

# SENATE BILL 65

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SB 27/25 – EEE

EMERGENCY BILL  
(PRE-FILED)

6lr0712  
CF HB 157

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By: Senator Kagan

Requested: August 20, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Campaign Finance – Exploratory Committees**

3 FOR the purpose of applying certain campaign finance requirements for a political  
4 committee to exploratory committees; establishing requirements and prohibitions for  
5 exploratory committees relating to the establishment of the committees, receipt of  
6 funds, and permissible disbursements; requiring an authorized candidate campaign  
7 committee that results from the exploratory committee to make any equipment  
8 purchases from the exploratory committee at the fair market value of the equipment;  
9 requiring an exploratory committee to return remaining funds in a certain manner  
10 in a certain time frame; establishing that an exploratory committee is not subject to  
11 any contribution limit; and generally relating to exploratory committees.

12 BY repealing and reenacting, without amendments,

13 Article – Election Law

14 Section 1–101(a), (l), and (gg)

15 Annotated Code of Maryland

16 (2022 Replacement Volume and 2025 Supplement)

17 BY repealing and reenacting, with amendments,

18 Article – Election Law

19 Section 1–101(k)

20 Annotated Code of Maryland

21 (2022 Replacement Volume and 2025 Supplement)

22 BY adding to

23 Article – Election Law

24 Section 13–107

25 Annotated Code of Maryland

26 (2022 Replacement Volume and 2025 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – Election Law**

4 1–101.

5 (a) In this article the following words have the meanings indicated unless a  
6 different meaning is clearly intended from the context.

7 (k) (1) “Campaign material” means any material that:

8 (i) contains text, graphics, or other images;

9 (ii) relates to a candidate, a [prospective] **POTENTIAL** candidate, or  
10 the approval or rejection of a question or prospective question; and

11 (iii) is published, distributed, or disseminated.

12 (2) “Campaign material” includes:

13 (i) a qualifying paid digital communication;

14 (ii) any other material transmitted by or appearing on the Internet  
15 or other electronic medium;

16 (iii) an oral commercial campaign advertisement; and

17 (iv) an automated or prerecorded oral communication.

18 (l) (1) “Candidate” means an individual who files a certificate of candidacy for  
19 a public or party office.

20 (2) “Candidate” includes:

21 (i) an incumbent justice of the Supreme Court of Maryland or  
22 Appellate Court of Maryland at an election for continuance in office; and

23 (ii) an individual, prior to that individual filing a certificate of  
24 candidacy, if a campaign finance entity has been established on behalf of that individual.

25 (gg) “Political committee” means a combination of two or more individuals that has  
26 as its major purpose promoting the success or defeat of a candidate, political party,  
27 question, or prospective question submitted to a vote at any election.

28 **13–107.**

1                   (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
2 INDICATED.

3                   (2) (I) "DONATION" MEANS THE GIFT OR TRANSFER, OR PROMISE  
4 OF GIFT OR TRANSFER, OF MONEY OR ANY OTHER THING OF VALUE TO A PERSON  
5 THAT MAKES DISBURSEMENTS FOR AN EXPLORATORY COMMITTEE.

6                   (II) "DONATION" DOES NOT INCLUDE ANY AMOUNT OF MONEY  
7 OR ANY OTHER THING OF VALUE:

8                   1. RECEIVED BY A PERSON IN THE ORDINARY COURSE OF  
9 ANY TRADE OR BUSINESS CONDUCTED BY THE PERSON, WHETHER FOR PROFIT OR  
10 NOT FOR PROFIT, OR IN THE FORM OF INVESTMENTS IN THE PERSON'S BUSINESS;  
11 OR

12                   2. A. THAT THE DONOR AND THE PERSON RECEIVING  
13 THE MONEY OR THING OF VALUE EXPRESSLY AGREE IN WRITING MAY NOT BE USED  
14 FOR AN EXPLORATORY COMMITTEE; AND

15                   B. IN THE CASE OF A MONETARY DONATION, IS  
16 DEPOSITED IN A SEPARATE BANK ACCOUNT THAT IS NEVER USED FOR AN  
17 EXPLORATORY COMMITTEE.

