



Legislation Details (With Text)

**File #:** O-15-21      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Adopted

**File created:** 5/3/2021      **In control:** Rules and City Government Committee

**On agenda:** 6/28/2021      **Final action:** 6/28/2021

**Title:** Elections - Independent Expenditure Report - For the purpose of requiring the filing of Independent Expenditure Reports; providing reporting procedures and requirements; adopting state provisions; providing certain definitions; providing penalties; and generally relating to Independent Expenditure Reports.

**Sponsors:** Rob Savidge, Ross Arnett, Elly Tierney, Brooks Schandelmeier

**Indexes:** Rules and City Government Committee

**Code sections:**

**Attachments:** 1. O-15-21 First Reader, 2. O-15-21 Staff Report, 3. O-15-21 Fiscal Impact Note, 4. O-15-21 SIGNED

Date	Ver.	Action By	Action	Result
6/28/2021	1	City Council	adopt on second reader	Pass
6/28/2021	1	City Council	adopt on third reader	Pass
6/28/2021	1	City Council	Cosponsor added	
6/28/2021	1	City Council	Cosponsor added	
6/28/2021	1	City Council	Cosponsor added	
6/8/2021	1	Rules and City Government Committee	recommend favorably	Pass
5/24/2021	1	City Council	declare the public hearing closed	
5/10/2021	1	City Council	refer to Annapolis Education Commission	
5/10/2021	1	City Council	adopt on first reader	Pass

**Elections - Independent Expenditure Report** - For the purpose of requiring the filing of Independent Expenditure Reports; providing reporting procedures and requirements; adopting state provisions; providing certain definitions; providing penalties; and generally relating to Independent Expenditure Reports.

**CITY COUNCIL OF THE  
City of Annapolis**

**Ordinance 15-21**

**Introduced by: Alderman Savidge**  
**Co-sponsored by: Alderman Arnett, Alderwoman Tierney,  
Alderman Schandelmeier**

**Referred to  
Rules and City Government Committee**  
**90 day Rule:** \_\_\_\_\_

AN ORDINANCE concerning

**Elections - Independent Expenditure Report**

**FOR** the purpose of requiring the filing of Independent Expenditure Reports; providing reporting procedures and requirements; adopting state provisions; providing certain definitions; providing penalties; and generally relating to Independent Expenditure Reports.

**BY** repealing and re-enacting with amendments the following portions of the Code of the City of Annapolis, 2021 Edition  
4.44.080  
4.44.090

**BY** adding the following portions to the Code of the City of Annapolis, 2021 Edition  
4.44.085

**SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

**Title 4 - ELECTIONS**

**Chapter 4.44 - FAIR ELECTION PRACTICES**

**Section 4.44.080 - Election reports required.**

A. A candidate to public or party office, and the treasurer designated by that candidate shall file and sign the report or statement of contributions, loans and expenditures as prescribed in accordance with this chapter with the board. ~~UNLESS A FINAL REPORT IS SUBMITTED PURSUANT TO SUBSECTION F, Election~~ ELECTION reports as specified below are required by all candidates for public or party office, whether or not the candidate's name appears on the primary ballot, the candidate withdraws subsequent to filing the candidate's certificate of candidacy or the candidate is unsuccessful in the election. Each report filed shall contain all contributions received and expenditures made in furtherance of the candidate's nomination or election by the candidate personally or, with the knowledge of the candidate, by any other person or groups of persons. The report shall be completed, except as otherwise provided in this section, ~~through and including the Sunday immediately preceding the day by which that report is to be filed.~~ The initial report filed shall contain all contributions and loans received and expenditures made since the date of the last preceding election to fill the office for which the person is a candidate. Each subsequent report shall contain all contributions and loans received and expenditures made since the end of the period for which the last preceding report was filed. A statement to that effect must be included on the forms prescribed pursuant to this chapter. The reports shall be filed as follows FOR EACH OF THE FOLLOWING REPORTING PERIODS:

1. No later than the fourth Tuesday preceding any primary election;
2. No later than the Tuesday immediately preceding any primary election;
3. No later than the fourth Tuesday preceding any general election;
4. No later than the Tuesday immediately preceding any general election;
5. No later than seven days prior to any special election;
6. No later than July 1st in any year in which there is no election for City Council notwithstanding special elections; and
7. No later than December 1st following a general election. This report shall cover the balance of the

preceding election cycle which ends on the day of the general election.

