** (i) “Person” includes an individual, a partnership, a  
 8 committee, an association, a corporation, a labor organization, or any other  
 9 organization or group of persons.

10           (ii) “Person” does not include a campaign finance entity  
 11 organized under Subtitle 2, Part II of this title.

12           **[(5)] (6)** (i) “Public communication” means a communication by  
 13 means of any broadcast **TELEVISION OR RADIO COMMUNICATION**, cable  
 14 **TELEVISION COMMUNICATION**, [or] satellite **TELEVISION OR RADIO**  
 15 communication, newspaper, magazine, outdoor advertising facility, mass mailing,  
 16 **E-MAIL BLAST, TEXT BLAST**, or telephone bank to the general public, or any other  
 17 form of general public political advertising.

18           (ii) “Public communication” does not include:

19           1. a news story, a commentary, or an editorial  
 20 disseminated by a broadcasting station, including a cable television operator,  
 21 programmer, or producer, satellite television or radio provider, Web site, newspaper,  
 22 magazine, or other periodical publication, including any Internet or electronic  
 23 publication, that is not controlled by a candidate or political party; ~~or~~

24           **2. AN INTERNAL COMMUNICATION DISSEMINATED**  
 25 **BY A MEMBERSHIP ORGANIZATION, BUSINESS ENTITY, OR OTHER ENTITY TO ITS**  
 26 **MEMBERS, EMPLOYEES, OR OTHER PERSONS AFFILIATED WITH THE**  
 27 **ORGANIZATION OR ENTITY; OR**

28           ~~2.~~ **3.** a candidate debate or forum.

29           **[(6)] (7)** “Telephone bank” means more than 500 telephone calls of an  
 30 identical or substantially similar nature within any 30-day period.

31           **(8) “TEXT BLAST” MEANS A TRANSMISSION OF TEXT MESSAGES**  
 32 **OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE TO 5,000 OR MORE**  
 33 **TELEPHONE NUMBERS SIMULTANEOUSLY.**

1           **(B) WITHIN 48 HOURS AFTER A PERSON MAKES AGGREGATE**  
2 **INDEPENDENT EXPENDITURES OF \$5,000 OR MORE IN AN ELECTION CYCLE FOR**  
3 **CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION, THE PERSON SHALL**  
4 **FILE A REGISTRATION FORM WITH THE STATE BOARD.**

5           **[(b)] (C) [After] WITHIN 48 HOURS AFTER A DAY ON WHICH** a person  
6 makes aggregate independent expenditures of \$10,000 or more in an election cycle for  
7 campaign material that is a public communication, the person shall file an  
8 independent expenditure report [as required in this section] **WITH THE STATE**  
9 **BOARD.**

10           **[(c) (1)]** If the campaign material relates to a candidate, the person shall  
11 file an independent expenditure report with the State Board on the next date a  
12 campaign finance entity of a candidate is required to file a campaign finance report  
13 under § 13–309 of this subtitle.

14           **(2)** If the campaign material relates to a ballot issue, the person shall  
15 file an independent expenditure report with the State Board on the next date a ballot  
16 issue committee is required to file a campaign finance report under § 13–309 of this  
17 subtitle.

18           **(3)** An independent expenditure report filed under this subsection  
19 shall include the information required by subsection (e) of this section for the period  
20 from the beginning of the election cycle through the last day of the reporting period  
21 under § 13–312 of this subtitle that precedes the report filing date.]

22           **(d) [(1)]** A person who files an independent expenditure report under  
23 subsection (c) of this section shall file an additional independent expenditure report  
24 [following a date on which] **WITH THE STATE BOARD WITHIN 48 HOURS AFTER A**  
25 **DAY ON WHICH** the person makes aggregate independent expenditures of \$10,000 or  
26 more for campaign material that is a public communication following the closing date  
27 of the person’s previous independent expenditure report.

28           **[(2)]** An independent expenditure report under this subsection shall:

29                   **(i)** be filed with the State Board on the date specified in  
30 subsection (c)(1) and (2) of this section; and

31                   **(ii)** include the information required by subsection (e) of this  
32 section for the period from the closing date of the previous independent expenditure  
33 report through the last day of the reporting period under § 13–312 of this subtitle that  
34 precedes the report filing date.]

35           **(e)** An independent expenditure report shall include the following  
36 information:

1 (1) the identity of the person making the independent expenditures  
2 and of any person exercising direction or control over the activities of the person  
3 making the independent expenditures;

4 (2) the business address of the person making the independent  
5 expenditures;

6 (3) the amount and date of each independent expenditure during the  
7 period covered by the report and the person to whom the expenditure was made;

8 (4) the candidate or ballot issue to which the independent expenditure  
9 relates and whether the independent expenditure supports or opposes that candidate  
10 or ballot issue; and

11 (5) the identity of each person who made cumulative donations [in  
12 excess] of ~~[\$51]~~ **\$10,000 OR MORE** to the person making the independent  
13 expenditures during the period covered by the report.

14 (f) For purposes of this section, a person shall be considered to have made an  
15 independent expenditure if the person has executed a contract to make an  
16 independent expenditure.

17 (g) The cost of creating and disseminating campaign material, including any  
18 design and production costs, shall be considered in determining the aggregate amount  
19 of independent expenditures made by a person for campaign material that is a public  
20 communication under this section.

21 (h) The treasurer or other individual designated by an entity required to file  
22 an independent expenditure report under this section:

23 (1) shall sign each independent expenditure report; and

24 (2) is responsible for filing independent expenditure reports in full and  
25 accurate detail.

26 (i) (1) [An individual is subject to the sanctions that apply to the  
27 responsible officers of a campaign finance entity under Part VII of this subtitle for  
28 failure to file properly an independent expenditure report.

29 (2) The failure] **A PERSON WHO FAILS** to provide on an independent  
30 expenditure report all of the information required by this section [is deemed a failure  
31 to file and renders the report overdue] **SHALL FILE AN AMENDED REPORT** as  
32 provided in § 13–327(b) of this subtitle.

33 **(2) IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW,**  
34 **THE STATE BOARD MAY ASSESS A CIVIL PENALTY FOR FAILURE TO FILE**



1 PROPERLY AN INDEPENDENT EXPENDITURE REPORT OR AN AMENDED  
2 INDEPENDENT EXPENDITURE REPORT IN AN AMOUNT NOT EXCEEDING THE  
3 GREATER OF:

4 (I) \$1,000 FOR EACH DAY OR PART OF A DAY THAT AN  
5 INDEPENDENT EXPENDITURE REPORT OR AMENDED INDEPENDENT  
6 EXPENDITURE REPORT IS OVERDUE; OR

7 (II) 10% OF THE AMOUNT OF THE DONATIONS OR  
8 INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY  
9 MANNER.

10 (3) A CIVIL PENALTY UNDER PARAGRAPH (2) OF THIS  
11 SUBSECTION SHALL BE:

12 (I) ASSESSED IN THE MANNER SPECIFIED IN § 13-604.1 OF  
13 THIS TITLE; AND

14 (II) DISTRIBUTED TO THE GENERAL FUND OF THE STATE.

15 (4) A PERSON WHO FAILS TO FILE PROPERLY AN INDEPENDENT  
16 EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE REPORT  
17 UNDER THIS SECTION MAY SEEK RELIEF FROM A PENALTY UNDER PARAGRAPH  
18 (2) OF THIS SUBSECTION FOR JUST CAUSE AS PROVIDED IN § 13-337 OF THIS  
19 SUBTITLE.

20 (j) (1) An entity required to file an independent expenditure report under  
21 this section shall do at least one of the following, unless neither are applicable to the  
22 entity:

23 (i) if the entity submits regular, periodic reports to its  
24 shareholders, members, or donors, include in each report, in a clear and conspicuous  
25 manner, the information specified in subsection (e)(3) through (5) of this section for  
26 each independent expenditure made during the period covered by the report that must  
27 be included in an independent expenditure report; or

28 (ii) if the entity maintains an Internet site, post on that Internet  
29 site a hyperlink from its homepage to the Internet site where the entity's independent  
30 expenditure report information is publicly available.

