

Chapter 1- Introduction and Overview

1.1 Message from the Director

The Summary Guide gives you a basic understanding of candidacy and campaign finance law. Maryland campaign finance laws are complicated and require great attention to detail. Failure to comply with the law may result in substantial penalties. Perhaps the most common mistake that people make as candidates, chairs, or treasurers is underestimating the seriousness and complexity of the task that they have undertaken. This office is dedicated to providing you with the information and resources needed to successfully comply with all of the requirements of the law. I strongly urge you to familiarize yourself with this Summary Guide and to constantly refer to it while you are acting in the capacity of a candidate, chairman, or treasurer.

Finally, my staff and I are always available by telephone or email to answer your questions.

- Jared DeMarinis

1.2 Definitions

- Campaign Finance Activity – means the raising and spending money in connection with an effort to promote or assist in the promotion of the success or defeat of a candidate, political party, or question.
- Campaign Finance Entity: see “Political Committee”
- Campaign Finance Law – refers to Title 13 of the Election Law Article of the *Annotated Code of Maryland*.
- Campaign Finance Report – means a report submitted under oath, subject to the penalties of perjury accounting of contributions received, transfers, expenditures made, outstanding obligations, and loans, by a political committee as required under § 13-304 of the Election Law Article.
- COMAR- refers to the Maryland Code of Regulations

- Election Cycle- means the period that begins on the January 1 that follows a gubernatorial election and continues until the December 31 that is 4 years later.
- Election Law Article – refers to the Election Law Article of the *Annotated Code of Maryland*.
- Electoral Purpose - means an action that promotes or enhances the success or defeat of a candidate, a political party, or a question in an election and would not have occurred but for the existence of the candidacy, political party, or question. It includes actions that increase the visibility or viability of a candidate, political party, or question, such as:
 - Appearing on campaign material of a political or advocacy committee or organization; or
 - Attending charitable or political events.
- Federal Candidates – means candidates for President, Vice-President, United States Senator, Representatives in Congress, or delegate to a national presidential party convention.
- Local Board – refers to one of the 24 county boards of elections (includes the Baltimore City Board of Elections).
- Local Candidates – means candidates for all county offices including County Council, County Commissioner, County Executive, State’s Attorney, Register of Wills, Sheriff, Clerk of the Circuit Court, and Judge of the Orphans Court and all Baltimore City offices.
- MD CRIS- refers to the Maryland Campaign Reporting Information System. It is the browser-based filing program for political committees to register and file campaign finance reports. www.campaignfinance.maryland.gov
- Party Office – means an elected position with a State or local party central committee or delegate to the national convention.
- Person- includes an individual, a business entity, a federal political committee, an association, a labor organization, a union, a political club, or any other organization or group of persons. Person does not include a campaign finance entity organized under Election Law Article, Title 13, Subtitle 2, Part II, Annotated Code of Maryland.
- Political Committee – means a combination of two or more individuals that has a major purpose promoting the success or defeat of a candidate, political party, or question.

Committees include candidate committees, ballot issue committees, slates, legislative caucus committees, party central committees, and political action committees (PACs).

The Election Law Article uses the terms “political committee” and “campaign finance entity” to refer to groups that are established to engage in campaign finance activity. Prior to 2005, campaign finance activity could be conducted through either a “personal treasurer” or a “political committee,” both of which were required to register with the State Board and referred to collectively in the Campaign Finance Law as “campaign finance entities.” However, the “personal treasurer” form is no longer recognized. Therefore, the term “political committee” is for almost all purposes synonymous with the term “campaign finance entity.” Accordingly, the Summary Guide may sometimes use the more familiar term “political committee,” even where the statute makes reference to “campaign finance entities.”

- Principal Political Parties – means the political parties whose candidate for Governor received the highest or second highest number of votes at the last gubernatorial election.
- Public Office – means an elected office in federal, State, county, or Baltimore City government.
- Responsible Officers – means the chair and the treasurer of a political committee.
- State Candidates – means candidates for Governor, Lt. Governor, Comptroller, Attorney General, the General Assembly, Judge of the Circuit Court and Appellate Courts.
- State Board – means the State Board of Elections.
- Statement of Organization – means the document signed by the responsible officers and, if applicable, the authorizing candidate establishing a political committee with the State Board.

1.3 General Information

As a candidate, treasurer, or chair, you are required to follow Maryland campaign finance laws. These laws dictate how you receive, spend, and report money and other things of value. Accordingly, before beginning any financial activity, you should be familiar with the campaign finance laws and how they have been interpreted and implemented by the State Board. Especially any liability that as an officer you may have personally.

This Summary Guide has been prepared to aid you in understanding the law. You should use the Summary Guide as a basic reference tool, not as a substitute for the law itself. Moreover, the Summary Guide will reference policies and advice given by the State Board and the Office of Attorney General concerning the implementation and enforcement of the statute.

The State Board periodically posts or emails pertinent updates or information on changes in the law, its impact and any new reporting requirements. Please check the campaign finance website at www.campaignfinance.maryland.gov for any updates.

Finally, the State Board issues declaratory rulings, advisory opinions and guidance on topics of campaign finance law. They are available online at http://www.elections.state.md.us/campaign_finance/index.html and www.campaignfinance.maryland.gov.

1.4 Municipal Elections

Maryland election law does not regulate the conduct of municipal elections except in Baltimore City. Accordingly, the candidacy and campaign finance provisions described in this Summary Guide do not apply to municipal campaigns or candidates.

A political committee established at the State Board may support a municipal candidate up to \$6,000 if the expenditure serves an electoral purpose. Prior to making the expenditure, the political committee should contact the municipality for applicable contribution limits and any reporting requirements.

