

# Title 33 State Board of Elections

## Subtitle 13 Campaign Financing

### Chapter 08 Independent Expenditure Requirements

Authority: Election Law Article, §§2-102(b)(4) and 13-306, Annotated Code of Maryland

#### **.06 Failure to File.**

*A. Show Cause Notice.* If the State Board determines that there has been a failure to file an independent expenditure report or that the report does not include the information required by Election Law Article, § 13-306, Annotated Code of Maryland, the State Board shall issue a notice to the treasurer or other individual designated by an entity required to file the independent expenditure report.

*B. Contents of the Notice.* The notice shall state that, within 30 days:

(1) The failure to file must be rectified; and

(2) The late filing penalty must be paid or the person making the independent expenditure must show cause why the State Board should not issue a civil citation.

*C. Issuance of the Civil Citation.* If the person fails to respond the notice within 30 days of its issuance, the State Board shall issue a civil citation against the person making independent expenditures as specified in Election Law Article, §13-604.1, Annotated Code of Maryland.

#### **.07 Waiver Request — Late Filing Fees.**

*A. Availability.* A person making independent expenditures may request a waiver of the penalty for the late filing of the independent expenditure report.

*B. Requirements.*

(1) A request to waive the late fee penalty shall be made in writing and filed with the State Administrator.

(2) The request shall include:

(a) The name, address, and telephone number of the person making the independent expenditure;

(b) A detailed statement of the facts explaining why the person making the independent expenditure failed to timely file a statement of contributions; and

(c) A history of past compliance activity regarding the person making independent expenditures.

*C. Consideration and Determination.*

(1) With approval of the State Board, the State Administrator may waive the late filing penalty for just cause.

(2) The State Administrator may deny a waiver request without notice or hearing.

(3) The decision of the State Administrator on the waiver request shall be in writing.

*D. Issuance of the Civil Citation.* If payment of the penalty for the failure to file has not occurred within 30 days after the decision of the State Administrator, the State Board shall issue a civil citation against the person making the independent expenditure as specified in Election Law Article, §13-604.1, Annotated Code of Maryland.