31 (2) An entity shall post the hyperlink required under paragraph (1)(ii)  
32 of this subsection within 24 hours of the entity's independent expenditure report  
33 information being made publicly available on the Internet, and the hyperlink shall  
34 remain posted on the entity's Internet site until the end of the election cycle during  
35 which the entity filed an independent expenditure report.

1 (k) (1) A person required to file an independent expenditure report under  
2 this section shall keep detailed and accurate records of:

3 (i) all independent expenditures made by the person for  
4 campaign material that is a public communication; and

5 (ii) all donations received by the person [that are for the  
6 purpose of furthering independent expenditures for campaign material that is a public  
7 communication].

8 (2) Records required to be kept under this subsection shall be  
9 preserved for 2 years after the end of the election cycle in which the person filed the  
10 independent expenditure report to which the records relate.

11 (l) The State Board may adopt regulations as necessary to implement the  
12 requirements of this section.

13 13-307.

14 (a) (1) In this section the following words have the meanings indicated.

15 (2) (I) "Donation" means the gift or transfer, or promise of gift or  
16 transfer, of money or other thing of value to a person that [is made for the purpose of  
17 furthering] **MAKES DISBURSEMENTS FOR** electioneering communications.

18 (II) **"DONATION" DOES NOT INCLUDE ANY AMOUNT OF**  
19 **MONEY OR ANY OTHER THING OF VALUE:**

20 **1. RECEIVED BY A PERSON IN THE ORDINARY**  
21 **COURSE OF ANY TRADE OR BUSINESS CONDUCTED BY THE PERSON, WHETHER**  
22 **FOR PROFIT OR NOT FOR PROFIT, OR IN THE FORM OF INVESTMENTS IN THE**  
23 **PERSON'S BUSINESS; OR**

24 **2. A. THAT THE DONOR AND THE PERSON**  
25 **RECEIVING THE MONEY OR THING OF VALUE EXPRESSLY AGREE IN WRITING**  
26 **MAY NOT BE USED FOR ELECTIONEERING COMMUNICATIONS; AND**

27 **B. IN THE CASE OF A MONETARY DONATION, IS**  
28 **DEPOSITED IN A SEPARATE BANK ACCOUNT THAT IS NEVER USED FOR**  
29 **ELECTIONEERING COMMUNICATIONS.**

30 (3) (i) "Electioneering communication" means a broadcast  
31 **TELEVISION OR RADIO COMMUNICATION, A cable TELEVISION COMMUNICATION,**  
32 **[or] A satellite TELEVISION OR RADIO communication, A MASS MAILING, AN**

1 E-MAIL BLAST, A TEXT BLAST, A TELEPHONE BANK, OR AN ADVERTISEMENT IN A  
2 PRINT PUBLICATION that:

- 3 1. refers to a clearly identified candidate or ballot issue;
- 4 2. is made within 60 days of an election day on which  
5 the candidate or ballot issue is on the ballot;
- 6 3. is capable of being received by:

7 **A. 50,000 or more individuals in the constituency where**  
8 **the candidate or ballot issue is on the ballot, IF THE COMMUNICATION IS**  
9 **TRANSMITTED BY TELEVISION OR RADIO; OR**

10 **B. 5,000 OR MORE INDIVIDUALS IN THE**  
11 **CONSTITUENCY WHERE THE CANDIDATE OR BALLOT ISSUE IS ON THE BALLOT,**  
12 **IF THE COMMUNICATION IS A MASS MAILING, AN E-MAIL BLAST, A TEXT BLAST, A**  
13 **TELEPHONE BANK, OR AN ADVERTISEMENT IN A PRINT PUBLICATION; and**

14 4. is not made in coordination with, or at the request or  
15 suggestion of, a candidate, a campaign finance entity of a candidate, an agent of a  
16 candidate, or a ballot issue committee.

17 (ii) "Electioneering communication" does not include:

- 18 1. an independent expenditure;
- 19 2. a news story, a commentary, or an editorial  
20 disseminated by a broadcasting station, including a cable television operator,  
21 programmer, or producer, or satellite television or radio provider that is not controlled  
22 by a candidate or political party;

23 3. a candidate debate or forum; ~~or~~

24 **4. AN INTERNAL COMMUNICATION DISSEMINATED**  
25 **BY A MEMBERSHIP ORGANIZATION, BUSINESS ENTITY, OR OTHER ENTITY TO ITS**  
26 **MEMBERS, EMPLOYEES, OR OTHER PERSONS AFFILIATED WITH THE**  
27 **ORGANIZATION OR ENTITY; OR**

28 ~~4. 5.~~ a communication that proposes a commercial  
29 transaction.

30 (iii) For purposes of this paragraph, "clearly identified" means:

- 31 1. the name of a candidate appears;

- 1                                   2.     a photograph or drawing of a candidate appears; or
- 2                                   3.     the identity of a candidate or ballot issue is apparent
- 3 by unambiguous reference.

4                   **(4) “E-MAIL BLAST” MEANS A TRANSMISSION OF ELECTRONIC**

5 **MAIL MESSAGES OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE TO**

6 **5,000 OR MORE E-MAIL ACCOUNTS SIMULTANEOUSLY.**

7                   **(5) “MASS MAILING” MEANS A MAILING BY UNITED STATES MAIL**

8 **OR FACSIMILE OF MORE THAN 5,000 PIECES OF MAIL MATTER OF AN IDENTICAL**

9 **OR SUBSTANTIALLY SIMILAR NATURE WITHIN ANY 30-DAY PERIOD.**

10                   **[(4)] (6)**     (i)    “Person” includes an individual, a partnership, a

11 committee, an association, a corporation, a labor organization, or any other

12 organization or group of persons.

13                                   (ii)   “Person” does not include a campaign finance entity

14 organized under Subtitle 2, Part II of this title.

15                   **(7) “TELEPHONE BANK” MEANS MORE THAN 5,000 TELEPHONE**

16 **CALLS OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE WITHIN ANY**

17 **30-DAY PERIOD.**

18                   **(8) “TEXT BLAST” MEANS A TRANSMISSION OF TEXT MESSAGES**

19 **OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE TO 5,000 OR MORE**

20 **TELEPHONE NUMBERS SIMULTANEOUSLY.**

21                   **(B) WITHIN 48 HOURS AFTER A PERSON MAKES AGGREGATE**

22 **DISBURSEMENTS OF \$5,000 OR MORE IN AN ELECTION CYCLE FOR**

23 **ELECTIONEERING COMMUNICATIONS, THE PERSON SHALL FILE A**

24 **REGISTRATION FORM WITH THE STATE BOARD.**

25                   **[(b)] (C)**     **[After] WITHIN 48 HOURS AFTER A DAY ON WHICH** a person

26 makes aggregate disbursements of \$10,000 or more in an election cycle for

27 electioneering communications, the person shall file an electioneering communication

28 report **[as required in this section] WITH THE STATE BOARD.**

29                   **[(c)] (1)**    If the electioneering communications relate to a candidate, the

30 person shall file an electioneering communication report with the State Board on the

31 next date a campaign finance entity of a candidate is required to file a campaign

32 finance report under § 13-309 of this subtitle.

33                                   (2)    If the electioneering communications relate to a ballot issue, the

34 person shall file an electioneering communication report with the State Board on the

1 next date a ballot issue committee is required to file a campaign finance report under §  
2 13–309 of this subtitle.

3 (3) An electioneering communication report filed under this subsection  
4 shall include the information required by subsection (e) of this section for the period  
5 from the beginning of the election cycle through the last day of the reporting period  
6 under § 13–312 of this subtitle that precedes the report filing date.]

7 (d) [(1)] A person who files an electioneering communication report under  
8 subsection (c) of this section shall file an additional electioneering communication  
9 report [following a date on which] **WITH THE STATE BOARD WITHIN 48 HOURS**  
10 **AFTER A DAY ON WHICH** the person makes aggregate disbursements of \$10,000 or  
11 more for electioneering communications following the closing date of the person's  
12 previous electioneering communication report.

13 [(2)] An electioneering communication report under this subsection  
14 shall:

15 (i) be filed with the State Board on the date specified in  
16 subsection (c)(1) and (2) of this section; and

17 (ii) include the information required by subsection (e) of this  
18 section for the period from the closing date of the previous electioneering  
19 communication report through the last day of the reporting period under § 13–312 of  
20 this subtitle that precedes the report filing date.]