- B. Any report filed pursuant to Subdivisions 1 through 6 of Subsection A of this section shall be completed through and including the previous Sunday.
- C. If a candidate does not intend to receive contributions or make expenditures of ~~one hundred dollars~~\$100 or more, exclusive of the candidate's filing fee, the candidate and the candidate's treasurer jointly may execute an affidavit to that effect on a form prescribed by the board. If the candidate, in fact, does not receive contributions or make expenditures of ~~one hundred dollars~~\$100 or more, no further reports need be filed pursuant to this section. The affidavit shall be filed not later than the date by which the first report is due. If at any time the cumulative contributions to or expenditures by a candidate who has filed such an affidavit equal or exceed ~~one hundred dollars~~\$100, the candidate and the candidate's treasurer thereafter shall file all reports required by this section, and failure to do so constitutes a failure to file and the commission of a misdemeanor, subject to the penalties prescribed in this chapter.
- D. It is the responsibility of the candidate and treasurer, jointly and severally, if it is the statement of a committee, to file all reports or statements in full and accurate detail.
- E. The chair and the treasurer of any central committee, political committee, or partisan organization, excluding the chairmen and treasurers of political clubs, shall file the report or statement of contributions, loans and expenditures as prescribed in accordance with this chapter with the board at each of the times and for the respective periods specified in this section.
- F. IF A CANDIDATE HAS NEITHER A CASH BALANCE NOR AN OUTSTANDING OBLIGATION AT THE END OF A REPORTING PERIOD, A CANDIDATE REPORT FOR THAT REPORTING PERIOD, CLEARLY MARKED AS "FINAL", SHALL BE FILED ON OR BEFORE THE APPLICABLE DUE DATE, AND NO FURTHER REPORT IS REQUIRED.

#### **SECTION 4.44.085 - INDEPENDENT EXPENDITURE REPORT.**

**A. DEFINITIONS.** IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

"CAMPAIGN MATERIAL" MEANS ANY MATERIAL THAT:

- (1) CONTAINS TEXT, GRAPHICS, OR OTHER IMAGES;
- (2) RELATES TO A CANDIDATE, A PROSPECTIVE CANDIDATE, OR THE APPROVAL OR REJECTION OF A BALLOT QUESTION OR PROSPECTIVE BALLOT QUESTION; AND
- (3) IS PUBLISHED, DISTRIBUTED, OR DISSEMINATED.

CAMPAIGN MATERIAL INCLUDES:

- (1) A QUALIFYING PAID DIGITAL COMMUNICATION;
- (2) ANY OTHER MATERIAL TRANSMITTED BY OR APPEARING ON THE INTERNET OR OTHER ELECTRONIC MEDIUM;
- (3) AN ORAL COMMERCIAL CAMPAIGN ADVERTISEMENT; AND
- (4) AN AUTOMATED OR PRERECORDED ORAL COMMUNICATION.

"DONATION" MEANS THE GIFT OR TRANSFER, OR PROMISE OF GIFT OR TRANSFER, OF MONEY OR OTHER THING OF VALUE TO A PERSON WHO MAKES INDEPENDENT EXPENDITURES. "DONATION" DOES NOT INCLUDE ANY AMOUNT OF MONEY OR ANY OTHER THING OF VALUE:

- (1) RECEIVED BY A PERSON IN THE ORDINARY COURSE OF ANY TRADE OR BUSINESS CONDUCTED BY THE PERSON, WHETHER FOR PROFIT OR NOT FOR PROFIT, OR IN THE FORM OF INVESTMENTS IN THE PERSON'S BUSINESS; OR
- (2) A. THAT THE DONOR AND THE PERSON RECEIVING THE MONEY OR THING OF VALUE EXPRESSLY AGREE IN WRITING MAY NOT BE USED FOR INDEPENDENT EXPENDITURES; AND

B. IN THE CASE OF A MONETARY DONATION, IS DEPOSITED IN A SEPARATE BANK ACCOUNT THAT IS NEVER USED FOR INDEPENDENT EXPENDITURES.

