

Title 33 State Board of Elections

Subtitle 13 Campaign Financing

Chapter 10 Prohibitions

Authority: Election Law Article, §§1-101(0), 1-101 (aa), 2-102(b)(4), 13-218, 13-220.1, 13-225, 13-235, 13-237, 13-239, 13-245, 13-306, 13-307, and 13-309.1 and Title 13, Subtitle 3, Annotated Code of Maryland

.02 Prohibited Contributions

A. – E. (text unchanged).

F. During General Assembly Session. During a regular session of the General Assembly, except as provided under Election Law Article, §13-236(c) and (d), Annotated Code of Maryland, a covered official or a person acting on behalf of or as an agent for the covered official may not for the benefit of any candidate or political committee set forth in §G of this Regulation:

(1) – (3) (text unchanged)

(4) Directly or indirectly solicit a contribution [or sell tickets to a fund-raising event] by any means[;] *including:*

(a) *Posting an invitation or save-the-date notice for a fundraising event on a social media account; or*

(b) *Forwarding tickets to a fund-raising event or emails soliciting a future contribution to potential*

contributors;

(5) – (6) (text unchanged)

G. – M. (text unchanged)

.03 Prohibited Expenditures.

A. (text unchanged)

B. Prohibited Expenditures. Except as provided in §C of this regulation, a political committee may not make an expenditure of campaign funds, directly or indirectly, in any amount for:

(1) – (7) (text unchanged)

(8) Tuition and any other associated costs for educational programs or schooling; [or]

(9) Administrative accounts of the political party central committee or legislative party caucus committee [.];

(10) *Dues or any other expense for:*

(a) *A legislative caucus in the General Assembly; or*

(b) *Legislative organizations affiliated with the General Assembly including Society of Senates Past, Speaker's Society and Protocol; and*

(11) *A loan to a political committee.*

C. (text unchanged)

.04 Coordinated Expenditures.

A. *Prohibited. A person or entity subject to Election Law Article, §§13-306, 13-307 and 13-309.1, Annotated Code of Maryland, may not, with respect to any disbursement, whether actual, planned, or promised, coordinate with:*

(1) *A candidate;*

(2) *A campaign finance entity of a candidate, political party or ballot issue; or*

(3) *An agent of a candidate, political party, or a ballot issue committee.*

B. *Coordinated Actions. A disbursement or a promise to make a disbursement by a person or entity subject to Election Law Article, §§13-306, 13-307 and 13-309.1, Annotated Code of Maryland, shall be deemed coordinated and an in-kind contribution to the candidate, political party or ballot issue committee if the disbursement:*

(1) *Is made at the request, direction or suggestion of the candidate or agent of the candidate, political party or ballot issue committee;*

(2) *Uses campaign material, strategies, or other campaign information that is not generally available to the public and was shared by a candidate or an agent of the candidate, political party, or ballot issue committee including information relating to:*

(a) *Messaging or content of an advertisement;*

(b) *Polling data;*

(c) *Research on a candidate or issue;*

(d) *Allocation of campaign resources;*

(e) *Targeted or intended audience; or*

(f) *Media plans for making a public communication, for example the specific media outlet to be used, the timing, frequency, or schedule for making the communication, and similar information.*

(1) *Republishes substantial portions of campaign material prepared by the candidate, ballot issue committee or political party;*

(2) *Is made after details of the disbursement are privately discussed or disclosed with the candidate or agents of the candidate, political party, or ballot issue committee; or*

(3) Involves any agreement between the person or entity and the candidate, political party or ballot issue committee regarding payment of expenses or receipt of contributions, including designs or schemes to evade Election Law disclosure requirements or contribution limits.