21 (e) An electioneering communication report shall include the following  
22 information:

23 (1) the identity of the person making disbursements for electioneering  
24 communications and of any person exercising direction or control over the activities of  
25 the person making the disbursements for electioneering communications;

26 (2) the business address of the person making the disbursements for  
27 electioneering communications;

28 (3) the amount and date of each disbursement for electioneering  
29 communications during the period covered by the report and the person to whom the  
30 disbursement was made;

31 (4) the candidate or ballot issue to which the electioneering  
32 communications relate;

33 (5) the identity of each person who made cumulative donations [in  
34 excess] of [~~\$51~~] **\$10,000 OR MORE** to the person making the disbursements for  
35 electioneering communications during the period covered by the report.

1 (f) (1) For purposes of this section, a person shall be considered to have  
2 made a disbursement for an electioneering communication if the person has executed  
3 a contract to make a disbursement for an electioneering communication.

4 (2) A person who makes a contribution to a campaign finance entity  
5 may not be considered to have made a disbursement for electioneering  
6 communications under this section because of the contribution.

7 (g) The cost of creating and disseminating electioneering communications,  
8 including any design and production costs, shall be considered in determining the  
9 aggregate amount of disbursements for electioneering communications made by a  
10 person under this section.

11 (h) The treasurer or other individual designated by an entity required to file  
12 an electioneering communication report under this section:

13 (1) shall sign each electioneering communication report; and

14 (2) is responsible for filing electioneering communication reports in  
15 full and accurate detail.

16 (i) (1) [An individual is subject to the sanctions that apply to the  
17 responsible officers of a campaign finance entity under Part VII of this subtitle for  
18 failure to file properly an electioneering communication report.

19 (2) The failure] **A PERSON WHO FAILS** to provide on an electioneering  
20 communication report all of the information required by this section [is deemed a  
21 failure to file and renders the report overdue] **SHALL FILE AN AMENDED REPORT** as  
22 provided in § 13-327(b) of this subtitle.

23 **(2) IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW,**  
24 **THE STATE BOARD MAY ASSESS A CIVIL PENALTY FOR FAILURE TO FILE**  
25 **PROPERLY AN ELECTIONEERING COMMUNICATION REPORT OR AN AMENDED**  
26 **ELECTIONEERING COMMUNICATION REPORT IN AN AMOUNT NOT EXCEEDING**  
27 **THE GREATER OF:**

28 **(I) \$1,000 FOR EACH DAY OR PART OF A DAY THAT AN**  
29 **ELECTIONEERING COMMUNICATION REPORT OR AMENDED ELECTIONEERING**  
30 **COMMUNICATION REPORT IS OVERDUE; OR**

31 **(II) 10% OF THE AMOUNT OF THE DONATIONS OR**  
32 **DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS THAT WERE NOT**  
33 **REPORTED IN A TIMELY MANNER.**

1                   **(3) A PENALTY UNDER PARAGRAPH (2) OF THIS SUBSECTION**  
2 **SHALL BE:**

3                   **(I) ASSESSED IN THE MANNER SPECIFIED IN § 13-604.1 OF**  
4 **THIS TITLE; AND**

5                   **(II) DISTRIBUTED TO THE GENERAL FUND OF THE STATE.**

6                   **(4) A PERSON WHO FAILS TO FILE PROPERLY AN**  
7 **ELECTIONEERING COMMUNICATION REPORT OR AMENDED ELECTIONEERING**  
8 **COMMUNICATION REPORT UNDER THIS SECTION MAY SEEK RELIEF FROM A**  
9 **PENALTY UNDER PARAGRAPH (2) OF THIS SUBSECTION FOR JUST CAUSE AS**  
10 **PROVIDED IN § 13-337 OF THIS SUBTITLE.**

11           (j)   (1)   An entity required to file an electioneering communication report  
12 under this section shall do at least one of the following, unless neither are applicable  
13 to the entity:

14                   (i)   if the entity submits regular, periodic reports to its  
15 shareholders, members, or donors, include in each report in a clear and conspicuous  
16 manner, the information specified in subsection (e)(3) through (5) of this section for  
17 each disbursement for electioneering communications made during the period covered  
18 by the report that must be included in an electioneering communication report; or

19                   (ii)   if the entity maintains an Internet site, post on that Internet  
20 site a hyperlink from its homepage to the Internet site where the entity's  
21 electioneering communication report information is publicly available.

22                   (2)   (i)   An entity shall post the hyperlink required under paragraph  
23 (1)(ii) of this subsection within 24 hours of the entity's electioneering communication  
24 report information being made publicly available on the Internet.

25                   (ii)   The hyperlink shall remain posted on the entity's Internet  
26 site until the end of the election cycle during which the entity filed an electioneering  
27 communication report.

28           (k)   (1)   A person required to file an electioneering communication report  
29 under this section shall keep detailed and accurate records of:

30                   (i)   all disbursements for electioneering communications made  
31 by the person; and

32                   (ii)   all donations received by the person [that are for the  
33 purpose of furthering electioneering communications].

1           (2) Records required to be kept under this subsection shall be  
2 preserved until 2 years after the end of the election cycle in which the person filed the  
3 electioneering communication report to which the records relate.

4           (1) The State Board may adopt regulations as necessary to implement the  
5 requirements of this section.

6 13–309.

7           (a) Subject to other provisions of this subtitle **AND EXCEPT AS PROVIDED**  
8 **IN SUBSECTION (D) OF THIS SECTION**, a campaign finance entity shall file campaign  
9 finance reports as follows:

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

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

14           **(3) ON OR BEFORE THE LAST TUESDAY IN AUGUST IMMEDIATELY**  
15 **PRECEDING A GENERAL ELECTION;**

16           **[(3) (4)]** for a ballot issue committee only, on or before the fourth  
17 Friday immediately preceding a general election;

18           **[(4) (5)]** on or before the second Friday immediately preceding a  
19 general election; and

20           **[(5) (6)]** on or before the third Tuesday after a general election.

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

24           (2) In addition to the campaign finance reports required under  
25 subsection (a) of this section, but subject to paragraph (4) of this subsection, a  
26 campaign finance entity shall file **A campaign finance [reports] REPORT** on the third  
27 Wednesday in January.

28           (3) (i) If subsequent to the filing of its declaration under §  
29 13–208(c)(3) of this title, a campaign finance entity participates in an election in which  
30 it was not designated to participate, the campaign finance entity shall file all  
31 campaign **FINANCE** reports prescribed under subsection (a) of this section for that  
32 election.



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

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

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

12                   **(D) AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE OF A**  
13 **CANDIDATE FOR ELECTION TO THE CENTRAL COMMITTEE OF A POLITICAL**  
14 **PARTY:**

15                   **(1) SHALL FILE A CAMPAIGN FINANCE REPORT ON OR BEFORE**  
16 **THE THIRD TUESDAY AFTER A GUBERNATORIAL PRIMARY ELECTION; AND**

17                   **(2) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION**  
18 **AND § 13-310 OF THIS SUBTITLE, IS NOT REQUIRED TO FILE ANY OTHER**  
19 **CAMPAIGN FINANCE REPORTS.**

20 **13-309.1.**

21                   **(A) IN THIS SECTION, “ELECTIONEERING COMMUNICATION” HAS THE**  
22 **MEANING STATED IN § 13-307(A) OF THIS SUBTITLE.**

23                   **(B) THIS SECTION APPLIES TO A POLITICAL COMMITTEE IF THE**  
24 **EXPENDITURES OF THE POLITICAL COMMITTEE ARE EXCLUSIVELY:**

25                   **(1) INDEPENDENT EXPENDITURES; OR**

26                   **(2) DISBURSEMENTS FOR ELECTIONEERING COMMUNICATIONS.**

27                   **(C) FOR PURPOSES OF THIS SECTION, A POLITICAL COMMITTEE SHALL**  
28 **BE CONSIDERED TO HAVE MADE AN EXPENDITURE IF THE POLITICAL**  
29 **COMMITTEE HAS EXECUTED A CONTRACT TO MAKE AN EXPENDITURE.**