"E-MAIL BLAST" MEANS A TRANSMISSION OF ELECTRONIC MAIL MESSAGES OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE TO 5,000 OR MORE E-MAIL ACCOUNTS SIMULTANEOUSLY.

"INDEPENDENT EXPENDITURE" MEANS 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 QUESTION 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 POLITICAL COMMITTEE OF A CANDIDATE, OR AN AGENT OF A CANDIDATE. FOR PURPOSES OF THIS DEFINITION.

"CLEARLY IDENTIFIED" MEANS:

- (1) THE NAME OF THE CANDIDATE APPEARS;
- (2) A PHOTOGRAPH OR DRAWING OF THE CANDIDATE APPEARS; OR
- (3) THE IDENTITY OF THE CANDIDATE OR BALLOT QUESTION IS APPARENT BY UNAMBIGUOUS REFERENCE.

"MASS MAILING" MEANS A MAILING BY UNITED STATES MAIL OR FACSIMILE OF MORE THAN 500 PIECES OF MAIL MATTER OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE WITHIN ANY 30-DAY PERIOD.

"ONLINE PLATFORM" MEANS ANY PUBLIC-FACING WEBSITE, WEB APPLICATION, OR DIGITAL APPLICATION, INCLUDING A SOCIAL NETWORK, AD NETWORK, OR SEARCH ENGINE, THAT:

- (1) HAS 100,000 OR MORE UNIQUE MONTHLY UNITED STATES VISITORS OR USERS FOR A MAJORITY OF MONTHS DURING THE IMMEDIATELY PRECEDING 12 MONTHS; AND
- (2) RECEIVES PAYMENT FOR QUALIFYING PAID DIGITAL COMMUNICATIONS.

"PERSON" INCLUDES AN INDIVIDUAL, A PARTNERSHIP, A COMMITTEE, AN ASSOCIATION, A CORPORATION, A LABOR ORGANIZATION, AND ANY OTHER ORGANIZATION OR GROUP OF PERSONS. PERSON DOES NOT INCLUDE A POLITICAL COMMITTEE AS DEFINED IN THIS TITLE.

"PUBLIC COMMUNICATION" MEANS A COMMUNICATION BY MEANS OF ANY BROADCAST TELEVISION OR RADIO COMMUNICATION, CABLE TELEVISION COMMUNICATION, SATELLITE TELEVISION, RADIO COMMUNICATION, ONLINE PLATFORM, NEWSPAPER, MAGAZINE, OUTDOOR ADVERTISING FACILITY, MASS MAILING, E-MAIL BLAST, TEXT BLAST, QUALIFYING PAID DIGITAL COMMUNICATION, OR TELEPHONE BANK TO THE GENERAL PUBLIC, OR ANY OTHER FORM OF GENERAL PUBLIC POLITICAL ADVERTISING.

"PUBLIC COMMUNICATION" DOES NOT INCLUDE:

- (1) A NEWS STORY, A COMMENTARY, OR AN EDITORIAL DISSEMINATED BY A BROADCASTING STATION, INCLUDING A CABLE TELEVISION OPERATOR, PROGRAMMER, OR PRODUCER, SATELLITE TELEVISION OR RADIO PROVIDER, WEBSITE, NEWSPAPER, MAGAZINE, OR OTHER PERIODICAL PUBLICATION, INCLUDING ANY INTERNET OR ELECTRONIC PUBLICATION, THAT IS NOT CONTROLLED BY A

CANDIDATE OR POLITICAL PARTY;

- (2) AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A MEMBERSHIP ENTITY, AS DEFINED UNDER § 13-243 OF THE ELECTION LAW ARTICLE OF THE MARYLAND ANNOTATED CODE, AS MAY BE AMENDED, TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES; OR
- (3) A CANDIDATE DEBATE OR FORUM.

