

# HOUSE BILL 1703

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8lr3688

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By: **Delegate West**

Introduced and read first time: February 16, 2018

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Failure to File Campaign Finance Report or Affidavit –**  
3 **Injunctive Relief**

4 FOR the purpose of authorizing the chair and vice chair of the State Board of Elections to  
5 seek an injunction against a campaign or a candidate for a failure to file a certain  
6 campaign finance report, affidavit, or amended campaign finance report; authorizing  
7 a candidate to seek an injunction against another campaign or a candidate for a  
8 failure to file a certain campaign finance report, affidavit, or amended campaign  
9 finance report; establishing certain penalties for a person who violates a certain  
10 injunction; excepting a certain violation from the violations of certain provisions of  
11 law for which the Secretary of State may seek an injunction; and generally relating  
12 to injunctive relief against a failure to file campaign finance reports and affidavits  
13 required by the campaign finance laws.

14 BY adding to  
15 Article – Election Law  
16 Section 13–333.1  
17 Annotated Code of Maryland  
18 (2017 Replacement Volume and 2017 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article – Election Law  
21 Section 13–605  
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**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **13-333.1.**

2 (A) THE CHAIR OR THE VICE CHAIR OF THE STATE BOARD MAY SEEK AN  
3 IMMEDIATE INJUNCTION AGAINST A CAMPAIGN OR A CANDIDATE FOR A FAILURE TO  
4 FILE A CAMPAIGN FINANCE REPORT, AN AFFIDAVIT, OR AN AMENDED CAMPAIGN  
5 FINANCE REPORT AS REQUIRED UNDER THIS SUBTITLE.

6 (B) A CANDIDATE MAY SEEK AN IMMEDIATE INJUNCTION AGAINST  
7 ANOTHER CAMPAIGN OR A CANDIDATE FOR A FAILURE TO FILE A CAMPAIGN  
8 FINANCE REPORT, AN AFFIDAVIT, OR AN AMENDED CAMPAIGN FINANCE REPORT AS  
9 REQUIRED UNDER THIS SUBTITLE.

10 (C) A PERSON WHO VIOLATES AN INJUNCTION ISSUED UNDER THIS  
11 SECTION:

12 (1) IS IN CRIMINAL CONTEMPT; AND

13 (2) IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT  
14 TO A FINE NOT EXCEEDING \$1,000 OR IMPRISONMENT NOT EXCEEDING 30 DAYS OR  
15 BOTH.

16 13-605.

17 (a) [The] EXCEPT FOR A VIOLATION AGAINST WHICH THE CHAIR OR THE  
18 VICE CHAIR OF THE STATE BOARD MAY SEEK AN INJUNCTION UNDER  
19 § 13-331.1 OF THIS TITLE, THE Secretary of State may seek an immediate injunction  
20 against any violation of this title.

21 (b) A person who violates an injunction issued under this section:

22 (1) is in criminal contempt; and

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

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2018.