30                   **(D) THE CAMPAIGN FINANCE REPORTS REQUIRED UNDER THIS SECTION**  
31 **ARE IN ADDITION TO THE CAMPAIGN FINANCE REPORTS REQUIRED UNDER §**  
32 **13-309 OF THIS SUBTITLE.**

1           **(E) WITHIN 48 HOURS AFTER A DAY ON WHICH A POLITICAL**  
2 **COMMITTEE SUBJECT TO THIS SECTION MAKES AGGREGATE EXPENDITURES OF**  
3 **\$10,000 OR MORE IN AN ELECTION CYCLE, THE POLITICAL COMMITTEE SHALL**  
4 **FILE A CAMPAIGN FINANCE REPORT.**

5           **(F) A POLITICAL COMMITTEE THAT FILES A CAMPAIGN FINANCE**  
6 **REPORT UNDER SUBSECTION (E) OF THIS SECTION SHALL FILE AN ADDITIONAL**  
7 **CAMPAIGN FINANCE REPORT WITHIN 48 HOURS AFTER A DAY ON WHICH THE**  
8 **POLITICAL COMMITTEE MAKES AGGREGATE EXPENDITURES OF \$10,000 OR**  
9 **MORE FOLLOWING THE CLOSING DATE OF THE POLITICAL COMMITTEE'S**  
10 **PREVIOUS CAMPAIGN FINANCE REPORT.**

11           **(G) IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW, THE**  
12 **STATE BOARD MAY ASSESS A PENALTY FOR FAILURE TO FILE PROPERLY A**  
13 **CAMPAIGN FINANCE REPORT OR AN AMENDED CAMPAIGN FINANCE REPORT**  
14 **REQUIRED UNDER THIS SECTION IN AN AMOUNT NOT EXCEEDING THE GREATER**  
15 **OF:**

16                   **(1) \$1,000 FOR EACH DAY OR PART OF A DAY THAT A CAMPAIGN**  
17 **FINANCE REPORT OR AN AMENDED CAMPAIGN FINANCE REPORT IS OVERDUE;**  
18 **OR**

19                   **(2) 10% OF THE AMOUNT OF THE CONTRIBUTIONS OR**  
20 **EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.**

21           **(H) A PERSON WHO FAILS TO FILE PROPERLY A CAMPAIGN FINANCE**  
22 **REPORT OR AN AMENDED CAMPAIGN FINANCE REPORT UNDER THIS SECTION**  
23 **MAY SEEK RELIEF FROM A PENALTY UNDER SUBSECTION (G) OF THIS SECTION**  
24 **FOR JUST CAUSE AS PROVIDED IN § 13-337 OF THIS SUBTITLE.**

25           **(I) A PENALTY UNDER SUBSECTION (G) OF THIS SECTION SHALL BE:**

26                   **(1) ASSESSED IN THE MANNER SPECIFIED IN § 13-604.1 OF THIS**  
27 **TITLE; AND**

28                   **(2) DISTRIBUTED TO THE GENERAL FUND OF THE STATE.**

29 13-327.

30           **(a) A campaign finance entity that fails to file a campaign finance report**  
31 **[or], AN affidavit, OR AN AMENDED CAMPAIGN FINANCE REPORT** required by this  
32 subtitle is subject to the sanctions provided in Part VII of this subtitle.

1 (b) [The failure] **IF A CAMPAIGN FINANCE ENTITY FAILS** to provide on a  
2 campaign finance report required by § 13–304 of this subtitle all of the information  
3 required of the campaign finance entity by the State Board under this subtitle [is  
4 deemed a failure to file and renders the campaign finance report overdue, only if]:

5 (1) the State Board [notifies] **SHALL NOTIFY** the responsible officers  
6 in writing of the particular deficiencies; and

7 (2) the responsible officers [fail to] **SHALL file [a properly corrected]**  
8 **AN AMENDED** campaign finance report **THAT INCLUDES ALL OF THE INFORMATION**  
9 **REQUIRED** within 30 days after service of the notice.

10 13–331.

11 (a) In accordance with subsection (b) of this section, the State Board shall  
12 assess a late filing fee for a failure to file a campaign finance report [or], **AN affidavit,**  
13 **OR AN AMENDED CAMPAIGN FINANCE REPORT**, as specified in § 13–327 of this  
14 subtitle.

15 (b) (1) The fee is \$10 for each day or part of a day[, excluding Saturdays,  
16 Sundays, and holidays,] that a campaign finance report [or], **AN affidavit, OR AN**  
17 **AMENDED CAMPAIGN FINANCE REPORT** is overdue.

18 (2) An additional fee of \$10 is due for each of the first 6 days[,  
19 excluding Saturdays, Sundays, and holidays,] that a preelection campaign finance  
20 report under § 13–309 of this subtitle is overdue.

21 (3) The maximum fee payable for a campaign finance report [or], **AN**  
22 **affidavit, OR AN AMENDED CAMPAIGN FINANCE REPORT** is [**\$250**] **\$500**.

23 (c) (1) The State Board shall accept an overdue campaign finance report  
24 [or], affidavit, **OR AMENDED CAMPAIGN FINANCE REPORT** that is submitted  
25 without payment of the late filing fee, but the campaign finance report, **AFFIDAVIT,**  
26 **OR AMENDED CAMPAIGN FINANCE REPORT** is not considered filed until the fee has  
27 been paid.

28 (2) After an overdue campaign finance report [or], affidavit, **OR**  
29 **AMENDED CAMPAIGN FINANCE REPORT** is received under paragraph (1) of this  
30 subsection no further late filing fee shall be incurred.

31 (d) (1) **[A] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A** late  
32 filing fee [is the joint and several liability of the responsible officers and:

33 (1) may not] **SHALL** be paid[, directly or indirectly,] by the campaign  
34 finance entity]; and

1 (2) is neither a contribution to nor an expenditure of the entity].

2 (2) IF THE CAMPAIGN FINANCE ENTITY HAS INSUFFICIENT FUNDS  
3 WITH WHICH TO PAY A LATE FILING FEE IN A TIMELY MANNER, THE LATE FILING  
4 FEE IS THE JOINT AND SEVERAL LIABILITY OF THE RESPONSIBLE OFFICERS.

5 13-340.

6 Fees [relating to] FOR LATE FILING OF campaign finance reports,  
7 AFFIDAVITS, OR AMENDED CAMPAIGN FINANCE REPORTS IMPOSED UNDER §  
8 13-331 OF THIS SUBTITLE shall be paid to the State Board and be applied to pay the  
9 expenses of collection and of any audits of campaign finance reports performed by or at  
10 the direction of the State Administrator.

11 13-505.

12 (A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE GOVERNING  
13 BODY OF A COUNTY MAY ESTABLISH, BY LAW, A SYSTEM OF PUBLIC CAMPAIGN  
14 FINANCING FOR ELECTIVE OFFICES IN THE EXECUTIVE OR LEGISLATIVE  
15 BRANCHES OF COUNTY GOVERNMENT.