"QUALIFYING PAID DIGITAL COMMUNICATION" MEANS ANY ELECTRONIC COMMUNICATION THAT:

- (1) IS CAMPAIGN MATERIAL;
- (2) IS PLACED OR PROMOTED FOR A FEE ON AN ONLINE PLATFORM;
- (3) IS DISSEMINATED TO 500 OR MORE INDIVIDUALS; AND
- (4) DOES NOT PROPOSE A COMMERCIAL TRANSACTION.

"TELEPHONE BANK" MEANS MORE THAN 500 TELEPHONE CALLS OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE WITHIN ANY 30-DAY PERIOD.

"TEXT BLAST" MEANS A TRANSMISSION OF TEXT MESSAGES OF AN IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE TO 1,000 OR MORE TELEPHONE NUMBERS SIMULTANEOUSLY.

**B. IN GENERAL -- EXPENDITURES OF \$5,000 OR MORE.** WITHIN 48 HOURS AFTER A PERSON MAKES AGGREGATE INDEPENDENT EXPENDITURES OF \$ 5,000 OR MORE IN AN ELECTION CYCLE FOR CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION, THE PERSON SHALL FILE A REGISTRATION FORM WITH THE BOARD.

**C. IN GENERAL -- EXPENDITURES OF \$10,000 OR MORE.** WITHIN 48 HOURS AFTER A DAY ON WHICH A PERSON MAKES AGGREGATE INDEPENDENT EXPENDITURES OF \$ 10,000 OR MORE IN AN ELECTION CYCLE FOR CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION, THE PERSON SHALL FILE AN INDEPENDENT EXPENDITURE REPORT WITH THE BOARD.

**D. ADDITIONAL REPORT FOR REPORTS FOLLOWING CLOSING DATE OF PREVIOUS REPORT FOR EXPENDITURES OF \$10,000 OR MORE.** A PERSON WHO FILES AN INDEPENDENT EXPENDITURE REPORT UNDER SUBSECTION (C) OF THIS SECTION SHALL FILE AN ADDITIONAL INDEPENDENT EXPENDITURE REPORT WITH THE BOARD WITHIN 48 HOURS AFTER A DAY ON WHICH THE PERSON MAKES AGGREGATE INDEPENDENT EXPENDITURES OF \$ 10,000 OR MORE FOR CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION FOLLOWING THE CLOSING DATE OF THE PERSON'S PREVIOUS INDEPENDENT EXPENDITURE REPORT.

**E. CONTENTS.** AN INDEPENDENT EXPENDITURE REPORT SHALL INCLUDE THE FOLLOWING INFORMATION:

- (1) THE IDENTITY OF THE PERSON MAKING THE INDEPENDENT EXPENDITURES AND OF THE PERSON EXERCISING DIRECTION OR CONTROL OVER THE ACTIVITIES OF THE PERSON MAKING THE INDEPENDENT EXPENDITURES;

- (2) THE BUSINESS ADDRESS OF THE PERSON MAKING THE INDEPENDENT EXPENDITURES;
- (3) THE AMOUNT AND DATE OF EACH INDEPENDENT EXPENDITURE DURING THE PERIOD COVERED BY THE REPORT AND THE PERSON TO WHOM THE EXPENDITURE WAS MADE;
- (4) THE CANDIDATE OR BALLOT QUESTION TO WHICH THE INDEPENDENT EXPENDITURE RELATES AND WHETHER THE INDEPENDENT EXPENDITURE SUPPORTS OR OPPOSES THAT CANDIDATE OR BALLOT QUESTION; AND
- (5) THE IDENTITY OF EACH PERSON WHO MADE CUMULATIVE DONATIONS OF \$6,000 OR MORE TO THE PERSON MAKING THE INDEPENDENT EXPENDITURES DURING THE PERIOD COVERED BY THE REPORT.

**F. EXECUTION OF CONTRACT TO MAKE INDEPENDENT EXPENDITURE.** FOR PURPOSES OF THIS SECTION, A PERSON SHALL BE CONSIDERED TO HAVE MADE AN INDEPENDENT EXPENDITURE IF THE PERSON HAS EXECUTED A CONTRACT TO MAKE AN INDEPENDENT EXPENDITURE.