18                   (3) "EXPLORATORY COMMITTEE" MEANS AN ENTITY ESTABLISHED  
19 BY A POTENTIAL CANDIDATE FOR A PUBLIC OFFICE TO DETERMINE THE POTENTIAL  
20 CANDIDATE'S VIABILITY FOR THAT PUBLIC OFFICE.

21                   (B) EXCEPT AS OTHERWISE PROVIDED IN §§ 13–220.1 AND 13–220.2 OF THIS  
22 TITLE AND SUBTITLE 2, PART V OF THIS TITLE, ALL PROVISIONS OF THIS TITLE  
23 THAT APPLY TO A POLITICAL COMMITTEE ALSO APPLY TO AN EXPLORATORY  
24 COMMITTEE.

25                   (C) SUBJECT TO SUBSECTION (D) OF THIS SECTION, AN EXPLORATORY  
26 COMMITTEE FOR AN INDIVIDUAL MAY RECEIVE FUNDS AND MAKE DISBURSEMENTS  
27 TO DETERMINE THE INDIVIDUAL'S VIABILITY FOR A PUBLIC OFFICE.

28                   (D) AN EXPLORATORY COMMITTEE MAY MAKE A DISBURSEMENT:

29                   (1) ONLY FOR PURPOSES RELATED TO DETERMINING THE POTENTIAL  
30 CANDIDATE'S VIABILITY FOR A PUBLIC OFFICE; AND

31                   (2) ONLY FOR THE FOLLOWING:

3 (II) DIRECT MAILINGS AND OTHER COMMUNICATIONS TO  
4 POTENTIAL VOTERS;

5 (III) EMPLOYING STAFF;

## 6 (IV) ESTABLISHING A WEBSITE;

7 (v) **QUALIFYING PAID DIGITAL COMMUNICATIONS;**

8 (VI) RENTING OR LEASING OFFICE SPACE;

9 (VII) PURCHASING ELECTRONIC EQUIPMENT, INCLUDING  
10 COMPUTERS AND TELEPHONES; AND

### 11 (VIII) SECURITY.

12 (E) AN EXPLORATORY COMMITTEE MAY NOT PAY ANY EXPENSE IN ADVANCE  
13 FOR GOODS OR SERVICES TO BE USED BY THE POLITICAL COMMITTEE OF THE  
14 POTENTIAL CANDIDATE ONCE THE POTENTIAL CANDIDATE REGISTERS AN  
15 AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE.

16 (F) IF AN AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE RESULTS FROM  
17 THE EXPLORATORY COMMITTEE, ANY PURCHASES MADE BY THE AUTHORIZED  
18 CANDIDATE CAMPAIGN COMMITTEE OF EQUIPMENT FROM THE EXPLORATORY  
19 COMMITTEE SHALL BE MADE AT THE FAIR MARKET VALUE OF THE EQUIPMENT.

20 (G) (1) AN EXPLORATORY COMMITTEE SHALL RETURN ANY REMAINING  
21 FUNDS RECEIVED UNDER SUBSECTION (D) OF THIS SECTION IN ACCORDANCE WITH  
22 PARAGRAPH (2) OF THIS SUBSECTION WITHIN 120 DAYS AFTER:

## 23 (I) A POTENTIAL CANDIDATE:

29 (II) THE DEADLINE FOR FILING A CERTIFICATE OF CANDIDACY  
30 UNDER TITLE 5, SUBTITLE 3 OF THIS ARTICLE HAS PASSED.

3 (I) PRO RATA TO THE CONTRIBUTORS; OR

4 (II) BY PAYING THE REMAINING FUNDS TO:

3. A NONPROFIT ORGANIZATION EXEMPT FROM  
TAXATION UNDER § 501(C)(3) OF THE INTERNAL REVENUE CODE; OR

18 (h) A DONATION TO AN EXPLORATORY COMMITTEE IS NOT SUBJECT TO ANY  
19 LIMITS.

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