

Chapter 491

(Senate Bill 950)

AN ACT concerning

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

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

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

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

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

Article – Election Law

13–247.

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

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

- (i) the State central committee of the political party:
 - 1. of which the candidate is a member; or
 - 2. for which the political committee is acting;
- (ii) the local central committee of the political party:
 - 1. of which the candidate is a member in a county in which the candidate resides or which the candidate seeks to represent; or
 - 2. for which the political committee is acting; ~~or~~

(III) THE LEGISLATIVE PARTY CAUCUS COMMITTEE OF THE POLITICAL PARTY:

1. OF WHICH THE CANDIDATE IS A MEMBER; OR

2. FOR WHICH THE POLITICAL COMMITTEE IS ACTING; OR

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

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

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

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

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

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

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

13–310.1.

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

(1) PAY ALL OUTSTANDING OBLIGATIONS;

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

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

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

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

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

Approved by the Governor, May 13, 2019.