

HOUSE BILL 538

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HB 481/11 – W&M

2lr0646

By: **Delegates Olszewski, Arora, Barkley, Barnes, Barve, Beidle, Bobo, Bohanan, Boteler, Carr, George, Glass, Kach, Mizeur, Reznik, Szeliga, Vitale, and Weir**

Introduced and read first time: February 3, 2012

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Campaign Finance – Contributions – Disclosure**

3 FOR the purpose of requiring a campaign finance entity to report certain information
4 on its campaign finance reports for each contribution the entity receives;
5 authorizing a campaign finance entity to report a maximum of a certain amount
6 of contributions in an election cycle on its campaign finance reports without
7 providing certain information about each contribution; requiring that
8 contributions reported on or after a certain date shall be considered in making a
9 certain determination under this Act; providing that certain reporting
10 requirements under this Act apply only to campaign finance reports filed on or
11 after a certain date; and generally relating to the disclosure of information
12 concerning contributions in campaign finance reports.

13 BY repealing and reenacting, with amendments,
14 Article – Election Law
15 Section 13–240 and 13–304
16 Annotated Code of Maryland
17 (2010 Replacement Volume and 2011 Supplement)

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

20 **Article – Election Law**

21 13–240.

22 (a) This section applies to a spin or chance on a paddle wheel or wheel of
23 fortune that is authorized under the laws of this State to operate at a campaign
24 fund–raising event.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) [Notwithstanding] **EXCEPT AS PROVIDED IN § 13-304(C) OF THIS**
2 **TITLE, BUT NOTWITHSTANDING** § 13-239 of this subtitle or any other law that
3 prohibits an anonymous contribution, a political committee may accept money received
4 from the sale of a spin or chance, and need not identify the individual purchaser in its
5 account book, if:

6 (1) the account book of the political committee includes:

7 (i) the net amount received by the political committee at the
8 event at which the sale was made; and

9 (ii) the name and address of each individual who attended the
10 event;

11 (2) no spin or chance is sold at the event for more than \$2;

12 (3) the net income of the sponsoring political committee from spins
13 and chances at the event does not exceed \$1,500 in a 24-hour period; and

14 (4) the total receipts of the sponsoring political committee from spins
15 and chances in that election do not exceed \$2,500.

16 (c) If a political committee raises funds in excess of a limit specified in this
17 section, the political committee shall:

18 (1) donate the excess to a charity of its choice; or

19 (2) identify in its account book the amount received from each
20 individual who purchased a spin or chance.

21 (d) The State Board shall adopt regulations to implement this section.

22 13-304.

23 (a) (1) From the date of its organization until its termination under the
24 provisions of this title, a campaign finance entity, except a political club, shall file a
25 campaign finance report at the State Board at the times and for the periods required
26 by §§ 13-309, 13-312, and 13-316 of this subtitle.

27 (2) A campaign finance report submitted using an electronic format
28 shall:

29 (i) be made under oath or affirmation;

30 (ii) require an electronic signature from the treasurer at the
31 time of the filing of the campaign finance report; and

1 (iii) be made subject to the penalties for perjury.

2 (b) A campaign finance report filed by a campaign finance entity under
3 subsection (a) of this section shall include the information required by the State Board
4 with respect to all contributions received and all expenditures made by or on behalf of
5 the campaign finance entity during the designated reporting period.

6 (c) (1) **THE REQUIREMENTS OF THIS SUBSECTION PREVAIL TO THE**
7 **EXTENT OF ANY CONFLICT WITH § 13-240(B) OF THIS TITLE.**

8 (2) **EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS**
9 **SUBSECTION, A CAMPAIGN FINANCE ENTITY SHALL REPORT THE FOLLOWING**
10 **INFORMATION ON ITS CAMPAIGN FINANCE REPORTS FOR EACH CONTRIBUTION**
11 **IT RECEIVES:**

12 (I) **THE AMOUNT OF EACH CONTRIBUTION; AND**

13 (II) **THE NAME AND ADDRESS OF EACH CONTRIBUTOR.**

14 (3) **A CAMPAIGN FINANCE ENTITY MAY REPORT A MAXIMUM OF A**
15 **CUMULATIVE AMOUNT OF \$25,000 IN CONTRIBUTIONS IN AN ELECTION CYCLE**
16 **ON ITS CAMPAIGN FINANCE REPORTS WITHOUT PROVIDING THE INFORMATION**
17 **REQUIRED UNDER PARAGRAPH (2) OF THIS SUBSECTION.**

18 [(c)] (D) A campaign finance report prescribed by this subtitle for the
19 campaign finance entity of a candidate is required whether or not:

20 (1) the candidate files a certificate of candidacy;

21 (2) the candidate withdraws, declines a nomination, or otherwise
22 ceases to be a candidate;

23 (3) the candidate's name appears on the primary ballot; or

24 (4) the candidate is successful in the election.

25 SECTION 2. AND BE IT FURTHER ENACTED, That:

26 (1) All contributions reported on or after January 1, 2011, shall be
27 considered in determining whether a campaign finance entity has reached the
28 aggregate limit on contributions that may be reported in an election cycle without
29 listing the amount of each contribution and the name and address of each contributor
30 under § 13-304(c)(3) of the Election Law Article as enacted by this Act; and

1 (2) The reporting requirements imposed under § 13-304(c) of the
2 Election Law Article as enacted by this Act shall apply only to campaign finance
3 reports filed on or after October 1, 2012.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2012.