

HOUSE BILL 234

G1

7lr0426

By: **Delegates Rosenberg and Luedtke**

Introduced and read first time: January 20, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Campaign Finance – Making a Contribution During General Assembly Session –**
3 **Prohibition**

4 FOR the purpose of prohibiting a person from directly or indirectly making a certain
5 contribution during a regular session of the General Assembly; providing that the
6 prohibition applies only to a person who has received notice of the prohibition on
7 certain contributions during a regular session of the General Assembly from a
8 certain official or a person acting on behalf of a certain official; and generally relating
9 to prohibiting a person from making a certain contribution during a regular session
10 of the General Assembly.

11 BY repealing and reenacting, with amendments,
12 Article – Election Law
13 Section 13–235
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2016 Supplement)

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

18 **Article – Election Law**

19 13–235.

20 (a) This section applies to the following officials:

21 (1) the Governor;

22 (2) the Lieutenant Governor;

23 (3) the Attorney General;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (4) the Comptroller; and

2 (5) a member of the General Assembly.

3 (b) Except as provided in subsection (c), (d), or (e) of this section, during a regular
4 session of the General Assembly an official described in subsection (a) of this section, or a
5 person acting on behalf of the official, may not, as to a candidate for federal, State, or local
6 office, or a campaign finance entity of the candidate or any other campaign finance entity
7 organized under this title and operated in coordination with a candidate:

8 (1) receive a contribution;

9 (2) conduct a fund-raising event;

10 (3) solicit a contribution; or

11 (4) deposit or use any contribution of money that was not deposited prior
12 to the session.

13 (c) An official described in subsection (a) of this section, or a person acting on
14 behalf of the official, is not subject to this section when engaged in activities solely related
15 to the official's election to an elective federal or local office for which the official is a filed
16 candidate.

17 (d) Under the Public Financing Act, a gubernatorial ticket, during the year of the
18 election only, may accept eligible private contributions and any disbursement of funds by
19 the State Board that is based on the eligible private contributions.

20 (e) An official described in subsection (a) of this section, or a person acting on
21 behalf of the official, may deposit a contribution during the legislative session if the
22 contribution was made electronically before the start of the session.

23 (f) (1) As to a violation of this section, the campaign finance entity of the
24 official in violation is liable for a civil penalty as provided in § 13-604.1 of this title.

25 (2) A civil penalty imposed under this subsection shall be distributed to the
26 Fair Campaign Financing Fund established under § 15-103 of this article.

27 **(G) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A PERSON**
28 **MAY NOT, DIRECTLY OR INDIRECTLY, MAKE A CONTRIBUTION THAT IS PROHIBITED**
29 **UNDER THIS SECTION.**

30 **(2) THIS SUBSECTION APPLIES ONLY TO A PERSON WHO HAS**
31 **RECEIVED NOTICE OF THE REQUIREMENTS OF THIS SECTION FROM AN OFFICIAL**

1 DESCRIBED IN SUBSECTION (A) OF THIS SECTION OR A PERSON ACTING ON BEHALF
2 OF THE OFFICIAL.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2017.