HOUSE BILL 491

G1HB 41/20 - W&M

By: Delegate Cardin

Introduced and read first time: January 21, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2

Election Law - Campaign Finance Violation - Injunctive Relief

- FOR the purpose of authorizing the chair or vice chair of the State Board of Elections to seek injunctive relief against a violation of the campaign finance laws; repealing the authority of the Secretary of State to seek an immediate injunction against a violation of the campaign finance laws; authorizing a candidate to seek injunctive relief against certain violations of the campaign finance laws by certain persons; and generally relating to injunctive relief against violations of the campaign finance laws.
- 10 BY repealing and reenacting, with amendments,
- 11 Article Election Law
- 12 Section 13–605
- 13 Annotated Code of Maryland
- 14 (2017 Replacement Volume and 2021 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] CHAIR OR THE VICE CHAIR OF THE STATE BOARD
- 20 may seek [an immediate injunction] INJUNCTIVE RELIEF against any violation of this
- 21 title.
- 22 (B) A CANDIDATE MAY SEEK INJUNCTIVE RELIEF AGAINST ANY VIOLATION
- 23 **OF THIS TITLE BY:**

HOUSE BILL 491

- 1 (1) ANY PERSON REQUIRED TO FILE AN INDEPENDENT EXPENDITURE 2 REPORT UNDER § 13–306 OF THIS TITLE IF A PUBLIC COMMUNICATION RELATES TO 3 THE CANDIDATE; OR
- 4 (2) ANY PERSON REQUIRED TO FILE AN ELECTIONEERING 5 COMMUNICATION REPORT UNDER § 13–307 OF THIS TITLE IF AN ELECTIONEERING 6 COMMUNICATION RELATES TO THE CANDIDATE.
- 7 **[(b)] (C)** A person who violates an injunction issued under this section:
- 8 (1) is in criminal contempt; and
- 9 (2) is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$250 or imprisonment not exceeding 30 days or both.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect January 1, 2023.