

SENATE BILL 374

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By: **Senator Kagan**

Introduced and read first time: January 15, 2021

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Campaign Finance – Special Session of the General Assembly – Contributions**
3 **Prohibited**

4 FOR the purpose of prohibiting certain officials and persons acting on behalf of certain
5 officials from receiving, soliciting, depositing, or using a certain contribution or
6 conducting a fund-raising event during a special session of the General Assembly
7 except under certain circumstances; and generally relating to campaign finance and
8 a special session of the General Assembly.

9 BY repealing and reenacting, with amendments,
10 Article – Election Law
11 Section 13–235
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2020 Supplement)

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

16 **Article – Election Law**

17 13–235.

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

- 19 (1) the Governor;
- 20 (2) the Lieutenant Governor;
- 21 (3) the Attorney General;
- 22 (4) the Comptroller; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(5) a member of the General Assembly.

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

(1) receive a contribution;

(2) conduct a fund-raising event;

(3) solicit a contribution; or

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

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

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2021.