16 (B) A SYSTEM OF PUBLIC CAMPAIGN FINANCING ENACTED UNDER  
17 SUBSECTION (A) OF THIS SECTION:

18 (1) SHALL PROVIDE FOR PARTICIPATION OF CANDIDATES IN  
19 PUBLIC CAMPAIGN FINANCING ON A STRICTLY VOLUNTARY BASIS;

20 (2) MAY NOT REGULATE CANDIDATES WHO CHOOSE NOT TO  
21 PARTICIPATE IN PUBLIC CAMPAIGN FINANCING;

22 (3) SHALL PROHIBIT THE USE OF PUBLIC CAMPAIGN FINANCING  
23 FOR ANY CAMPAIGN EXCEPT A CAMPAIGN FOR COUNTY ELECTIVE OFFICE;

24 (4) SHALL REQUIRE A CANDIDATE WHO ACCEPTS PUBLIC  
25 CAMPAIGN FINANCING TO:

26 (I) ESTABLISH A CAMPAIGN FINANCE ENTITY SOLELY FOR  
27 THE CAMPAIGN FOR COUNTY ELECTIVE OFFICE; AND

28 (II) USE FUNDS FROM THAT CAMPAIGN FINANCE ENTITY  
29 ONLY FOR THE CAMPAIGN FOR COUNTY ELECTIVE OFFICE;

30 (5) SHALL PROHIBIT A CANDIDATE WHO ACCEPTS PUBLIC  
31 CAMPAIGN FINANCING FROM TRANSFERRING FUNDS:

1           **(I) TO THE CAMPAIGN FINANCE ENTITY ESTABLISHED TO**  
2 **FINANCE THE CAMPAIGN FOR COUNTY ELECTIVE OFFICE FROM ANY OTHER**  
3 **CAMPAIGN FINANCE ENTITY ESTABLISHED FOR THE CANDIDATE; AND**

4           **(II) FROM THE CAMPAIGN FINANCE ENTITY ESTABLISHED**  
5 **TO FINANCE THE CAMPAIGN FOR COUNTY ELECTIVE OFFICE TO ANY OTHER**  
6 **CAMPAIGN FINANCE ENTITY;**

7           **(6) SHALL PROVIDE FOR A PUBLIC ELECTION FUND FOR COUNTY**  
8 **ELECTIVE OFFICES THAT IS ADMINISTERED BY THE CHIEF FINANCIAL OFFICER**  
9 **OF THE COUNTY; AND**

10           **(7) SHALL BE SUBJECT TO REGULATION AND OVERSIGHT BY THE**  
11 **STATE BOARD TO ENSURE CONFORMITY WITH STATE LAW AND POLICY TO THE**  
12 **EXTENT PRACTICABLE.**

13           **(C) A SYSTEM OF PUBLIC CAMPAIGN FINANCING ENACTED UNDER**  
14 **SUBSECTION (A) OF THIS SECTION MAY:**

15           **(1) PROVIDE FOR MORE STRINGENT REGULATION OF CAMPAIGN**  
16 **FINANCE ACTIVITY BY CANDIDATES WHO CHOOSE TO ACCEPT PUBLIC CAMPAIGN**  
17 **FINANCING, INCLUDING CONTRIBUTIONS, EXPENDITURES, REPORTING, AND**  
18 **CAMPAIGN MATERIAL, THAN IS PROVIDED FOR BY STATE LAW; AND**

19           **(2) PROVIDE FOR ADMINISTRATIVE PENALTIES FOR VIOLATIONS,**  
20 **IN ACCORDANCE WITH ARTICLE 25A, § 5 OF THE CODE.**

21 **13-604.1.**

22           **(A) THE STATE BOARD MAY IMPOSE A CIVIL PENALTY IN ACCORDANCE**  
23 **WITH THIS SECTION FOR THE FOLLOWING VIOLATIONS:**

24           **(1) MAKING A DISBURSEMENT IN A MANNER NOT AUTHORIZED IN**  
25 **§ 13-218(B)(2), (C), AND (D) OF THIS TITLE;**

26           **(2) FAILURE TO MAINTAIN A CAMPAIGN BANK ACCOUNT AS**  
27 **REQUIRED IN § 13-220(A) OF THIS TITLE;**

28           **(3) MAKING A DISBURSEMENT BY A METHOD NOT AUTHORIZED IN**  
29 **§ 13-220(D) OF THIS TITLE;**

30           **(4) FAILURE TO MAINTAIN DETAILED AND ACCURATE ACCOUNT**  
31 **BOOKS AND RECORDS AS REQUIRED IN § 13-221 OF THIS TITLE;**

1           **(5) FAILURE TO REPORT ALL CONTRIBUTIONS RECEIVED AND**  
2 **EXPENDITURES MADE AS REQUIRED IN § 13-304(B) OF THIS TITLE;**

3           **(6) FAILURE TO INCLUDE AN AUTHORITY LINE ON CAMPAIGN**  
4 **MATERIAL AS REQUIRED IN § 13-401 OF THIS TITLE; OR**

5           **(7) FAILURE TO RETAIN A COPY OF CAMPAIGN MATERIAL AS**  
6 **REQUIRED IN § 13-403 OF THIS TITLE.**

7           **(B) A CIVIL PENALTY IMPOSED UNDER THIS SECTION FOR A VIOLATION**  
8 **SPECIFIED IN SUBSECTION (A) OF THIS SECTION IS IN ADDITION TO ANY OTHER**  
9 **SANCTION PROVIDED BY LAW.**

10          **(C) THE AMOUNT OF A CIVIL PENALTY IMPOSED UNDER THIS SECTION**  
11 **MAY NOT EXCEED \$500 FOR EACH VIOLATION.**

12          **(D) THE CIVIL PENALTY IS PAYABLE TO THE STATE BOARD BY THE**  
13 **PERSON CHARGED IN A CITATION WITHIN 20 CALENDAR DAYS AFTER SERVICE**  
14 **OF THE CITATION.**

15          **(E) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION,**  
16 **A CIVIL PENALTY IMPOSED UNDER THIS SECTION SHALL BE PAID BY THE**  
17 **CAMPAIGN FINANCE ENTITY.**

18               **(2) IF THE CAMPAIGN FINANCE ENTITY HAS INSUFFICIENT FUNDS**  
19 **WITH WHICH TO PAY THE CIVIL PENALTY IN A TIMELY MANNER, THE CIVIL**  
20 **PENALTY IS THE JOINT AND SEVERAL LIABILITY OF THE RESPONSIBLE**  
21 **OFFICERS.**

22               **(3) IF A VIOLATION IS COMMITTED BY A PERSON NOT ACTING ON**  
23 **BEHALF OF, OR AT THE REQUEST OR SUGGESTION OF, A CANDIDATE OR A**  
24 **CAMPAIGN FINANCE ENTITY, THE CIVIL PENALTY SHALL BE PAID BY THE**  
25 **PERSON WHO COMMITTED THE VIOLATION.**

26          **(F) THE STATE BOARD MAY ISSUE A CITATION TO ANY PERSON THE**  
27 **STATE BOARD BELIEVES IS COMMITTING OR HAS COMMITTED A VIOLATION**  
28 **SPECIFIED IN SUBSECTION (A) OF THIS SECTION.**

29          **(G) THE CITATION SHALL BE SERVED ON THE DEFENDANT IN**  
30 **ACCORDANCE WITH THE MARYLAND RULES.**

31          **(H) THE CITATION SHALL CONTAIN:**

1           **(1) THE CERTIFICATION BY THE STATE BOARD ATTESTING TO**  
2 **THE TRUTH OF THE MATTER SET FORTH IN THE CITATION;**

3           **(2) THE NAME AND ADDRESS OF THE PERSON CHARGED;**

4           **(3) THE NATURE, TIME, AND PLACE OF THE VIOLATION;**

5           **(4) THE MANNER IN WHICH THE VIOLATION OCCURRED;**

6           **(5) THE AMOUNT OF THE PENALTY ASSESSED;**

7           **(6) THE MANNER, TIME, AND LOCATION TO PAY THE PENALTY;**

8           **(7) A STATEMENT THAT THE PERSON RECEIVING THE CITATION**  
9 **HAS A RIGHT TO TRIAL IN THE DISTRICT COURT; AND**

10           **(8) THE EFFECT OF FAILING TO PAY THE ASSESSED FINE OR OF**  
11 **FAILING TO DEMAND A TRIAL WITHIN THE PRESCRIBED TIME.**

12           **(I) (1) A PERSON CHARGED IN A CITATION MAY ELECT TO STAND**  
13 **TRIAL FOR THE VIOLATION BY NOTIFYING THE STATE BOARD IN WRITING OF**  
14 **THE PERSON'S INTENT TO STAND TRIAL.**

15           **(2) THE WRITTEN NOTICE SHALL BE GIVEN AT LEAST 5 DAYS**  
16 **BEFORE THE DATE OF PAYMENT AS SET FORTH IN THE CITATION.**

17           **(J) (1) ON RECEIPT OF THE WRITTEN NOTICE OF INTENT TO STAND**  
18 **TRIAL, THE STATE BOARD SHALL FORWARD TO THE STATE PROSECUTOR A**  
19 **COPY OF THE CITATION AND THE WRITTEN NOTICE.**

20           **(2) THE STATE PROSECUTOR SHALL FORWARD TO THE DISTRICT**  
21 **COURT HAVING VENUE A COPY OF THE CITATION AND THE WRITTEN NOTICE.**

22           **(3) ON RECEIPT OF THE CITATION AND THE WRITTEN NOTICE:**

23           **(I) THE STATE PROSECUTOR SHALL ASSUME**  
24 **RESPONSIBILITY FOR PROSECUTING THE VIOLATION; AND**

25           **(II) THE DISTRICT COURT SHALL SCHEDULE THE CASE FOR**  
26 **TRIAL, NOTIFY THE DEFENDANT OF THE TRIAL DATE, AND SUMMON THE**  
27 **DEFENDANT TO APPEAR.**

28           **(K) (1) IF A PERSON CHARGED IN A CITATION FAILS TO PAY THE**  
29 **PENALTY BY THE DATE OF PAYMENT SET FORTH IN THE CITATION AND FAILS TO**

1 DELIVER TO THE STATE BOARD THE WRITTEN NOTICE OF INTENT TO STAND  
2 TRIAL, THE PERSON IS LIABLE FOR THE ASSESSED PENALTY.

