

HOUSE BILL 755

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By: **Delegates Mosby, Ali, Conaway, Frush, Glenn, Gutierrez, Hettleman, Kelly, Korman, R. Lewis, Sanchez, Tarlau, and P. Young**

Introduced and read first time: February 1, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Campaign Finance – Illegal Contributions – Fair Campaign Financing Fund**

3 FOR the purpose of prohibiting a campaign finance entity that receives a contribution in
4 violation of certain provisions of law from using the contribution; requiring the
5 campaign finance entity to remit the illegal contribution to the Fair Campaign
6 Financing Fund; requiring the Comptroller to credit an illegal contribution to the
7 Fund; providing for a delayed effective date; and generally relating to illegal
8 campaign contributions.

9 BY repealing and reenacting, with amendments,
10 Article – Election Law
11 Section 13–239 and 15–103(c)
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2017 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Election Law
16 Section 15–103(a) and (b)
17 Annotated Code of Maryland
18 (2017 Replacement Volume and 2017 Supplement)

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

21 **Article – Election Law**

22 13–239.

23 **[Except] IF A CAMPAIGN FINANCE ENTITY RECEIVES A CONTRIBUTION IN**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **VIOLATION OF THIS ARTICLE, OR, EXCEPT** as provided in § 13–240 of this subtitle, if a
2 campaign finance entity receives a contribution from an anonymous source, the campaign
3 finance entity:

4 (1) may not use the contribution for any purpose; and

5 (2) shall remit the contribution to the Fair Campaign Financing Fund
6 established under § 15–103 of this article.

7 15–103.

8 (a) There is a Fair Campaign Financing Fund.

9 (b) The Comptroller shall administer the Fund in accordance with this section.

10 (c) In accordance with this title, the Comptroller shall:

11 (1) credit to the Fund:

12 (i) all money collected under this title;

13 (ii) voluntary contributions to the Fund made electronically through
14 the State Board's Web site;

15 (iii) fees, fines, and penalties assessed under this article or the
16 General Provisions Article that are expressly allocated to the Fund by law;

17 (iv) an anonymous **OR ILLEGAL** contribution paid to the Fund under
18 § 13–239 of this article;

19 (v) surplus campaign funds paid to the Fund under § 13–247 of this
20 article; and

21 (vi) contributions to the Fund made through the checkoff on the
22 individual income tax return established under § 2–113.1 of the Tax – General Article;

23 (2) subject to the usual investing procedures for State funds, invest the
24 money in the Fund; and

25 (3) make distributions from the Fund promptly on authorization by the
26 State Board.

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