

HOUSE BILL 1026

G1
HB 763/18 – W&M

9lr2476

By: **Delegate Mosby**

Introduced and read first time: February 8, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Campaign Finance Reports – Business Contributors – Registration Status**

3 FOR the purpose of requiring the State Department of Assessments and Taxation to
4 electronically transmit the names of all businesses that are registered with the
5 Department to the State Board of Elections in a certain manner and format;
6 requiring the State Board to electronically cross–reference the names of businesses
7 listed as contributors on campaign finance reports with the names of businesses
8 transmitted by the Department under a certain provision of this Act; requiring the
9 State Board to develop a procedure to identify on campaign finance reports all
10 contributions made by businesses that are not registered with the Department;
11 providing for a delayed effective date; and generally relating to including the
12 registration status of business contributors on campaign finance reports.

13 BY repealing and reenacting, with amendments,
14 Article – Election Law
15 Section 13–304
16 Annotated Code of Maryland
17 (2017 Replacement Volume and 2018 Supplement)

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

20 **Article – Election Law**

21 13–304.

22 (a) (1) From the date of its organization until its termination under the
23 provisions of this title, a campaign finance entity, except a political club, shall file a
24 campaign finance report at the State Board at the times and for the periods required by §§
25 13–309, 13–312, and 13–316 of this subtitle.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) A campaign finance report submitted using an electronic format shall:

2 (i) be made under oath or affirmation;

3 (ii) require an electronic signature from the treasurer at the time of
4 the filing of the campaign finance report; and

5 (iii) be made subject to the penalties for perjury.

6 (b) A campaign finance report filed by a campaign finance entity under subsection
7 (a) of this section shall include:

8 (1) the information required by the State Board with respect to all
9 contributions received and all expenditures made by or on behalf of the campaign finance
10 entity during the designated reporting period; and

11 (2) the information regarding the occupations and employers of
12 contributors required to be recorded by the treasurer of a campaign finance entity under §
13 13–221 of this title.

14 (c) (1) In this subsection, “eligible contribution” means a contribution or series
15 of contributions made by the same person for which a receipt is not required to be issued
16 under § 13–222 of this title.

17 (2) The requirements of this subsection prevail to the extent of any conflict
18 with § 13–240(b) of this title.

19 (3) Except as provided in paragraphs (4) and (5) of this subsection, a
20 political committee shall report the following information on its campaign finance reports
21 for each contribution the committee receives:

22 (i) the amount of each contribution; and

23 (ii) the name and residential address of each contributor, unless a
24 contributor receives a confidentiality waiver from the State Board for a residential address,
25 in which case a suitable alternative address approved by the State Board may be used.

26 (4) A campaign finance entity of a candidate may report a maximum of a
27 cumulative amount of \$25,000 in eligible contributions in an election cycle on its campaign
28 finance reports without providing the information required under paragraph (3) of this
29 subsection.

30 (5) A political committee may report eligible contributions collected in
31 accordance with § 13–241 or § 13–242 of this title on its campaign finance reports in the
32 manner specified in paragraph (4) of this subsection if the following is included on the
33 political committee’s campaign finance report:

1 (i) a lump sum contribution of the total amount received by the
2 political committee in the form of eligible contributions;

3 (ii) the number of individuals making eligible contributions; and

4 (iii) the average amount of the eligible contributions received by the
5 political committee.

6 **(D) (1) IN THIS SUBSECTION, "DEPARTMENT" MEANS THE STATE**
7 **DEPARTMENT OF ASSESSMENTS AND TAXATION.**

8 **(2) THE DEPARTMENT SHALL ELECTRONICALLY TRANSMIT THE**
9 **NAMES OF ALL BUSINESSES THAT ARE REGISTERED WITH THE DEPARTMENT TO THE**
10 **STATE BOARD IN A MANNER AND FORMAT SPECIFIED JOINTLY BY THE**
11 **DEPARTMENT AND THE STATE BOARD.**

12 **(3) THE STATE BOARD SHALL:**

13 **(I) ELECTRONICALLY CROSS-REFERENCE THE NAMES OF**
14 **BUSINESSES LISTED AS CONTRIBUTORS ON CAMPAIGN FINANCE REPORTS WITH THE**
15 **NAMES OF BUSINESSES TRANSMITTED BY THE DEPARTMENT UNDER PARAGRAPH**
16 **(2) OF THIS SUBSECTION; AND**

17 **(II) DEVELOP A PROCEDURE TO IDENTIFY ON CAMPAIGN**
18 **FINANCE REPORTS ALL CONTRIBUTIONS MADE BY BUSINESSES THAT ARE NOT**
19 **REGISTERED WITH THE DEPARTMENT.**

20 **[(d)] (E)** A campaign finance report prescribed by this subtitle for the campaign
21 finance entity of a candidate is required whether or not:

22 (1) the candidate files a certificate of candidacy;

23 (2) the candidate withdraws, declines a nomination, or otherwise ceases to
24 be a candidate;

25 (3) the candidate's name appears on the primary ballot; or

26 (4) the candidate is successful in the election.

27 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect
28 January 1, 2020.