

State of Maryland

Comparison of Title 14 Requirements

OLD TITLE 14	NEW TITLE 14
Who was required to file: <p>A person who does public business in the State and makes campaign contributions in excess of \$500 to a candidate or incumbent office holder.</p> <p>A person is doing public business in the State if the person is conducting business with one or more government agencies (including the State, any county, municipal corporation, or other political subdivision of the State, and any agencies of the State or its political subdivisions), involving consideration of \$100,000 or more during a 12 month period.</p>	Who is required to file: <p>Any person with a single contract with a single governmental entity of \$200,000 or more.</p>
How and where to File: <p>A person would submit a paper statement to the State Board of Elections.</p>	How and where to File: <p>A person must electronically file reports using the Maryland Business Contribution Disclosure System (BCDS) to the State Board of Elections.</p> <p>A person must register the business prior to the submission of any report in order to receive a temporary password and username. The system is a browser-based filing program.</p>
What was a contract: <p>A sale, purchase, lease or other agreement</p>	What is a contract: <p>An agreement entered into by governmental entity for a procurement.</p> <p>Procurement means leasing real or personal property as lessee or buying or otherwise obtaining supplies, services, construction, construction related services, and other services</p>
What was an applicable contribution: <p>A person has made an applicable campaign contribution if, during the reporting period, the person has given one or a series of contributions in excess of \$500 to a candidate.</p>	What is an applicable contribution: <p>A contribution of ANY amount by a person or attributed to a person to a candidate for an office of a governmental entity with which the person is doing public business.</p>
Does it apply to Municipal level candidates and incumbents: <p>Yes</p>	Does it apply to Municipal level candidates and incumbents: <p>Yes</p>
Are contributions to slate committees attributed to a candidate for the purposes of this title:	Are contributions to slate committees attributed to a candidate for the purposes of this title:

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Yes	Yes
When were filings due: Initial Report is due when a contract is made that caused the person to be doing public business. Then Statements of Contributions were due every 6 months on February 5 and August 5.	When are filings due: Initial Report is due when a contract is awarded . Then Statements of Contributions were due every 6 months on February 5 and August 5.
Reporting Periods: Initial Report: 24 months prior to when a contract is made that caused a person to be doing public business February 5 report- August 1 of the preceding year to January 31 August 5 report- February 1 to July 31	Reporting Periods: Initial Report: 24 months prior to when a contract is awarded February 5 report- August 1 of the preceding year to January 31 August 5 report- February 1 to July 31
Attribution of Contributions: A contribution by the following are attributable to the business entity: i. A subsidiary of the business entity ii. An officer, director, or partner of the business entity; iii. An officer, director, or partner of the subsidiary; iv. A Political Action Committee sponsored by the business entity; or v. An employee or agent of the business entity or of its subsidiary, if the employee or agent makes a contribution at the direction of the business entity or the subsidiary. Terms “officer” and “director” were not defined, there was no distinction between “real” and “titular” officers and directors. If 30% or more of the equity of the subsidiary is owned or controlled by the business entity, it is attributed to the business entity.	Attribution of Contributions: A contribution by the following are attributable to the business entity: i. A subsidiary of the business entity ii. An officer, director, or partner of the business entity; iii. An officer, director, or partner of the subsidiary; iv. A Political Action Committee sponsored by the business entity; or v. An employee or agent of the business entity or of its subsidiary, if the employee or agent makes a contribution at the direction of the business entity or the subsidiary. Terms “officer” and “director” are defined. Officer means a CEO, President, vice president, secretary, treasurer, chief financial officer, managing partner, managing member, or principal. Director means a member of the board of directors. If 30% or more of the equity of the subsidiary is owned or controlled by the business entity, it is attributed to the business entity.
Reports to the CEO:	Reports to the CEO:

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Each officer, director, partner, employee, agent, or other person who at suggestion or direction of the business entity makes an applicable contribution shall report the applicable contribution to the CEO	Each officer, director, partner, employee, agent, or other person who at suggestion or direction of the business entity makes an applicable contribution shall report the applicable contribution to the CEO. The difference is change in the definition of applicable contribution.
When were applicable contributions disclosed: Applicable contributions by attributable sources to a candidate in a cumulative amount in excess of \$500 were disclosed on the contribution disclosure report.	When are applicable contributions disclosed: After CEO receives the report on all applicable contributions to candidates, only contributions in the cumulative amount of \$500 or more to a single candidate are disclosed on the contribution disclosure report.
Retention of Records: No specific reference in the law.	Retention of Records: A person doing public business shall maintain detailed and accurate records of contracts made that causes the person to be doing public business and applicable contributions made for 10 years after the creation of the record or 4 years after the performance on the contract is completed.
Violations: A person who knowingly and willfully violated Title 14 may be fined up to \$1,000 and/or imprisonment not to exceed 1 year.	Violations: A person who knowingly and willfully violated Title 14 may be fined up to \$1,000 and/or imprisonment not to exceed 1 year. Late fees will be imposed for late filings or amended filings of \$10 per day up to \$500.
Verification by the governmental entity awarding the contract: Not a requirement.	Verification by the governmental entity awarding the contract: The governmental entity that awarded the contract shall require the person to certify that the person has filed the initial statement and notify the State Board of the Elections if the person fails to do so.