

HOUSE BILL 260

G1

8lr1684

By: **Delegates Carr, Barron, Gutierrez, Moon, Wilkins, K. Young, and P. Young**

Introduced and read first time: January 19, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Campaign Finance – Disclosure of Contributions and Expenditures –**
3 **Preelection Period**

4 FOR the purpose of requiring a political committee to file a contribution report within a
5 certain period of time after receiving a single contribution, transfer, or loan of a
6 certain amount or more; requiring a political committee to file an expenditure report
7 within a certain period of time after making a single expenditure of a certain amount
8 or more; requiring contribution reports to include certain information; requiring
9 expenditure reports to include certain information; providing that contribution
10 reports and expenditure reports filed by a political committee are in addition to
11 certain other reports filed by the political committee; requiring a political committee
12 to include information reported in its contribution reports and expenditure reports
13 in certain other reports filed by the political committee; requiring the State Board of
14 Elections to assess a late filing fee for failure to file a contribution report or an
15 expenditure report; providing for the amount, payment, use, and other matters
16 concerning late filing fees; providing for the application of this Act; providing for a
17 delayed effective date; and generally relating to the reporting of contributions and
18 expenditures by political committees.

19 BY adding to

20 Article – Election Law

21 Section 13–309.3

22 Annotated Code of Maryland

23 (2017 Replacement Volume and 2017 Supplement)

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

25 That the Laws of Maryland read as follows:

26 **Article – Election Law**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **13-309.3.**

2 (A) (1) THIS SECTION APPLIES TO A POLITICAL COMMITTEE ONLY
3 DURING:

4 (I) THE YEAR OF AN ELECTION IN WHICH THE POLITICAL
5 COMMITTEE IS PARTICIPATING; AND

6 (II) THE PERIOD BEGINNING AFTER THE CLOSING DATE FOR
7 THE CAMPAIGN FINANCE REPORT THAT IS DUE ON THE SECOND FRIDAY
8 IMMEDIATELY PRECEDING AN ELECTION THROUGH THE DATE OF THE ELECTION.

9 (2) THIS SECTION DOES NOT APPLY TO A POLITICAL ACTION
10 COMMITTEE REQUIRED TO FILE DISCLOSURE REPORTS UNDER § 13-309.1 OF THIS
11 SUBTITLE.

12 (B) (1) A POLITICAL COMMITTEE SHALL FILE A CONTRIBUTION REPORT
13 WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL COMMITTEE RECEIVES A
14 SINGLE CONTRIBUTION OF \$1,000 OR MORE FROM A CONTRIBUTOR, A SINGLE
15 TRANSFER OF \$1,000 OR MORE FROM A POLITICAL COMMITTEE, OR A SINGLE LOAN
16 OF \$1,000 OR MORE.

17 (2) A CONTRIBUTION REPORT REQUIRED UNDER PARAGRAPH (1) OF
18 THIS SUBSECTION SHALL INCLUDE:

19 (I) THE NAME OF THE POLITICAL COMMITTEE RECEIVING THE
20 CONTRIBUTION, TRANSFER, OR LOAN;

21 (II) THE NAME OF THE CONTRIBUTOR, POLITICAL COMMITTEE
22 MAKING A TRANSFER, OR LENDER; AND

23 (III) THE DATE AND AMOUNT OF THE CONTRIBUTION RECEIVED
24 FROM THE CONTRIBUTOR, TRANSFER RECEIVED FROM THE POLITICAL COMMITTEE,
25 OR LOAN RECEIVED FROM THE LENDER.

26 (C) (1) A POLITICAL COMMITTEE SHALL FILE AN EXPENDITURE REPORT
27 WITHIN 48 HOURS AFTER A DAY ON WHICH THE POLITICAL COMMITTEE MAKES A
28 SINGLE EXPENDITURE OF \$10,000 OR MORE.

29 (2) AN EXPENDITURE REPORT REQUIRED UNDER PARAGRAPH (1) OF
30 THIS SUBSECTION SHALL INCLUDE:

31 (I) THE NAME OF THE POLITICAL COMMITTEE MAKING THE

1 EXPENDITURE;

2 (II) THE NAME OF THE VENDOR OR OTHER RECIPIENT THAT
3 RECEIVED THE EXPENDITURE; AND

4 (III) THE DATE AND AMOUNT OF THE EXPENDITURE.

5 (D) (1) THE CONTRIBUTION REPORTS AND EXPENDITURE REPORTS
6 REQUIRED UNDER THIS SECTION ARE IN ADDITION TO THE CAMPAIGN FINANCE
7 REPORTS REQUIRED UNDER § 13-309 OF THIS SUBTITLE.

8 (2) A POLITICAL COMMITTEE SHALL INCLUDE ALL THE INFORMATION
9 REPORTED IN A CONTRIBUTION REPORT OR AN EXPENDITURE REPORT IN ITS
10 CAMPAIGN FINANCE REPORTS.

11 (E) (1) THE STATE BOARD SHALL ASSESS A LATE FILING FEE FOR
12 FAILURE TO PROPERLY FILE A CONTRIBUTION REPORT OR AN EXPENDITURE
13 REPORT UNDER THIS SECTION.

14 (2) (I) THE FEE IS \$10 FOR EACH DAY OR PART OF A DAY THAT A
15 CONTRIBUTION REPORT OR AN EXPENDITURE REPORT IS OVERDUE.

16 (II) AN ADDITIONAL FEE OF \$10 IS DUE FOR EACH OF THE FIRST
17 6 DAYS THAT A CONTRIBUTION REPORT OR AN EXPENDITURE REPORT IS OVERDUE.

18 (3) THE MAXIMUM FEE PAYABLE FOR A CONTRIBUTION REPORT OR
19 AN EXPENDITURE REPORT IS \$500.

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

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

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

24 (F) THE FAILURE TO PROVIDE ALL THE INFORMATION REQUIRED ON A
25 CONTRIBUTION REPORT OR AN EXPENDITURE REPORT UNDER THIS SECTION IS
26 DEEMED A FAILURE TO FILE AND RENDERS THE CONTRIBUTION REPORT OR
27 EXPENDITURE REPORT OVERDUE.

28 (G) (1) THE STATE BOARD SHALL ACCEPT AN OVERDUE CONTRIBUTION
29 REPORT OR EXPENDITURE REPORT REQUIRED UNDER THIS SECTION THAT IS
30 SUBMITTED WITHOUT PAYMENT OF THE LATE FILING FEE, BUT THE CONTRIBUTION

1 REPORT OR EXPENDITURE REPORT IS NOT CONSIDERED FILED UNTIL THE FEE HAS
2 BEEN PAID.

3 (2) AFTER AN OVERDUE CONTRIBUTION REPORT OR EXPENDITURE
4 REPORT IS RECEIVED UNDER PARAGRAPH (1) OF THIS SUBSECTION, NO FURTHER
5 LATE FILING FEE SHALL BE INCURRED.

6 (H) A POLITICAL COMMITTEE THAT FAILS TO PROPERLY FILE A
7 CONTRIBUTION REPORT OR AN EXPENDITURE REPORT AS REQUIRED BY THIS
8 SECTION MAY SEEK RELIEF FROM A LATE FILING FEE IMPOSED UNDER SUBSECTION
9 (E) OF THIS SECTION FOR JUST CAUSE AS PROVIDED IN § 13-337 OF THIS SUBTITLE.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 January 1, 2019.