

SENATE BILL 950

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EMERGENCY BILL
ENROLLED BILL

(9lr3165)

— *Education, Health, and Environmental Affairs/Ways and Means* —

Introduced by **Senator Kagan**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Campaign Finance – ~~Death of Candidate – Termination of Campaign Committee~~**
3 ***Termination of Campaign Finance Entities***

4 FOR the purpose of authorizing any remaining balance in the account of a certain campaign
5 finance entity before its termination to be paid to a certain legislative party caucus
6 committee; requiring the authorized candidate campaign committee of a candidate
7 who dies to pay outstanding obligations, dispose of remaining funds in a certain
8 manner, and terminate and file a final campaign finance report within a certain
9 period of time after the candidate's death; requiring the treasurer of the candidate's
10 authorized candidate campaign committee to consider the expressed preferences of
11 the candidate, if any, when determining where to dispose of certain funds before
12 disposing of certain funds; making this Act an emergency measure; and generally
13 relating to the termination of ~~the authorized candidate campaign committee of a~~
14 ~~deceased candidate~~ campaign finance entities.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, ~~without~~ *with* amendments,
 2 Article – Election Law
 3 Section 13–247
 4 Annotated Code of Maryland
 5 (2017 Replacement Volume and 2018 Supplement)

6 BY adding to
 7 Article – Election Law
 8 Section 13–310.1
 9 Annotated Code of Maryland
 10 (2017 Replacement Volume and 2018 Supplement)

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

13 **Article – Election Law**

14 13–247.

15 After all campaign expenditures have been made and before filing a final campaign
 16 finance report under Subtitle 3 of this title, any remaining balance in the account of a
 17 campaign finance entity shall be returned pro rata to the contributors or paid to:

18 (1) if the campaign finance entity is a political committee formed to support
 19 a candidate or act for a political party:

20 (i) the State central committee of the political party:

21 1. of which the candidate is a member; or

22 2. for which the political committee is acting;

23 (ii) the local central committee of the political party:

24 1. of which the candidate is a member in a county in which
 25 the candidate resides or which the candidate seeks to represent; or

26 2. for which the political committee is acting; ~~or~~

27 **(III) THE LEGISLATIVE PARTY CAUCUS COMMITTEE OF THE**
 28 **POLITICAL PARTY:**

29 **1. OF WHICH THE CANDIDATE IS A MEMBER; OR**

30 **2. FOR WHICH THE POLITICAL COMMITTEE IS ACTING; OR**

1 ~~(iii)~~ **(IV)** the board of education of a county in which the candidate
2 resides or which the candidate seeks to represent;

3 (2) a nonprofit organization that provides services or funds for the benefit
4 of pupils or teachers;

5 (3) a charitable organization registered or exempt from registration under
6 the Maryland Charitable Solicitations Act;

7 (4) the Fair Campaign Financing Fund established under § 15–103 of this
8 article; or

9 (5) a public or private institution of higher education in the State if:

10 (i) that institution possesses a certificate of approval from the
11 Maryland Higher Education Commission; and

12 (ii) the payment is designated for use by the institution solely to
13 award scholarships, grants, or loans to students attending the institution.

14 **13–310.1.**

15 **(A) WITHIN ~~90~~ ~~120~~ DAYS 1 YEAR AFTER A CANDIDATE DIES, THE**
16 **CANDIDATE’S AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE SHALL:**

17 **(1) PAY ALL OUTSTANDING OBLIGATIONS;**

18 **(2) SUBJECT TO SUBSECTION (B) OF THIS SECTION, DISPOSE OF ANY**
19 **FUNDS REMAINING AFTER THE PAYMENT OF ALL OUTSTANDING OBLIGATIONS IN**
20 **ACCORDANCE WITH § 13–247 OF THIS TITLE; AND**

21 **(3) TERMINATE AND FILE A FINAL CAMPAIGN FINANCE REPORT.**

22 **(B) BEFORE DISPOSING OF ANY FUNDS UNDER SUBSECTION (A)(2) OF THIS**
23 **SECTION, THE TREASURER OF THE CANDIDATE’S AUTHORIZED CANDIDATE**
24 **CAMPAIGN COMMITTEE SHALL CONSIDER THE PREFERENCES EXPRESSED BY THE**
25 **CANDIDATE, IF ANY, WHEN DETERMINING WHERE TO DISPOSE OF ANY FUNDS**
26 **REMAINING IN THE ACCOUNT OF A CAMPAIGN FINANCE ENTITY.**

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

29 *SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency*
30 *measure, is necessary for the immediate preservation of the public health or safety, has been*
31 *passed by a yea and nay vote supported by three-fifths of all the members elected to each of*
32 *the two Houses of the General Assembly, and shall take effect from the date it is enacted.*