

HOUSE BILL 261

G1

9lr2222
CF SB 225

By: **Delegate Cardin**

Introduced and read first time: January 25, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Campaign Material – Clarification of Definition**

3 FOR the purpose of clarifying the definition of “campaign material” by providing that, to
4 meet the definition of “campaign material”, the text, graphics, or other images
5 contained in the material must primarily relate to campaign activity for an election;
6 and generally relating to the definition of “campaign material”.

7 BY repealing and reenacting, with amendments,

8 Article – Election Law

9 Section 1–101(k)

10 Annotated Code of Maryland

11 (2017 Replacement Volume and 2018 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Election Law

14 Section 13–401

15 Annotated Code of Maryland

16 (2017 Replacement Volume and 2018 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Election Law**

20 1–101.

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

22 (i) contains text, graphics, or other images **THAT ARE PRIMARILY**
23 **RELATED TO CAMPAIGN ACTIVITY FOR AN ELECTION;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (ii) relates to a candidate, a prospective candidate, or the approval
2 or rejection of a question or prospective question; and

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

4 (2) "Campaign material" includes:

5 (i) a qualifying paid digital communication;

6 (ii) any other material transmitted by or appearing on the Internet
7 or other electronic medium; and

8 (iii) an oral commercial campaign advertisement.

9 13-401.

10 (a) (1) Except as otherwise provided in this section, each item of campaign
11 material shall contain, set apart from any other message, an authority line that states:

12 (i) as to campaign material published, distributed, or disseminated
13 by a campaign finance entity:

14 1. the name and address of the treasurer of each campaign
15 finance entity responsible for the campaign material; and

16 2. as to each treasurer named under item 1 of this item, the
17 name of each campaign finance entity for which the treasurer is acting; and

18 (ii) as to campaign material published, distributed, or disseminated
19 by any other person, the name and address of the person responsible for the campaign
20 material.

21 (2) The authority line may omit an address that is on file with the State
22 Board or a local board.

23 (3) If the campaign material is too small to include all the information
24 specified in paragraph (1) of this subsection in a legible manner, the authority line need
25 only contain the information required by regulations adopted by the State Board.

26 (4) The authority line for campaign material that is a commercial
27 advertisement need only contain the information specified in paragraphs (1) and (2) of this
28 subsection for one campaign finance entity or other person responsible for the
29 advertisement.

1 (b) Campaign material that is published or distributed in support of or in
2 opposition to a candidate, but is not authorized by the candidate, shall include the following
3 statement:

4 “This message has been authorized and paid for by (name of payor or any
5 organization affiliated with the payor), (name and title of treasurer or president). This
6 message has not been authorized or approved by any candidate.”

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 October 1, 2019.