

HOUSE BILL 979

G1

3lr2688

By: **Delegate Terrasa**

Introduced and read first time: February 10, 2023

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2023

CHAPTER _____

1 AN ACT concerning

2 **Municipal Elections – Candidates – Reports of Donations and Disbursements**

3 FOR the purpose of requiring a municipality, except under certain circumstances, to
4 require candidates for municipal office to file reports of donations and
5 disbursements; requiring a municipality to transmit a copy of each report that is
6 filed to the State Board of Elections; requiring the State Board to make the reports
7 publicly available on its website; and generally relating to reports of donations and
8 disbursements by candidates in municipal elections.

9 BY repealing

10 Article – Local Government
11 Section 4–108.2
12 Annotated Code of Maryland
13 (2013 Volume and 2022 Supplement)

14 BY adding to

15 Article – Local Government
16 Section 4–108.2
17 Annotated Code of Maryland
18 (2013 Volume and 2022 Supplement)

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

21 **Article – Local Government**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 [4-108.2.

2 If a municipality requires candidates in a municipal election to file campaign finance
3 reports, within 10 days after the filing deadline, each candidate in the municipal election
4 shall submit to the State Board of Elections a copy of the campaign finance report that was
5 filed by the candidate.]

6 4-108.2.

7 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
8 INDICATED.

9 (2) "DISBURSEMENT" MEANS AN EXPENDITURE, A GIFT, A TRANSFER,
10 OR A PROMISE OF MONEY OR OTHER THING OF VALUE BY A CANDIDATE FOR
11 MUNICIPAL OFFICE TO PROMOTE THE ELECTION OF THE CANDIDATE.

12 (3) "DONATION" MEANS THE GIFT, TRANSFER, OR PROMISE OF GIFT
13 OR TRANSFER OF MONEY OR OTHER THING OF VALUE TO A CANDIDATE FOR
14 MUNICIPAL OFFICE TO PROMOTE THE ELECTION OF THE CANDIDATE.

15 (4) "STATE BOARD" MEANS THE STATE BOARD OF ELECTIONS.

16 (B) (1) ~~A~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
17 A MUNICIPALITY SHALL REQUIRE CANDIDATES FOR MUNICIPAL OFFICE TO FILE
18 REPORTS OF DONATIONS AND DISBURSEMENTS.

19 (2) A MUNICIPALITY MAY:

20 (I) EXEMPT A CANDIDATE FROM FILING ANY REPORTS OF
21 DONATIONS AND DISBURSEMENTS IF THE CANDIDATE FILES AN AFFIDAVIT WITH
22 THE MUNICIPALITY AT THE TIME THE CANDIDATE FILES FOR MUNICIPAL OFFICE
23 STATING THAT THE CANDIDATE, DURING THE CANDIDATE'S ENTIRE CAMPAIGN FOR
24 THE MUNICIPAL OFFICE, WILL NOT:

25 1. SPEND MORE THAN \$1,000 IN PERSONAL FUNDS; OR

26 2. ACCEPT CONTRIBUTIONS; OR

27 (II) AUTHORIZE A CANDIDATE, INSTEAD OF FILING A REQUIRED
28 REPORT OF DONATIONS AND DISBURSEMENTS, TO FILE AN AFFIDAVIT STATING
29 THAT THE CANDIDATE HAS NOT RAISED OR SPENT A CUMULATIVE AMOUNT OF
30 \$1,000 OR MORE SINCE:

31 1. FILING FOR MUNICIPAL OFFICE; OR

1 **2. FILING THE CANDIDATE'S LAST REPORT OF**
2 **DONATIONS AND DISBURSEMENTS.**

3 **(3) A MUNICIPALITY SHALL REQUIRE A CANDIDATE WHO FILES AN**
4 **AFFIDAVIT UNDER PARAGRAPH (2)(I) OF THIS SUBSECTION TO FILE REPORTS OF**
5 **DONATIONS AND DISBURSEMENTS IF THE CANDIDATE SUBSEQUENTLY SPENDS**
6 **MORE THAN \$1,000 IN PERSONAL FUNDS OR ACCEPTS CONTRIBUTIONS DURING THE**
7 **CANDIDATE'S CAMPAIGN FOR MUNICIPAL OFFICE.**

8 **(C) WITHIN 5 DAYS AFTER THE FILING DEADLINE FOR EACH REPORT OF**
9 **DONATIONS AND DISBURSEMENTS, A MUNICIPALITY SHALL TRANSMIT A COPY OF**
10 **EACH REPORT THAT IS FILED TO THE STATE BOARD.**

11 **(D) THE STATE BOARD SHALL MAKE EACH REPORT THAT IT RECEIVES**
12 **UNDER THIS SECTION PUBLICLY AVAILABLE ON ITS WEBSITE.**

13 **(E) AT THE REQUEST OF A MUNICIPALITY, THE STATE BOARD SHALL**
14 **PROVIDE ADVICE AND TRAINING TO THE MUNICIPALITY ON THE IMPLEMENTATION**
15 **OF THIS SECTION.**

16 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June**
17 **1, 2023.**

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.