3 (2) THE STATE BOARD MAY DOUBLE THE PENALTY TO AN  
4 AMOUNT NOT TO EXCEED \$1,000 AND REQUEST ADJUDICATION OF THE CASE  
5 THROUGH THE DISTRICT COURT BY FILING A DEMAND FOR JUDGMENT ON  
6 AFFIDAVIT.

7 (L) THE DEFENDANT'S FAILURE TO RESPOND TO THE SUMMONS OF THE  
8 DISTRICT COURT SHALL RESULT IN THE ENTRY OF JUDGMENT AGAINST THE  
9 DEFENDANT IN FAVOR OF THE STATE BOARD IN THE AMOUNT SET FORTH IN  
10 THE CITATION IF A PROPER DEMAND FOR JUDGMENT ON AFFIDAVIT HAS BEEN  
11 MADE.

12 (M) IF A PERSON IS FOUND BY THE DISTRICT COURT TO HAVE  
13 COMMITTED A VIOLATION:

14 (1) (I) THE DISTRICT COURT SHALL ORDER THE PERSON TO  
15 PAY THE PENALTY SET FORTH IN THE CITATION AND MAY DOUBLE THE AMOUNT  
16 OF THE PENALTY TO AN AMOUNT NOT TO EXCEED \$1,000;

17 (II) THE PENALTY IMPOSED SHALL CONSTITUTE A  
18 JUDGMENT IN FAVOR OF THE STATE BOARD; AND

19 (III) IF THE PENALTY REMAINS UNPAID FOR 30 DAYS  
20 FOLLOWING THE DATE OF ITS ENTRY, THE JUDGMENT SHALL BE ENFORCEABLE  
21 IN THE SAME MANNER AND TO THE SAME EXTENT AS OTHER CIVIL JUDGMENTS  
22 FOR MONEY UNLESS THE COURT HAS SUSPENDED OR DEFERRED PAYMENT OF  
23 THE PENALTY AS PROVIDED IN ITEM (2) OF THIS SUBSECTION;

24 (2) THE DISTRICT COURT MAY SUSPEND OR DEFER THE  
25 PAYMENT OF ANY PENALTY UNDER CONDITIONS THAT THE COURT SETS;

26 (3) THE DEFENDANT SHALL BE LIABLE FOR THE COSTS OF THE  
27 PROCEEDINGS IN THE DISTRICT COURT; AND

28 (4) THE DISTRICT COURT MAY ORDER THE PERSON TO ABATE  
29 THE VIOLATION.

30 (N) IF A DEFENDANT FAILS TO PAY ANY PENALTY OR COST IMPOSED BY  
31 THE DISTRICT COURT WITHOUT GOOD CAUSE, THE DISTRICT COURT MAY  
32 PUNISH THE FAILURE AS CONTEMPT OF COURT.

33 (O) ADJUDICATION OF A VIOLATION UNDER THIS SECTION:



1           **(1) IS NOT A CRIMINAL CONVICTION; AND**

2           **(2) DOES NOT IMPOSE ANY OF THE CIVIL DISABILITIES THAT**  
3 **ARISE FROM A CRIMINAL CONVICTION.**

4           **(P) IN A DISTRICT COURT PROCEEDING RELATING TO A VIOLATION**  
5 **UNDER THIS SECTION:**

6           **(1) THE STATE PROSECUTOR HAS THE BURDEN TO PROVE THAT**  
7 **THE DEFENDANT HAS COMMITTED THE VIOLATION BY CLEAR AND CONVINCING**  
8 **EVIDENCE;**

9           **(2) THE DISTRICT COURT SHALL APPLY THE EVIDENTIARY**  
10 **STANDARDS AS PROVIDED BY LAW OR RULE FOR THE TRIAL OF CIVIL CAUSES;**

11           **(3) THE DISTRICT COURT SHALL ENSURE THAT THE DEFENDANT**  
12 **HAS RECEIVED A COPY OF THE CHARGES AGAINST THE DEFENDANT AND THAT**  
13 **THE DEFENDANT UNDERSTANDS THOSE CHARGES;**

14           **(4) THE DEFENDANT MAY CROSS-EXAMINE ALL WITNESSES WHO**  
15 **APPEAR AGAINST THE DEFENDANT, PRODUCE EVIDENCE OR WITNESSES IN THE**  
16 **DEFENDANT'S OWN BEHALF, OR TESTIFY IN THE DEFENDANT'S OWN BEHALF;**

17           **(5) THE DEFENDANT SHALL BE ENTITLED TO BE REPRESENTED**  
18 **BY COUNSEL OF THE DEFENDANT'S OWN SELECTION AND AT THE DEFENDANT'S**  
19 **OWN EXPENSE;**

20           **(6) THE DEFENDANT MAY ENTER A PLEA OF GUILTY OR NOT**  
21 **GUILTY OF THE VIOLATION AS CHARGED; AND**

22           **(7) THE VERDICT OF THE DISTRICT COURT SHALL BE GUILTY OF**  
23 **A VIOLATION OR NOT GUILTY OF A VIOLATION, OR THE DISTRICT COURT MAY,**  
24 **BEFORE RENDERING JUDGMENT, PLACE THE DEFENDANT ON PROBATION.**

25           **(Q) THE STATE BOARD SHALL CONSIDER THE FOLLOWING IN**  
26 **DETERMINING THE AMOUNT OF A PENALTY UNDER THIS SECTION:**

27           **(1) THE SEVERITY OF THE VIOLATION FOR WHICH THE PENALTY**  
28 **IS TO BE ASSESSED;**

29           **(2) THE GOOD FAITH OF THE VIOLATOR; AND**

30           **(3) ANY HISTORY OF PRIOR VIOLATIONS.**

1           **(R) PENALTIES COLLECTED UNDER THIS SECTION SHALL BE**  
 2 **DISTRIBUTED TO THE GENERAL FUND OF THE STATE.**

3 14-101.

4           (a) In this title the following words have the meanings indicated.

5           (b) “Applicable contribution” means a contribution **BY A PERSON OR**  
 6 **ATTRIBUTED TO A PERSON** to a candidate[, or a series of such contributions, in a  
 7 cumulative amount in excess of \$500] **FOR AN OFFICE OF A GOVERNMENTAL**  
 8 **ENTITY WITH WHICH THE PERSON IS DOING PUBLIC BUSINESS.**

9           (c) “Business entity” includes a firm, corporation, trust, unincorporated  
 10 association, or other organization, whether or not conducted for profit.

11           (d) “Candidate” includes an incumbent office holder.

