

The background of the cover is a photograph of a harbor at sunset. The sky is a mix of orange, yellow, and dark purple. Several sailboats are docked at a wooden pier that extends into the water. The water reflects the colors of the sky and the silhouettes of the boats and pier.

# Summary Guide

## Maryland Candidacy & Campaign Finance

**Published by:**  
**Maryland State Board of Elections**  
**Jared DeMarinis, State Administrator of Elections**  
**Division of Candidacy and Campaign Finance**  
**Allen Norfleet, Director**

**Revised: January 2025**

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## 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. My office's goal is to empower those in these roles with knowledge so they can successfully and lawfully participate in our political process.*

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

*-Allen Norfleet*

### 1.2 Definitions

- Campaign Finance Activity – means the raising and spending of 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* and Title 33, subtitle 13, of the Code of Maryland Regulations .
- Campaign Material - means any material that contains text; graphics or other images as it/they relate(s) to a candidate; prospective candidate; the approval or rejection of a question or prospective question; and is published, distributed, or disseminated. This includes a qualifying paid digital communication; any other material

transmitted by, or appearing on, the Internet or other electronic medium; an oral commercial campaign advertisement; and an automated or prerecorded oral communication.

- 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.
- Candidate - means an individual who files a certificate of candidacy for a public or party office. “Candidate” includes:
  - i. an incumbent justice of the Supreme Court of Maryland or Appellate Court of Maryland at an election for continuance in office; and
  - ii. an individual, prior to that individual filing a certificate of candidacy, if with a campaign finance entity has been established on behalf of that individual.
- 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.
- Independent Expenditure - a gift, transfer, disbursement, or promise of money or a thing of value by a person expressly advocating the success or defeat of a clearly identified candidate or ballot issue if the gift, transfer, disbursement, or promise of money or a thing of value is not made in coordination, cooperation, consultation, understanding, agreement, or concert with, or at the request or suggestion of, a candidate, a campaign finance entity of a candidate, an agent of a candidate, or a ballot issue committee.
- Legislative Party Caucus Committee - means a political committee that is

established to promote the election of candidates of a single political party to one of the two Houses of the General Assembly.

- 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, Judge of the Orphans Court, and all Baltimore City offices.
- MD CRIS- refers to the Maryland Campaign Reporting Information System (CRIS). It is the browser-based filing program for political committees to register and file campaign finance reports ([www.campaignfinance.maryland.gov](http://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.
- Slate - means a political committee of two or more candidates who join together to conduct and pay for joint campaign activities
- 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.
- Write-in candidate - means an individual whose name will not appear on the ballot but who files a certificate of candidacy

- *Md. Election Law Code Ann. § 1-101*

### **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](http://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 [https://elections.maryland.gov/campaign\\_finance/declaratory\\_rulings.html](https://elections.maryland.gov/campaign_finance/declaratory_rulings.html) and [https://elections.maryland.gov/campaign\\_finance/index.html](https://elections.maryland.gov/campaign_finance/index.html).

## **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**

Allen Norfleet, Director  
Erin Dennis, Deputy Director

### **Audit and Enforcement Unit**

Niya Awodele, Internal Audit Supervisor

## **1.6 Local Boards of Elections**

<b>County</b>	<b>Address</b>	<b>Phone</b>	<b>Website</b>
Allegany	701 Kelly Road, Suite 231 Cumberland, MD 21502-3401	301-777-5931	<a href="https://alleganygov.org/158/Election-Office">https://alleganygov.org/158/Election-Office</a>
Anne Arundel	6740 Baymeadow Drive Glen Burnie, MD 21060-0490	410-222-6600	<a href="http://www.aacounty.org/elections">www.aacounty.org/elections</a>
Baltimore City	Charles L. Benton Building 417 E. Fayette Street, Benton Office Building, Room 129 Baltimore, MD 21202-3432	410-396-5550	<a href="http://boe.baltimorecity.gov">http://boe.baltimorecity.gov</a>

