

Chapter 321

(Senate Bill 310)

AN ACT concerning

Election Law – Campaign Finance Entities – Termination

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

BY repealing and reenacting, with amendments,
Article – Election Law
Section 13–310 and 13–313
Annotated Code of Maryland
(2017 Replacement Volume and 2020 Supplement)

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

Article – Election Law

13–310.

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

(1)] the individual is not a filed candidate or the incumbent in any office filled by an election under this article[; and

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

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

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

(2) the date of the election in which the individual last was a filed

candidate[; and

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

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

(1) PAY ALL OUTSTANDING OBLIGATIONS;

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

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

13-313.

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

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

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

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

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

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

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

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

Approved by the Governor, May 18, 2021.