

HOUSE BILL 1265

G1

5lr3094

By: **Delegate West**

Introduced and read first time: March 9, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Campaign Finance Violations – Injunctive Relief**

3 FOR the purpose of authorizing the chairman or vice chairman of the State Board of
4 Elections to seek an injunction against a violation of the campaign finance laws;
5 repealing the authority of the Secretary of State to seek an injunction against a
6 violation of the campaign finance laws; authorizing a candidate to seek an injunction
7 against certain violations of the campaign finance laws against certain persons; and
8 generally relating to injunctive relief against violations of the campaign finance
9 laws.

10 BY repealing and reenacting, with amendments,
11 Article – Election Law
12 Section 13–605
13 Annotated Code of Maryland
14 (2010 Replacement Volume and 2014 Supplement)

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

17 **Article – Election Law**

18 13–605.

19 (a) The [Secretary of State] **CHAIRMAN OR THE VICE CHAIRMAN OF THE**
20 **STATE BOARD** may seek an immediate injunction against any violation of this title.

21 **(B) A CANDIDATE MAY SEEK AN IMMEDIATE INJUNCTION AGAINST ANY**
22 **VIOLATION OF THIS TITLE BY THE FOLLOWING PERSONS:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) THE CAMPAIGN FINANCE ENTITY SUPPORTING THE CANDIDACY**
2 **OF ANY CANDIDATE FOR THE SAME OFFICE;**

3 **(2) ANY PERSON REQUIRED TO FILE AN INDEPENDENT EXPENDITURE**
4 **REPORT UNDER § 13-306 OF THIS TITLE IF A PUBLIC COMMUNICATION RELATES TO**
5 **THE CANDIDATE; OR**

6 **(3) ANY PERSON REQUIRED TO FILE AN ELECTIONEERING**
7 **COMMUNICATION REPORT UNDER § 13-307 OF THIS TITLE IF AN ELECTIONEERING**
8 **COMMUNICATION RELATES TO THE CANDIDATE.**

9 **[(b)] (C)** A person who violates an injunction issued under this section:

10 (1) is in criminal contempt; and

11 (2) is guilty of a misdemeanor and on conviction is subject to a fine not
12 exceeding \$250 or imprisonment not exceeding 30 days or both.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2015.