

# SENATE BILL 374

G1

1lr1634

---

By: **Senator Kagan**

Introduced and read first time: January 15, 2021

Assigned to: Education, Health, and Environmental Affairs

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Campaign Finance – Special Session of the General Assembly – Contributions**  
3 **Prohibited**

4 FOR the purpose of prohibiting certain officials and persons acting on behalf of certain  
5 officials from receiving, soliciting, depositing, or using a certain contribution or  
6 conducting a fund-raising event during a special session of the General Assembly  
7 except under certain circumstances; and generally relating to campaign finance and  
8 a special session of the General Assembly.

9 BY repealing and reenacting, with amendments,  
10 Article – Election Law  
11 Section 13–235  
12 Annotated Code of Maryland  
13 (2017 Replacement Volume and 2020 Supplement)

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

16 **Article – Election Law**

17 13–235.

18 (a) This section applies to the following officials:

- 19 (1) the Governor;
- 20 (2) the Lieutenant Governor;
- 21 (3) the Attorney General;
- 22 (4) the Comptroller; and

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (5) a member of the General Assembly.

2 (b) Except as provided in subsection (c), (d), or (e) of this section, during a regular  
3 session **OR SPECIAL SESSION** of the General Assembly an official described in subsection  
4 (a) of this section, or a person acting on behalf of the official, may not, as to a candidate for  
5 federal, State, or local office, or a campaign finance entity of the candidate or any other  
6 campaign finance entity organized under this title and operated in coordination with a  
7 candidate:

8 (1) receive a contribution;

9 (2) conduct a fund-raising event;

10 (3) solicit a contribution; or

11 (4) deposit or use any contribution of money that was not deposited prior  
12 to the session.

13 (c) An official described in subsection (a) of this section, or a person acting on  
14 behalf of the official, is not subject to this section when engaged in activities solely related  
15 to the official's election to an elective federal or local office for which the official is a filed  
16 candidate.

17 (d) Under the Public Financing Act, a gubernatorial ticket, during the year of the  
18 election only, may accept eligible private contributions and any disbursement of funds by  
19 the State Board that is based on the eligible private contributions.

20 (e) An official described in subsection (a) of this section, or a person acting on  
21 behalf of the official, may deposit a contribution during the legislative session if the  
22 contribution was made electronically before the start of the session.

23 (f) (1) As to a violation of this section, the campaign finance entity of the  
24 official in violation is liable for a civil penalty as provided in § 13-604.1 of this title.

25 (2) A civil penalty imposed under this subsection shall be distributed to the  
26 Fair Campaign Financing Fund established under § 15-103 of this article.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
28 October 1, 2021.