

HOUSE BILL 578

G1
HB 185/15 – W&M

6lr1658
CF SB 2

By: **Delegates Carr, Hixson, Korman, Luedtke, Moon, Platt, S. Robinson, Tarlau,
and Turner**

Introduced and read first time: February 3, 2016

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Real-Time Transparency Act of 2016**

3 FOR the purpose of requiring a political committee to file a contribution report within a
4 certain period of time after receiving a single contribution, transfer, or loan of a
5 certain amount during the year of an election in which the political committee is
6 participating; requiring contribution reports to include certain information;
7 providing that contribution reports filed by a political committee are in addition to
8 certain other reports filed by a political committee; requiring a political committee
9 to include information reported in its contribution reports in certain other reports
10 filed by the political committee; requiring the State Board of Elections to assess a
11 late filing fee for failure to file a contribution report; providing for the amount,
12 payment, use, and other matters concerning late filing fees; and generally relating
13 to requiring rapid reporting of certain contributions, transfers, and loans to political
14 committees.

15 BY adding to
16 Article – Election Law
17 Section 13–309.3
18 Annotated Code of Maryland
19 (2010 Replacement Volume and 2015 Supplement)

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

22 **Article – Election Law**

23 **13–309.3.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) THIS SECTION APPLIES TO A POLITICAL COMMITTEE ONLY DURING THE**
2 **YEAR OF AN ELECTION IN WHICH THE POLITICAL COMMITTEE IS PARTICIPATING.**

3 **(B) A POLITICAL COMMITTEE SHALL FILE A CONTRIBUTION REPORT**
4 **WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL COMMITTEE RECEIVES A**
5 **SINGLE CONTRIBUTION OF \$1,000 OR MORE FROM A CONTRIBUTOR, A SINGLE**
6 **TRANSFER OF \$1,000 OR MORE FROM A POLITICAL COMMITTEE, OR A SINGLE LOAN**
7 **OF \$1,000 OR MORE.**

8 **(C) A CONTRIBUTION REPORT SHALL INCLUDE:**

9 **(1) THE NAME OF THE POLITICAL COMMITTEE RECEIVING THE**
10 **CONTRIBUTION, TRANSFER, OR LOAN;**

11 **(2) THE NAME OF THE CONTRIBUTOR, POLITICAL COMMITTEE**
12 **MAKING A TRANSFER, OR LENDER; AND**

13 **(3) THE DATE AND AMOUNT OF THE CONTRIBUTION RECEIVED FROM**
14 **THE CONTRIBUTOR, TRANSFER RECEIVED FROM THE POLITICAL COMMITTEE, OR**
15 **LOAN RECEIVED FROM A LENDER.**

16 **(D) (1) THE CONTRIBUTION REPORTS REQUIRED UNDER THIS SECTION**
17 **ARE IN ADDITION TO THE CAMPAIGN FINANCE REPORTS REQUIRED UNDER § 13-309**
18 **OF THIS SUBTITLE AND DISCLOSURE REPORTS FILED UNDER § 13-309.1 OF THIS**
19 **SUBTITLE.**

20 **(2) A POLITICAL COMMITTEE SHALL INCLUDE ALL THE INFORMATION**
21 **REPORTED IN A CONTRIBUTION REPORT IN ITS CAMPAIGN FINANCE REPORTS OR**
22 **DISCLOSURE REPORTS.**

23 **(E) (1) THE STATE BOARD SHALL ASSESS A LATE FILING FEE FOR**
24 **FAILURE TO PROPERLY FILE A CONTRIBUTION REPORT.**

25 **(2) THE FEE IS \$10 FOR EACH DAY OR PART OF A DAY THAT A**
26 **CONTRIBUTION REPORT IS OVERDUE.**

27 **(3) THE MAXIMUM FEE PAYABLE FOR A CONTRIBUTION REPORT IS**
28 **\$500.**

29 **(4) LATE FILING FEES UNDER THIS SUBSECTION SHALL BE:**

30 **(I) PAID AS PROVIDED IN § 13-331(D) OF THIS SUBTITLE; AND**

1 **(II) DISTRIBUTED TO THE FAIR CAMPAIGN FINANCING FUND**
2 **ESTABLISHED UNDER § 15-103 OF THIS ARTICLE.**

3 **(F) THE FAILURE TO PROVIDE ALL OF THE INFORMATION REQUIRED ON A**
4 **CONTRIBUTION REPORT UNDER SUBSECTION (C) OF THIS SECTION IS DEEMED A**
5 **FAILURE TO FILE AND RENDERS THE CONTRIBUTION REPORT OVERDUE.**

6 **(G) (1) THE STATE BOARD SHALL ACCEPT AN OVERDUE CONTRIBUTION**
7 **REPORT THAT IS SUBMITTED WITHOUT PAYMENT OF THE LATE FILING FEE, BUT THE**
8 **CONTRIBUTION REPORT IS NOT CONSIDERED FILED UNTIL THE FEE HAS BEEN PAID.**

9 **(2) AFTER AN OVERDUE CONTRIBUTION REPORT IS RECEIVED UNDER**
10 **PARAGRAPH (1) OF THIS SUBSECTION, NO FURTHER LATE FILING FEE SHALL BE**
11 **INCURRED.**

12 **(H) A POLITICAL COMMITTEE THAT FAILS TO PROPERLY FILE A**
13 **CONTRIBUTION REPORT MAY SEEK RELIEF FROM A LATE FILING FEE IMPOSED**
14 **UNDER SUBSECTION (E) OF THIS SECTION FOR JUST CAUSE AS PROVIDED IN §**
15 **13-337 OF THIS SUBTITLE.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
17 1, 2016.