-COMAR 33.13.10.03(C)

If the municipality requires candidates to file campaign finance reports, then within 10 days after the filing deadline established by the municipality, the candidate in the municipal election shall file a copy of the campaign finance report to the State Board.

- Local Government Article § 4-108.2

1.5 Division of Candidacy and Campaign Finance

Director:

Jared DeMarinis

Candidacy and Campaign Finance Unit

Ebony Parran- Supervisor

Audit and Enforcement Unit Staff

1.6 Local Boards of Elections

County	Address	Phone	Website
Allegany	701 Kelly Road, Suite 231 Cumberland, MD 21502-3401	301-777-5931 301-777-2430 fax	http://gov.allconet.org/158/Election-Office
Anne Arundel	P.O. Box 490 Glen Burnie, MD 21060-0490	410-222-6600 410-222-6833 fax	www.aacounty.org/elections
Baltimore City	Charles L. Benton Building 417 E. Fayette Street, Room 129 Baltimore, MD 21202-3432	410-396-5550 410-962-8747 fax	http://boe.baltimorecity.gov

Baltimore Co.	11112 Gilroy Road, Suite 104 Hunt Valley, MD 21031	410-887-5700 410-887-0894 fax	http://www.baltimorecountymd.gov/Agencies/elections/index.html
Calvert	P.O. Box 798 Prince Frederick, MD 20678-0798	410-535-2214 410-535-5009 fax	http://www.co.cal.md.us/index.aspx?nid=154
Caroline	Health and Public Services Building 403 S. Seventh Street, Suite 247 Denton, MD 21629-1335	410-479-8145 410-479-5736 fax	www.carolinemdelections.org/
Carroll	300 S. Center Street, Room 212 Westminster, MD 21157-5248	410-386-2080 410-876-3925 fax	http://ccgovernment.carr.org/ccg/electionboard
Cecil	200 Chesapeake Boulevard, Suite 1900 Elkton, MD 21921-6395	410-996-5310 888-979-8183 fax	http://www.ccgov.org/government/election-board
Charles	P.O. Box 908 La Plata, MD 20646-0908	301-934-8972 301-934-6487 fax	www.CharlesCounty.org/boe/
Dorchester	P.O. Box 414 Cambridge, MD 21613-0414	410-228-2560 410-228-9635 fax	http://dorcomdelections.org/
Frederick	The Bourne Building 355 Montevue Lane, Suite 101 Frederick, MD 21702-8213	301-600-8683 301-600-2344 fax	www.FrederickCountyMD.gov/elections
Garrett	Public Service Center 2008 Maryland Highway, Suite 1 Mountain Lake Park, MD 21550	301-334-6985 301-334-6988	http://garrettcounty.org/board-of-elections
Harford	133 Industry Lane Forest Hill, MD 21050	410-638-3565 410-638-3310 fax	https://www.harfordvotes.info/
Howard	9700 Patuxent Woods Dr., Suite 200 Columbia, MD 21046	410-313-5820 410-313-5899 fax	https://www.howardcountymd.gov/BOE
Kent	135 Dixon Drive Chestertown, MD 21620-1141	410-778-0038 410-778-0265 fax	www.kentcountyelections.org
Montgomery	P.O. Box 4333 Rockville, MD 20849-4333	240-777-8500 240-777-8505 fax	www.777vote.org/
Prince George's	1100 Mercantile Lane, Suite 115A Largo, MD 20774	301-341-7300 301-341-7391 fax	https://www.princegeorgescountymd.gov/559/Board-of-Elections
Queen Anne's	110 Vincit Street, Suite 102 Centreville, MD 21617	410-758-0832 410-758-1119 fax	www.qacelections.com/
St. Mary's	P.O. Box 197 Leonardtown, MD 20650-0197	301-475-7844 301-475-4077 fax	www.co.saint-marys.md.us/supervisorofelections/
Somerset	P.O. Box 96 Princess Anne, MD 21853-0096	410-651-0767 410-651-5130 fax	http://www.co.somerset.md.us/elections.html
Talbot	P.O. Box 353 Easton, MD 21601-0353	410-770-8099 410-770-8078 fax	http://www.talbotcountymd.gov/index.php?page=Election Board
Washington	35 W. Washington Street, Room 101 Hagerstown, MD 21740	240-313-2050 240-313-2051 fax	www.washco-mdelections.org
Wicomico	P.O. Box 4091 Salisbury, MD 21803-4091	410-548-4830 410-548-4849 fax	http://www.wicomicocounty.org
Worcester	100 Belt Street Snow Hill, MD 21863-1310	410-632-1320 410-632-3031 fax	http://www.co.worcester.md.us/departments/elections

1.7 Declaratory Rulings

An interested person may petition the State Board for a declaratory ruling on the manner in which the Board would apply any of the following on the facts set forth in the petition:

- A Board regulation;

- A Board order; or
- A statute that the Board enforces.

The petition must be in writing, under oath, and filed with the State Administrator. The petition must contain the following information:

1. Name, address, and telephone number of the petitioner,
2. A detailed statement of the facts underlying the questioned applicability of the stated regulation, order, or statute; and
3. Pose the question of whether or in what manner the stated regulation, order, or statute applies to the facts contained in the petition.

Upon receipt of a petition, the State Administrator will mail the petitioner a notice of filing, indicating the date the petition was received. Within 60 days after the petition is submitted, the State Board shall consider the petition and issue a written declaratory ruling as requested, or notify the petitioner in writing of the reasons for not issuing a declaratory ruling.

A declaratory ruling binds the State Board, the local boards, and the petitioner on the facts set forth in the petition.

-COMAR 33.01.02