12           ~~(e) “Contract” [includes a sale, purchase, lease, or other agreement] MEANS~~  
 13 ~~A PROCUREMENT CONTRACT AS DEFINED IN § 11-101(N) OF THE STATE~~  
 14 ~~FINANCE AND PROCUREMENT ARTICLE THAT IS AWARDED BY ANY~~  
 15 ~~GOVERNMENTAL ENTITY.~~

16           **(E) (1) “CONTRACT” MEANS AN AGREEMENT IN ANY FORM ENTERED**  
 17 **INTO BY A GOVERNMENTAL ENTITY FOR A PROCUREMENT AS DEFINED IN §**  
 18 **11-101(M)(1) OF THE STATE FINANCE AND PROCUREMENT ARTICLE.**

19           **(2) “CONTRACT” DOES NOT INCLUDE:**

20                   **(I) A COLLECTIVE BARGAINING AGREEMENT WITH AN**  
 21 **EMPLOYEE ORGANIZATION;**

22                   **(II) AN AGREEMENT WITH A CONTRACTUAL EMPLOYEE, AS**  
 23 **DEFINED IN § 1-101(D) OF THE STATE PERSONNEL AND PENSIONS ARTICLE;**

24                   **(III) A MEDICAID, JUDICARE, OR SIMILAR REIMBURSEMENT**  
 25 **CONTRACT FOR WHICH LAW SETS:**

26                           **1. USER OR RECIPIENT ELIGIBILITY; AND**

27                           **2. PRICE PAYABLE BY THE STATE; OR**

28                   **(IV) A MEDICAID CONTRACT WITH A MANAGED CARE**  
 29 **ORGANIZATION, AS DEFINED IN § 15-101(E) OF THE HEALTH – GENERAL**

1 ARTICLE AS TO WHICH REGULATIONS ADOPTED BY THE DEPARTMENT  
 2 ESTABLISH:

3 1. RECIPIENT ELIGIBILITY;

4 2. MINIMUM QUALIFICATIONS FOR MANAGED CARE  
 5 ORGANIZATIONS; AND

6 3. CRITERIA FOR ENROLLING RECIPIENTS IN  
 7 MANAGED CARE ORGANIZATIONS.

8 (f) (1) Subject to paragraph (2) of this subsection, “contribution” has the  
 9 meaning stated in § 1–101 of this article.

10 (2) “Contribution” does not include:

11 (i) a bona fide gift by a spouse or relative within the third  
 12 degree of consanguinity; or

13 (ii) an honorary membership in a social, service, or fraternal  
 14 organization presented as a courtesy by the organization.

15 (G) “DIRECTOR” MEANS A MEMBER OF THE BOARD OF DIRECTORS OF A  
 16 BUSINESS ENTITY.

17 [(g)] (H) (1) “Doing public business” means making[, during any  
 18 12–month period, one or more contracts] A SINGLE CONTRACT with [one or more  
 19 governmental entities] A SINGLE GOVERNMENTAL ENTITY involving cumulative  
 20 consideration of at least [\$100,000] \$200,000.

21 (2) “Doing public business” does not include receiving a salary from a  
 22 governmental entity.

23 [(h)] (I) “Governmental entity” means:

24 (1) the State, a county, a municipal corporation, or other political  
 25 subdivision of the State; and

26 (2) a unit of the State, a county, a municipal corporation, or other  
 27 political subdivision of the State.

28 [(i)] (J) “Make a contribution” includes to cause a contribution to be made.

29 (K) “OFFICER” MEANS AN INDIVIDUAL WHO SERVES AS A BUSINESS  
 30 ENTITY’S CHIEF EXECUTIVE OFFICER, PRESIDENT, VICE PRESIDENT,

1 **SECRETARY, TREASURER, CHIEF FINANCIAL OFFICER, MANAGING PARTNER,**  
2 **MANAGING MEMBER, OR PRINCIPAL, OR IN ANY OTHER FORMAL OR INFORMAL**  
3 **ROLE IN WHICH THE INDIVIDUAL EXERCISES SUBSTANTIAL INDEPENDENT**  
4 **RESPONSIBILITY FOR MANAGING THE AFFAIRS OF A BUSINESS ENTITY.**

5 14–102.

6 For purposes of this title, words and phrases defined under § 1–101 of this  
7 article shall be deemed, as the case may be, to include or apply to an individual who  
8 seeks or holds elective office in a municipal corporation and a campaign fundraising  
9 entity for that individual.

10 14–103.

11 A contribution to a campaign finance entity of a candidate shall be deemed to be  
12 a contribution to the candidate for the purposes of this title.

13 14–104.

14 (a) A person doing public business shall file a statement with the State  
15 Board as provided in this section.

16 (b) (1) When a contract is **[made] AWARDED** that causes a person to be  
17 doing public business, an initial statement shall be filed<sup>1</sup>:

18 (i) at that time, covering the preceding 24 months<sup>1</sup>, if the  
19 person has made an applicable contribution within that period; or

20 (ii) if item (i) of this paragraph does not apply, but the person  
21 subsequently makes an applicable contribution during a reporting period specified in  
22 paragraph (2) of this subsection, as required by that paragraph<sup>1</sup>.

23 (2) (i) A person **WHO FILES AN INITIAL STATEMENT UNDER**  
24 **PARAGRAPH (1) OF THIS SUBSECTION** shall file a semi-annual statement in  
25 accordance with this paragraph for each reporting period specified in subparagraph (ii)  
26 of this paragraph **[in which the person has made an applicable contribution] if<sup>1</sup>:**

27 1.] performance remains uncompleted on **[any] THE**  
28 contract that caused the person to be doing public business<sup>1</sup>; or

29 2. the person is doing public business<sup>1</sup>.

30 (ii) 1. The statements required by subparagraph (i) of this  
31 paragraph shall cover 6-month reporting periods ending on January 31 and July 31.

1                   2.    A statement required by subparagraph (i) of this  
2 paragraph shall be filed within 5 days after the end of the applicable reporting period.

3           (c)    (1)    The statement required by this section shall be made under oath  
4 and shall contain:

5                   (i)    the name of each candidate, **IF ANY**, to whom [an applicable  
6 contribution was] **ONE OR MORE APPLICABLE CONTRIBUTIONS IN A CUMULATIVE**  
7 **AMOUNT OF \$500 OR MORE WERE** made during the reporting period [and, if not  
8 previously reported, during the preceding reporting period];

9                   (ii)   the office sought by each candidate named in item (i) of this  
10 paragraph;

11                   (iii) the amount of aggregate contributions made to each  
12 candidate named in item (i) of this paragraph;

13                   (iv)   the name of each unit of a governmental entity with which  
14 the person did public business during the reporting period;

15                   (v)    the nature and amount of public business done with each  
16 unit of a governmental entity; and

17                   (vi)   if the public business was done or the contribution was made  
18 by another person but is attributed to the person filing the statement, the name of the  
19 person who did the public business or made the contribution and the relationship of  
20 that person to the person filing the statement.

21           (2)    The information required by paragraph (1)(iv) and (v) of this  
22 subsection may be omitted on the written approval of the [Attorney General] **STATE**  
23 **BOARD** if the [Attorney General] **STATE BOARD** finds that:

24                   (i)    requiring the information would be unduly burdensome;

25                   (ii)   the public interest would not be impaired substantially by  
26 the omission of this information; and

27                   (iii) the person filing the statement stipulates that the person  
28 has done public business during the reporting period.

29           (d)    [(1)] The State Board shall retain each statement filed under this title  
30 as a public record for at least 2 years after its receipt and shall make the statement  
31 **PUBLICLY** available [for public examination and copying during normal office hours]  
32 **ON THE INTERNET.**

1           [(2) The State Board may establish reasonable fees and administrative  
2 procedures governing public examination and copying of the statements filed under  
3 this section.]

4           [(e) The State Board shall prescribe and make available forms for the  
5 statements required by this section.]

6           **(E) A PERSON SHALL FILE A STATEMENT REQUIRED UNDER THIS**  
7 **SECTION IN AN ELECTRONIC FORMAT REQUIRED BY THE STATE BOARD.**

8 14–105.

9           (a) Except as provided in subsection (f) of this section, an applicable  
10 contribution made by an officer, director, or partner of a business entity doing public  
11 business shall be attributed to the business entity.

12           (b) Except as provided in subsection (f) of this section, each officer, director,  
13 or partner of a business entity doing public business who makes an applicable  
14 contribution shall report the applicable contribution to the chief executive officer of the  
15 business entity.

16           (c) **[A] AN APPLICABLE** contribution by an officer, director, partner,  
17 employee, agent, or other person made at the suggestion or direction of a business  
18 entity doing public business shall be attributed to the business entity.

