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Vice Chair

Ways and Means Committee

Chair, Education Subcommittee



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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 376 – Election Law – Campaign Finance - Protection of Contributor Information

Thank you Madam Chair and Members of the Committee,

The purpose of HB 376 is to protect those making campaign contributions from commercial solicitation.

The Maryland State Board of Elections makes campaign finance reports available and easily accessible to the public. This practice is crucial to electoral transparency, so that voters know who is funding political campaigns, and are then able to make an informed decision on whom to vote. Currently, contributor information includes an individual's name and address, but also can have employer and occupation information in some cases. We also want to ensure that people can feel comfortable making a small donation to a campaign, without fear of commercial solicitation as a result.

It is important to note that HB 376 *does not* prevent contributor information from being used for purposes other than commercial solicitations (such as electoral and educational purposes).

Additionally, there are no restrictions on the publication or use of campaign finance reports by the media or other press outlets for purposes other than commercial solicitations. However, the law *does* prevent the publication of contributor information through an intermediary media outlet if the sole intent and purpose was to circumvent the commercial solicitation prohibition.

The language in this bill is something we assumed was already in statute, but will now be addressed through this legislation. HB 376 is modeled on federal law, which has been in place since 1976. Several other states, such as Maine and Iowa, have also enacted similar legislation in recent years.

I'd also like to note that the ACLU of Maryland sent in a letter stating the bill is "unconstitutional on its face." We have since contacted the Attorney General's office, and in their opinion, this claim is not accurate. Like I have already mentioned, this has been federal law for decades. The letter of advice from the Attorney General's office has been submitted with my testimony.

I respectfully ask for a favorable report on HB 376.