

# HOUSE BILL 174

G1  
HB 1265/15 – HRU

6lr2181

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By: **Delegate West**

Introduced and read first time: January 21, 2016

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Campaign Finance Violations – Injunctive Relief**

3 FOR the purpose of authorizing the chairman or vice chairman of the State Board of  
4 Elections to seek an injunction against a violation of the campaign finance laws;  
5 repealing the authority of the Secretary of State to seek an injunction against a  
6 violation of the campaign finance laws; authorizing a candidate to seek an injunction  
7 against certain violations of the campaign finance laws against certain persons; and  
8 generally relating to injunctive relief against violations of the campaign finance  
9 laws.

10 BY repealing and reenacting, with amendments,  
11 Article – Election Law  
12 Section 13–605  
13 Annotated Code of Maryland  
14 (2010 Replacement Volume and 2015 Supplement)

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

17 **Article – Election Law**

18 13–605.

19 (a) The [Secretary of State] **CHAIRMAN OR THE VICE CHAIRMAN OF THE**  
20 **STATE BOARD** may seek an immediate injunction against any violation of this title.

21 **(B) A CANDIDATE MAY SEEK AN IMMEDIATE INJUNCTION AGAINST ANY**  
22 **VIOLATION OF THIS TITLE BY THE FOLLOWING PERSONS:**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1                   **(1) THE CAMPAIGN FINANCE ENTITY SUPPORTING THE CANDIDACY**  
2 **OF ANY CANDIDATE FOR THE SAME OFFICE;**

3                   **(2) ANY PERSON REQUIRED TO FILE AN INDEPENDENT EXPENDITURE**  
4 **REPORT UNDER § 13-306 OF THIS TITLE IF A PUBLIC COMMUNICATION RELATES TO**  
5 **THE CANDIDATE; OR**

6                   **(3) ANY PERSON REQUIRED TO FILE AN ELECTIONEERING**  
7 **COMMUNICATION REPORT UNDER § 13-307 OF THIS TITLE IF AN ELECTIONEERING**  
8 **COMMUNICATION RELATES TO THE CANDIDATE.**

9           **[(b)] (C)**     A person who violates an injunction issued under this section:

10                   (1)    is in criminal contempt; and

11                   (2)    is guilty of a misdemeanor and on conviction is subject to a fine not  
12 exceeding \$250 or imprisonment not exceeding 30 days or both.

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
14 October 1, 2016.