

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 755
Ways and Means

(Delegate Mosby, *et al.*)

Campaign Finance - Illegal Contributions - Fair Campaign Financing Fund

This bill prohibits a campaign finance entity from using, for any purpose, a contribution received in violation of State election law and requires the campaign finance entity to remit the contribution to the Fair Campaign Financing Fund (FCFF). **The bill takes effect January 1, 2019.**

Fiscal Summary

State Effect: Special fund revenues may increase annually by an indeterminate amount. Expenditures are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: A campaign finance entity is prohibited from using, for any purpose, a contribution from an anonymous source and must remit the contribution to FCFF.

FCFF holds funds for public campaign financing of gubernatorial tickets under the Public Financing Act. FCFF receives revenue from various sources, including (1) contributions through a checkoff on the individual income tax return; (2) various fees, fines, and penalties under State election law; and (3) any anonymous contributions received by campaign finance entities.

Contributions that violate State election law include, among other things, contributions in excess of the contribution limit (\$6,000 to any one campaign finance entity in an election cycle), contributions made in another person's name (who is not the contributor), and contributions to specified Executive Branch and legislative officials during a General Assembly session.

Background: The State Board of Elections indicates that campaigns are currently advised, when they receive illegal contributions, to return them to the contributor.

State Revenues: Special fund revenues may increase annually, by an indeterminate amount, reflecting remittance of any illegal contributions to FCFF.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): State Board of Elections; Department of Legislative Services

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