

Department of Legislative Services  
Maryland General Assembly  
2019 Session

FISCAL AND POLICY NOTE  
First Reader

House Bill 208  
Ways and Means

(Delegate Reilly, *et al.*)

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Campaign Finance - Death of Elected Official - Transfer of Funds to Slate  
Account

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This bill authorizes the campaign committee of an elected official who dies in office to transfer a cumulative amount of up to \$24,000 from the remaining balance in the account of the authorized candidate campaign committee, after all campaign expenditures have been made, to one or more slates of which the deceased official was a member at the time of the official's death.

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Fiscal Summary

**State Effect:** The bill does not directly affect State finances.

**Local Effect:** The bill does not directly affect local government finances.

**Small Business Effect:** None.

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Analysis

**Current Law/Background:**

*Authorized Candidate Campaign Committees*

Unless otherwise expressly authorized by law, all campaign finance activity for an election under the Election Law Article of the Annotated Code must be conducted through a campaign finance entity (defined as a political committee established under Title 13 of the Election Law Article). An individual may not file a certificate of candidacy or a declaration of intent until the individual establishes, or causes to be established, an authorized

candidate campaign committee (a campaign finance entity authorized by the candidate to promote the candidate's candidacy).

State election law does not explicitly address the handling of an authorized candidate campaign committee if a candidate or elected official dies, but does contain provisions relating to the termination of a campaign finance entity of an individual and disposition of surplus funds of a campaign finance entity (either distributed pro rata to contributors or to any of a number of other entities, including political party central committees, the Fair Campaign Financing Fund, and education-related and charitable entities).

### *Slates*

A slate is defined under State election law as a political committee of two or more candidates who join together to conduct and pay for joint campaign activities. Each member of a slate must have a separate campaign finance entity. A candidate may join a slate or continue as a member of a slate only if (1) the candidate has filed a certificate of candidacy or (2) the candidate is an incumbent officeholder and the deadline for filing a certificate of candidacy for the office the candidate holds has not passed.

The authorized candidate campaign committee of a member of a slate is not limited in the amount it may transfer to a slate of which the candidate is a member. With the exception of a slate consisting only of the candidates of a gubernatorial ticket, a slate may not make transfers, directly or indirectly, to the authorized candidate campaign committee of any single member of the slate in a cumulative amount of more than \$24,000 during a four-year election cycle.

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## **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** State Board of Elections; Department of Legislative Services

**Fiscal Note History:** First Reader - February 1, 2019  
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