

HOUSE BILL 491

G1
HB 41/20 – W&M

2lr2923

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**

3 FOR the purpose of authorizing the chair or vice chair of the State Board of Elections to
4 seek injunctive relief against a violation of the campaign finance laws; repealing the
5 authority of the Secretary of State to seek an immediate injunction against a
6 violation of the campaign finance laws; authorizing a candidate to seek injunctive
7 relief against certain violations of the campaign finance laws by certain persons; and
8 generally relating to injunctive relief against violations of the campaign finance
9 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:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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
10 exceeding \$250 or imprisonment not exceeding 30 days or both.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 January 1, 2023.