

HB0485/209630/1

BY: Budget and Taxation Committee

AMENDMENTS TO HOUSE BILL 485
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 8, after “Article” insert “and the General Provisions Article”; in line 15, after the semicolon insert “prohibiting a gubernatorial ticket from soliciting certain contributions or operating in coordination for fundraising activities under certain circumstances; providing that the candidates on a certain gubernatorial ticket may not be a member of certain slates; prohibiting the authorized candidate campaign committee for a former gubernatorial ticket that qualified for public contributions from engaging in certain campaign finance activity under certain circumstances; prohibiting a certain gubernatorial ticket from making certain transfers or expenditures.”.

On page 2, in line 2, strike “and 15-103” and substitute “15-103, and 15-107”; in line 12, after “13-604(g)” insert “, 15-104.1.”; and after line 14, insert:

“BY repealing and reenacting, without amendments,

Article – General Provisions

Section 5-405(d) and (g)

Annotated Code of Maryland

(2014 Volume)

BY adding to

Article – General Provisions

Section 5-405(h)

Annotated Code of Maryland

(2014 Volume)

BY repealing and reenacting, with amendments,

Article – General Provisions

(Over)

Section 5-903
Annotated Code of Maryland
(2014 Volume)".

AMENDMENT NO. 2

On page 9, in line 19, after "ARTICLE" insert "OR THE GENERAL PROVISIONS ARTICLE".

On page 10, after line 18, insert:

"15-104.1.

(A) AFTER FILING A NOTICE OF INTENT TO QUALIFY FOR A PUBLIC CONTRIBUTION UNDER THIS TITLE, A GUBERNATORIAL TICKET OR A PERSON ACTING ON BEHALF OF THE GUBERNATORIAL TICKET MAY NOT, FOR THE BENEFIT OF ANY POLITICAL COMMITTEE OR ANY PERSON REQUIRED TO REGISTER WITH THE STATE BOARD UNDER §§ 13-306 OR 13-307 OF THIS ARTICLE OR FOR A PARTICIPATING ORGANIZATION ORGANIZED UNDER § 13-309.2 OF THIS ARTICLE:

(1) SOLICIT CONTRIBUTIONS, INCLUDING THE AUTHORIZED USE OF THE NAMES OR IMAGES OF THE GUBERNATORIAL TICKET IN THE SOLICITATION; OR

(2) OPERATE IN COORDINATION WITH ANY ENTITY FOR FUNDRAISING ACTIVITIES.

(B) AFTER FILING A NOTICE OF INTENT TO QUALIFY FOR A PUBLIC CONTRIBUTION UNDER THIS TITLE, THE MEMBERS OF A GUBERNATORIAL TICKET

MAY NOT BE A MEMBER OF A SLATE THAT DOES NOT RECEIVE A PUBLIC CONTRIBUTION.

(C) UNTIL A FINAL CAMPAIGN FINANCE REPORT IS FILED WITH THE STATE BOARD AND ANY REMAINING FUNDS OF THE PUBLIC CONTRIBUTION DISTRIBUTED TO A GUBERNATORIAL TICKET ARE REPAID TO THE COMPTROLLER FOR REDEPOSIT IN THE FUND IN ACCORDANCE WITH § 15-107 OF THIS SUBTITLE, ANY AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE ORGANIZED UNDER TITLE 13 OF THIS ARTICLE ON BEHALF OF THE MEMBERS OF A GUBERNATORIAL TICKET MAY NOT ENGAGE IN CAMPAIGN FINANCE ACTIVITY.

15-107.

(a) A public contribution may be spent only:

(1) in accordance with § 13-218 of this article;

(2) to further the gubernatorial ticket's nomination or election;

(3) for expenses incurred not later than 30 days after the election for which the public contribution was made; and

(4) for purposes that do not violate State law.

(B) AN ELIGIBLE GUBERNATORIAL TICKET MAY NOT MAKE:

(1) A TRANSFER; OR

(2) AN EXPENDITURE RELATING TO FUNDRAISING ACTIVITY BY ANY OTHER POLITICAL COMMITTEE ORGANIZED UNDER THIS ARTICLE.

(Over)

[(b)] (C) (1) Any part of a public contribution that is not spent shall be repaid to the Comptroller for redeposit in the Fund not later than 60 days after the election for which the public contribution was made.

(2) In computing whether part of a public contribution is not spent, all private contributions to the gubernatorial ticket shall be treated as spent before the expenditure of any of the public contribution.

[(c)] (D) The members of a gubernatorial ticket and the responsible officers of its campaign finance entity are jointly and severally personally liable for repaying to the Comptroller any part of a public contribution that is not spent or that was spent in violation of subsection (a) of this section.”.

AMENDMENT NO. 3

On page 10, after line 22, insert:

“Article – General Provisions

5–405.

(d) If the Ethics Commission determines that a respondent has violated Subtitle 7 of this title, the Ethics Commission may:

(1) require a respondent who is a regulated lobbyist to file any additional reports or information that reasonably relates to information required under §§ 5–703 and 5–704 of this title;

(2) impose a fine not exceeding \$5,000 for each violation; or

(3) subject to subsection (e) of this section, suspend the registration of a regulated lobbyist.

(g) (1) If the respondent is a regulated lobbyist, for each report required under Subtitle 7 of this title that is filed late, the respondent shall pay a fee of \$10 for each late day, not to exceed a total of \$1,000.

(2) If the respondent is an official, for each financial disclosure statement found to have been filed late, the respondent shall pay a fee of \$5 for each late day, not to exceed a total of \$500.

(H) A PENALTY, FINE, OR FEE ASSESSED UNDER THIS SECTION SHALL BE DISTRIBUTED TO THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED UNDER § 15-103 OF THE ELECTION LAW ARTICLE.

5-903.

(a) Except as provided in § 5-716 of this title, a person that knowingly and willfully violates Subtitle 7 of this title is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$10,000 or imprisonment not exceeding 1 year or both.

(b) If the person is not an individual, each officer or partner who knowingly authorizes or participates in a violation of Subtitle 7 of this title is guilty of a misdemeanor and on conviction is subject to the penalty specified in subsection (a) of this section.

(C) A FINE ASSESSED UNDER THIS SECTION SHALL BE DISTRIBUTED TO THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED UNDER § 15-103 OF THE ELECTION LAW ARTICLE.”.