

Department of Legislative Services
 Maryland General Assembly
 2010 Session

FISCAL AND POLICY NOTE

House Bill 247 (Delegates Rosenberg and Kaiser)
 Ways and Means

Referendum Fairness Act

This bill requires a ballot issue committee that receives a contribution of \$5,000 or more during the period from the closing date of the last campaign finance report due before a general election through the day of the general election to report the contribution to the State Board of Elections (SBE) within 24 hours of receipt of the contribution. A report must include the amount of the contribution and the identity of the contributor. The bill requires SBE to develop an Internet site to both receive the reports and make information contained in the reports available to the public in a timely manner.

The bill takes effect June 1, 2010.

Fiscal Summary

State Effect: General fund expenditures increase by \$54,000 in FY 2011 to develop an online filing program. Revenues are not affected.

(in dollars)	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	54,000	0	0	0	0
Net Effect	(\$54,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: Potential minimal.

Analysis

Current Law/Background: A “ballot issue committee” is defined as a political committee (also called a campaign finance entity) formed to promote the success or defeat of a question to be submitted to a vote at an election.

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. 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. Annual reports generally must also be filed on the third Wednesday in January.

Campaign finance entities other than ballot issue committees must file, on specified days, two reports prior to a primary election, and all campaign finance entities (including ballot issue committees) must file a report on or before the second Friday before a general election and the third Tuesday after a general election. The campaign finance report required to be filed on or before the second Friday before a general election must cover the period through and including the preceding Sunday.

Chapter 40 of 2006 amended State law (codifying a longstanding policy of SBE) to require ballot issue committees to file campaign finance reports both before and after a general election. Prior to that enactment, State law only required ballot issue committees to file a report after a general election.

State Expenditures: General fund expenditures may increase by \$54,000 in fiscal 2011 to develop an online filing program. This estimate is based on a vendor estimate provided to SBE. The program would be capable of receiving basic information regarding a contribution and the contributor and would enable the information to be posted on the Internet.

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 12, 2010
ncs/mwc

Analysis by: Scott D. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510