

HOUSE BILL 199

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By: **Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)**

Introduced and read first time: January 16, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Campaign Finance Entities – Termination**

3 FOR the purpose of altering the circumstances under which a certain provision of law
4 requiring a campaign finance entity to terminate and file a final campaign finance
5 report applies; altering the time period within which a certain campaign finance
6 entity is required to terminate and file a final campaign finance report; requiring the
7 State Board of Elections to provide a certain notification to certain persons affiliated
8 with a campaign finance entity that is required to terminate under a certain
9 provision of law; altering the scope of a certain provision of law providing that the
10 termination of a campaign finance entity does not limit the right of certain persons
11 to take certain actions; and generally relating to the termination of campaign finance
12 entities.

13 BY repealing and reenacting, with amendments,
14 Article – Election Law
15 Section 13–310 and 13–313
16 Annotated Code of Maryland
17 (2017 Replacement Volume and 2019 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 13–310.

22 (a) This section applies to the campaign finance entity of an individual if[:

23 (1)] the individual is not a filed candidate or the incumbent in any office

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 filled by an election under this article[; and

2 (2) the entity has funds remaining after the payment of all outstanding
3 debts and other obligations].

4 (b) A campaign finance entity shall terminate and file a final campaign finance
5 report within 8 years after the [latest] **LATER** of:

6 (1) the end of the individual's most recent term of office; **AND**

7 (2) the date of the election in which the individual last was a filed
8 candidate[; and

9 (3) the payment of the final debt or other obligation of the entity that was
10 incurred in connection with that candidacy].

11 **(C) NOT LATER THAN 6 MONTHS BEFORE A CAMPAIGN FINANCE ENTITY IS**
12 **REQUIRED TO TERMINATE UNDER THIS SECTION, THE STATE ADMINISTRATOR**
13 **SHALL NOTIFY THE RESPONSIBLE OFFICERS OF THE CAMPAIGN FINANCE ENTITY**
14 **AND THE CANDIDATE AFFILIATED WITH THE CAMPAIGN FINANCE ENTITY OF THE**
15 **DATE BY WHICH THE CAMPAIGN FINANCE ENTITY IS REQUIRED TO:**

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

17 **(2) DISPOSE OF ALL ITS REMAINING ASSETS IN ACCORDANCE WITH §**
18 **13-247 OF THIS TITLE; AND**

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

20 13-313.

21 (a) The State Board may terminate a campaign finance entity if the State Board
22 determines that good cause exists and that:

23 (1) the campaign finance entity could be terminated under § 13-309(b)(4)
24 of this subtitle except for the existence of one or more outstanding obligations and each of
25 those obligations is more than 5 years old;

26 (2) no responsible officer currently is appointed and serving; or

27 (3) other extenuating circumstances exist to justify terminating the
28 campaign finance entity.

29 (b) The termination of a campaign finance entity under this [section] **TITLE** does
30 not limit the right of:

1 (1) the State Board, or the State Prosecutor or the State's Attorney, to
2 pursue an enforcement action against the former responsible officers of, or any candidate
3 formerly affiliated with, the campaign finance entity; or

4 (2) a creditor to bring an action against the former responsible officers of,
5 or any candidate affiliated with, the campaign finance entity.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2020.