19           (d) Each officer, director, partner, employee, agent, or other person who, at  
20 the suggestion or direction of a business entity doing public business, makes an  
21 applicable contribution shall report the applicable contribution to the chief executive  
22 officer of the business entity.

23           (e) (1) Business done with a governmental entity by a subsidiary of a  
24 business entity shall be attributed to the business entity if 30% or more of the equity  
25 of the subsidiary is owned or controlled by the business entity.

26                   (2) Applicable contributions made by or attributed to a subsidiary  
27 described in paragraph (1) of this subsection shall be attributed to the business entity.

28           (f) (1) In this subsection:

29                   (i) “officer” means an individual who serves as an  
30 organization’s president or chairman, vice–president or vice–chairman, secretary,  
31 treasurer, or executive director, or any individual exercising duties comparable to  
32 those typically exercised by an individual holding one of those titles in a not–for–profit  
33 organization; and

1 (ii) "officer" does not include an individual holding a title but  
2 not exercising substantial independent responsibility on behalf of the organization  
3 similar to the responsibility typically exercised by an individual holding one of the  
4 titles under item (i) of this paragraph.

5 (2) Subject to paragraph (3) of this subsection, an applicable  
6 contribution made by an individual who serves as a trustee or member of the board of  
7 directors or as an officer of a not-for-profit organization doing public business is not  
8 attributable to the organization, and the individual is not required to report the  
9 applicable contribution to the chief executive officer of the organization.

10 (3) This subsection does not apply if:

11 (i) the applicable contribution is made on the recommendation  
12 of the not-for-profit organization; or

13 (ii) the individual described in paragraph (2) of this subsection  
14 is paid by the not-for-profit organization.

15 **(G) (1) A PERSON DOING PUBLIC BUSINESS SHALL MAINTAIN**  
16 **DETAILED AND ACCURATE RECORDS OF:**

17 **(I) CONTRACTS MADE BY THE PERSON OR ATTRIBUTED TO**  
18 **THE PERSON THAT CAUSE THE PERSON TO BE DOING PUBLIC BUSINESS; AND**

19 **(II) APPLICABLE CONTRIBUTIONS MADE BY THE PERSON OR**  
20 **ATTRIBUTED TO THE PERSON.**

21 **(2) RECORDS REQUIRED TO BE KEPT UNDER THIS SUBSECTION**  
22 **SHALL BE PRESERVED UNTIL THE EARLIER OF:**

23 **(I) 10 YEARS AFTER THE CREATION OF THE RECORD; OR**

24 **(II) 4 YEARS AFTER PERFORMANCE IS COMPLETED ON THE**  
25 **CONTRACT THAT CAUSED THE PERSON TO BE DOING PUBLIC BUSINESS.**

26 14-106.

27 If a contract involves consideration to be paid over multiple reporting periods,  
28 the total ascertainable consideration to be paid under the contract shall be  
29 attributable to the date when the contract is made.

30 14-107.

31 **(A) (1) A GOVERNMENTAL ENTITY THAT HAS AWARDED A PERSON A**  
32 **CONTRACT THAT CAUSES THE PERSON TO BE DOING PUBLIC BUSINESS SHALL**

1 ~~VERIFY REQUIRE THE PERSON TO CERTIFY THAT THE PERSON HAS FILED THE~~  
2 ~~STATEMENT REQUIRED UNDER § 14-104(B)(1) OF THIS TITLE BEFORE~~  
3 ~~ALLOWING THE PERSON TO BEGIN PERFORMANCE OF THE CONTRACT.~~

4 (2) A GOVERNMENTAL ENTITY SHALL NOTIFY THE STATE BOARD  
5 ~~IF A PERSON OF THE NAMES AND CONTACT INFORMATION OF PERSONS DOING~~  
6 ~~PUBLIC BUSINESS WITH THE GOVERNMENTAL ENTITY FAILS WHO ARE~~  
7 ~~REQUIRED TO FILE THE STATEMENT REQUIRED UNDER § 14-104(B)(1) OF THIS~~  
8 ~~TITLE WITHIN 15 DAYS AFTER THE DATE THAT THE PERSON BEGAN DOING~~  
9 ~~PUBLIC BUSINESS WITH THE GOVERNMENTAL ENTITY.~~

10 (B) (1) IF A PERSON FILES A STATEMENT UNDER § 14-104 OF THIS  
11 TITLE THAT DOES NOT INCLUDE ALL THE INFORMATION REQUIRED, THE STATE  
12 BOARD SHALL NOTIFY THE PERSON IN WRITING OF THE PARTICULAR  
13 DEFICIENCIES.

14 (2) WITHIN 30 DAYS AFTER SERVICE OF THE NOTICE UNDER  
15 PARAGRAPH (1) OF THIS SUBSECTION, THE PERSON SHALL FILE AN AMENDED  
16 STATEMENT THAT INCLUDES ALL THE INFORMATION REQUIRED.

17 (C) (1) AS PROVIDED IN THIS SUBSECTION, THE STATE BOARD MAY  
18 IMPOSE FEES FOR LATE FILING OF:

19 (I) A STATEMENT REQUIRED UNDER § 14-104 OF THIS  
20 TITLE; OR

21 (II) AN AMENDED STATEMENT REQUIRED UNDER  
22 SUBSECTION (B) OF THIS SECTION.

23 (2) THE STATE BOARD MAY IMPOSE LATE FILING FEES IN THE  
24 SAME AMOUNTS AND IN THE SAME MANNER AS PROVIDED UNDER § 13-331(A)  
25 AND (B) OF THIS ARTICLE FOR LATE FILING OF CAMPAIGN FINANCE REPORTS.

26 (3) LATE FILING FEES IMPOSED UNDER THIS SUBSECTION SHALL  
27 BE DISTRIBUTED TO THE GENERAL FUND OF THE STATE.

28 [(a)] (D) A person who knowingly and willfully violates this title is guilty of  
29 a misdemeanor and on conviction is subject to a fine not exceeding \$1,000 or  
30 imprisonment not exceeding 1 year or both.

31 [(b)] (E) An officer or partner of a business entity who knowingly authorizes  
32 or participates in a violation of this title by the business entity is subject to the penalty  
33 provided in subsection (a) of this section.



1 This title shall be liberally construed to require full disclosure.

2 **14-109.**

3 **THE STATE BOARD MAY ADOPT REGULATIONS TO IMPLEMENT THIS**  
4 **TITLE.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
6 read as follows:

7 **Article – Courts and Judicial Proceedings**

8 5-106.

9 (f) A prosecution for the commission of or the attempt to commit a  
10 misdemeanor constituting: (1) [except as provided in subsection (h) of this section, a  
11 criminal offense under the State election laws; or (2)] a criminal offense under the  
12 Maryland Public Ethics Law; or [(3)](2) criminal malfeasance, misfeasance, or  
13 nonfeasance in office committed by an officer of the State, or of an agency of the State,  
14 or of a political subdivision of the State, or of a bicounty or multicounty agency in the  
15 State shall be instituted within 2 years after the offense was committed.

16 (h) A prosecution: **(1) FOR THE COMMISSION OF OR FOR THE ATTEMPT**  
17 **TO COMMIT A MISDEMEANOR CONSTITUTING A CRIMINAL OFFENSE UNDER THE**  
18 **STATE ELECTION LAWS; OR (2)** to impose a civil fine for an offense arising under §  
19 13-604 of the Election Law Article shall be instituted within 3 years after the offense  
20 was committed.

21 SECTION 3. AND BE IT FURTHER ENACTED, That Section 2 of this Act shall  
22 be construed to apply only prospectively to offenses committed on or after the effective  
23 date of this Act and may not be applied or interpreted to have any effect on or  
24 application to an offense committed before the effective date of this Act.

25 SECTION 4. AND BE IT FURTHER ENACTED, That if any provision of this  
26 Act or the application thereof to any person or circumstance is held invalid for any  
27 reason in a court of competent jurisdiction, the invalidity does not affect other  
28 provisions or any other application of this Act which can be given effect without the  
29 invalid provision or application, and for this purpose, the provisions of this Act are  
30 declared severable.

31 SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take  
32 effect January 1, 2015.