

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 695 (Delegate Hornberger)
Ways and Means

State Board of Elections - Campaign Finance Reporting Database - Study

This bill requires the State Board of Elections (SBE) to study and make recommendations, by December 20, 2021, regarding requirements that need to be met to implement a system that provides the public with real-time access to campaign finance information for candidates for elected office in the State. **The bill takes effect June 1, 2021.**

Fiscal Summary

State Effect: General fund expenditures increase by at least \$5,000 in FY 2022 only. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: The bill requires SBE to study and make recommendations regarding the administrative, technological, legal, security, and fiscal requirements that need to be met to implement a system that provides the public with real-time access to campaign finance information for candidates for elected office in the State.

In conducting the study, SBE (1) must research options for the creation of a searchable public database that is linked to the bank accounts used by the campaign finance entities of the candidates and would allow the public to view, in real time, the contributions made to and expenditures made by a campaign finance entity and (2) may work in coordination with the Maryland Bankers Association.

In making recommendations, SBE must include recommendations regarding the design, testing, and implementation of the system, including any necessary proposed legislation and administrative changes.

SBE must submit its findings and recommendations to the Senate Education, Health, and Environmental Affairs Committee and the House Committee on Ways and Means by December 20, 2021.

Current Law:

Campaign Finance Reporting

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). For each election in which a campaign finance entity participates, it generally must file campaign finance reports at various times prior to and after the primary and general elections, as well as an annual report. The reports must contain information required by SBE with respect to all contributions received and all expenditures made by or on behalf of the campaign finance entity during a reporting period.

Filing and Disclosure of Campaign Finance Reports

Campaign finance reports required to be filed with SBE generally must be submitted using an electronic storage medium, and in a format, that SBE approves. SBE is required to make the campaign finance reports that are maintained in an electronic storage format widely and easily accessible to the public.

State Fiscal Effect: General fund expenditures increase by at least \$5,000 in fiscal 2022, for vendor technical support for SBE in conducting the study. Costs may be greater, depending on the level of analysis needed to make the recommendations required by the bill.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

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

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rh/hlb

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