County	Address	Phone	Website
Baltimore Co.	5 Crossing Way Owings Mills, Maryland 21117	410-887-5700	<a href="https://www.baltimorecountymd.gov/departments/elections">https://www.baltimorecountymd.gov/departments/elections</a>
Calvert	30 Duke Street - Lower Level Prince Frederick, MD 20678-0798	410-535-2214	<a href="https://www.calvertcountymd.gov/154/Election-Board">https://www.calvertcountymd.gov/154/Election-Board</a>
Caroline	Health and Public Services Building 403 S. Seventh Street, Suite 247 Denton, MD 21629-1335	410-479-8145	<a href="http://www.carolinemdelections.org/">www.carolinemdelections.org/</a>
Carroll	300 S. Center Street, Room 212 Westminster, MD 21157-5248	410-386-2080	<a href="https://elections.carrollcountymd.gov/">https://elections.carrollcountymd.gov/</a>
Cecil	200 Chesapeake Boulevard, Suite 1900 Elkton, MD 21921-6395	410-996-5310	<a href="https://www.ccgov.org/government/election-board">https://www.ccgov.org/government/election-board</a>
Charles	201 East Charles St La Plata, MD 20646-0908	301-934-8972	<a href="https://www.charlescountymd.gov/government/board-of-elections">https://www.charlescountymd.gov/government/board-of-elections</a>
Dorchester	1000 Goodwill Ave Cambridge, MD 21613-0414	410-228-2560	<a href="https://www.docomdelections.org/">https://www.docomdelections.org/</a>
Frederick	8490 Progress Drive, Suite 300, Frederick, MD 21701	301-600-8683	<a href="http://www.FrederickCountyMD.gov/elections">www.FrederickCountyMD.gov/elections</a>
Garrett	Public Service Center 2008 Maryland Highway, Suite 1 Mountain Lake Park, MD 21550	301-334-6985 301-334-6988	<a href="https://www.garrettcountymd.gov/elections">https://www.garrettcountymd.gov/elections</a>
Harford	133 Industry Lane Forest Hill, MD 21050	410-638-3565	<a href="https://harfordvotes.gov/">https://harfordvotes.gov/</a>
Howard	9770 Patuxent Woods Dr., Suite 200 Columbia, MD 21046	410-313-5820	<a href="https://www.howardcountymd.gov/boards-commissions/board-elections">https://www.howardcountymd.gov/boards-commissions/board-elections</a>
Kent	135 Dixon Drive Chestertown, MD 21620-1141	410-778-0038	<a href="http://www.kentcountyelections.org">www.kentcountyelections.org</a>
Montgomery	18753 N. Frederick Ave, Suite 210, Rockville, MD 20879-4333	240-777-8500	<a href="https://www.montgomerycountymd.gov/elections/">https://www.montgomerycountymd.gov/elections/</a>
Prince George's	1100 Mercantile Lane, Suite 115A Largo, MD 20774	301-341-7300	<a href="https://www.princegeorgescountymd.gov/departments-offices/board-elections">https://www.princegeorgescountymd.gov/departments-offices/board-elections</a>
Queen Anne's	110 Vincit Street, Suite 102 Centreville, MD 21617	410-758-0832	<a href="https://qac.org/562/Board-of-Elections">https://qac.org/562/Board-of-Elections</a>
St. Mary's	23250 Hollywood Road Leonardtown, MD 20650-0197	(301) 475-4200 Ext. 1625	<a href="https://www.stmaryscountymd.gov/supervisorofelections/">https://www.stmaryscountymd.gov/supervisorofelections/</a>
Somerset	11916 Somerset Ave, Room 103 Princess Anne, MD 21853-0096	410-651-0767	<a href="https://www.somersetmd.us/government/board_of_elections.php">https://www.somersetmd.us/government/board_of_elections.php</a>
Talbot	215 Bay Street Easton, MD 21601-0353	410-770-8099	<a href="https://talbotcountymd.gov/election_board">https://talbotcountymd.gov/election_board</a>
Washington	17718 Virginia Avenue, Hagerstown, MD 21740,	240-313-2050	<a href="http://www.washco-mdelections.org">www.washco-mdelections.org</a>
Wicomico	345 Snow Hill Road Salisbury, MD 21803-4091	410-548-4830	<a href="https://www.wicomicocounty.org/132/Board-of-Elections">https://www.wicomicocounty.org/132/Board-of-Elections</a>
Worcester	201 Belt Street, Suite C Snow Hill, MD 21863	410-632-1321	<a href="https://www.co.worcester.md.us/departments/board-elections">https://www.co.worcester.md.us/departments/board-elections</a>

## 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 33.01.02.01-.03**