

HOUSE BILL 1131

P5

11r1521

By: **Delegates Glenn, Anderson, Harrison, McHale, B. Robinson, Stukes, and Tarrant**

Introduced and read first time: February 11, 2011

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly – Members – Constituent Services Fund**

3 FOR the purpose of authorizing a member of the General Assembly to establish a
4 constituent services fund; authorizing a member to accept contributions to the
5 fund; prohibiting a member from spending more than a certain amount from the
6 fund in a calendar year; authorizing a member to make unlimited contributions
7 to the fund; prohibiting a person that makes contributions to the fund from
8 contributing more than a certain amount per calendar year; requiring that the
9 value of personal property donated to the fund be calculated in a certain
10 manner and prohibiting the value from exceeding a certain amount; requiring
11 that, under certain circumstances, unused funds be used in a certain manner or
12 donated to certain organizations; requiring a member who establishes a fund to
13 include certain information on the member's campaign finance reports;
14 prohibiting a member from using funds from the fund to conduct certain
15 activities or distribute certain materials; defining a certain term; and generally
16 relating to the establishment of constituent services funds by members of the
17 General Assembly.

18 BY adding to

19 Article – State Government

20 Section 2–109

21 Annotated Code of Maryland

22 (2009 Replacement Volume and 2010 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

25 **Article – State Government**

26 **2–109.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(A) IN THIS SECTION, "FUND" MEANS A CONSTITUENT SERVICES FUND**
2 **ESTABLISHED BY A MEMBER OF THE GENERAL ASSEMBLY FOR THE PURPOSE**
3 **OF PROVIDING CONSTITUENT SERVICES.**

4 **(B) (1) A MEMBER OF THE GENERAL ASSEMBLY:**

5 **(I) MAY ESTABLISH A CONSTITUENT SERVICES FUND FOR**
6 **THE PURPOSE OF PROVIDING CONSTITUENT SERVICES;**

7 **(II) MAY ACCEPT CONTRIBUTIONS TO THE FUND;**

8 **(III) MAY NOT SPEND MORE THAN \$80,000 FROM THE FUND**
9 **IN ANY CALENDAR YEAR; AND**

10 **(IV) MAY MAKE UNLIMITED CONTRIBUTIONS TO THE FUND.**

11 **(2) EXCEPT AS PROVIDED IN PARAGRAPH (1)(IV) OF THIS**
12 **SUBSECTION, A PERSON MAY NOT MAKE CONTRIBUTIONS TO A FUND THAT**
13 **EXCEED AN AGGREGATE AMOUNT OF \$500 IN A CALENDAR YEAR.**

14 **(3) CONTRIBUTIONS OF PERSONAL PROPERTY OR**
15 **CONTRIBUTIONS OF THE USE OF PERSONAL PROPERTY TO A MEMBER FOR THE**
16 **PURPOSE OF PROVIDING CONSTITUENT SERVICES SHALL BE VALUED AT THE**
17 **FAIR MARKET VALUE OF THE PROPERTY, BUT MAY NOT EXCEED \$1,000 PER**
18 **CALENDAR YEAR AT THE TIME OF THE CONTRIBUTION.**

19 **(4) IF A MEMBER IS NOT REELECTED OR CHOOSES TO NO LONGER**
20 **HAVE A FUND, ANY UNUSED FUNDS IN THE FUND SHALL BE:**

21 **(I) USED TO PAY THE DEBTS A MEMBER INCURRED FOR**
22 **THE PROVISION OF CONSTITUENT SERVICES; OR**

23 **(II) DONATED TO A NONPROFIT ORGANIZATION.**

24 **(C) IF A MEMBER ESTABLISHES A FUND, THE MEMBER SHALL REPORT**
25 **ON THE MEMBER'S CAMPAIGN FINANCE REPORTS ALL CONTRIBUTIONS MADE TO**
26 **THE FUND AND ALL EXPENDITURES FROM THE FUND.**

27 **(D) A MEMBER MAY NOT USE MONEY IN THE FUND TO CONDUCT**
28 **CAMPAIGN ACTIVITIES OR DISTRIBUTE CAMPAIGN MATERIAL.**

29 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
30 **October 1, 2011.**