**G. COST OF CAMPAIGN MATERIAL.** THE COST OF CREATING AND DISSEMINATING CAMPAIGN MATERIAL, INCLUDING ANY DESIGN AND PRODUCTION COSTS, SHALL BE CONSIDERED IN DETERMINING THE AGGREGATE AMOUNT OF INDEPENDENT EXPENDITURES MADE BY A PERSON FOR CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION UNDER THIS SECTION.

**H. WHO SHALL SIGN AND FILE REPORT.** -- THE TREASURER OR OTHER INDIVIDUAL DESIGNATED BY AN ENTITY REQUIRED TO FILE AN INDEPENDENT EXPENDITURE REPORT UNDER THIS SECTION:

- (1) SHALL SIGN EACH INDEPENDENT EXPENDITURE REPORT; AND
- (2) IS RESPONSIBLE FOR FILING INDEPENDENT EXPENDITURE REPORTS IN FULL AND ACCURATE DETAIL.

**I. IDENTIFICATION OF REGISTERED AGENT -- AGGREGATE INDEPENDENT EXPENDITURES OF \$25,000 OR MORE.**

1. WITHIN 48 HOURS AFTER A PERSON MAKES AGGREGATE INDEPENDENT EXPENDITURES OF \$25,000 OR MORE IN AN ELECTION CYCLE FOR CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION, THE PERSON SHALL IDENTIFY A REGISTERED AGENT LOCATED IN THE CITY FOR SERVICE OF PROCESS.
2. A PERSON MAKING INDEPENDENT EXPENDITURES SHALL IDENTIFY A REGISTERED AGENT ON A FORM PRESCRIBED BY THE BOARD.

**J. FAILURE TO FILE REPORT; PENALTIES.**

1. IF A PERSON FAILS TO PROVIDE ON AN INDEPENDENT EXPENDITURE REPORT ALL OF THE INFORMATION REQUIRED BY THIS SECTION SHALL, THEN:
  - (I) THE BOARD SHALL NOTIFY THE RESPONSIBLE OFFICERS IN WRITING OF THE PARTICULAR DEFICIENCIES; AND
  - (II) THE RESPONSIBLE OFFICERS SHALL FILE AN AMENDED REPORT THAT INCLUDES ALL OF THE INFORMATION REQUIRED WITHIN 30 DAYS AFTER SERVICE OF THE

NOTICE.

2 (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH, IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW, THE BOARD MAY ASSESS A LATE FILING FEE FOR FAILURE TO FILE PROPERLY AN INDEPENDENT EXPENDITURE REPORT OR AN AMENDED INDEPENDENT EXPENDITURE REPORT IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

- (1) \$1,000 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE REPORT IS OVERDUE; OR
- (2) 10% OF THE AMOUNT OF THE DONATIONS OR INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.

(II) IF THE FAILURE TO FILE PROPERLY AN INDEPENDENT EXPENDITURE REPORT OR AN AMENDED INDEPENDENT EXPENDITURE REPORT OCCURS MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL ELECTION, THE BOARD MAY ASSESS A LATE FILING FEE IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

- (1) \$100 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE REPORT IS OVERDUE; OR
- (2) 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.

3. A LATE FILING FEE UNDER THIS SUBSECTION SHALL BE THE JOINT AND SEVERAL LIABILITY OF:

- (1) THE PERSON MAKING INDEPENDENT EXPENDITURES;
- (2) THE TREASURER OR OTHER INDIVIDUAL WHO SIGNS AND FILES THE REPORTS REQUIRED BY THIS SECTION FOR THE PERSON MAKING INDEPENDENT EXPENDITURES; AND
- (3) THE PERSON EXERCISING DIRECTION OR CONTROL OVER THE ACTIVITIES OF THE PERSON MAKING INDEPENDENT EXPENDITURES.

**K. EFFECT OF FAILURE TO PAY LATE FILING FEE.** IF A TREASURER OF A PERSON MAKING INDEPENDENT EXPENDITURES OR A PERSON EXERCISING DIRECTION OR CONTROL OVER THE ACTIVITIES OF A PERSON MAKING INDEPENDENT EXPENDITURES HAS FAILED TO PAY ANY LATE FILING FEE UNDER THIS SECTION FOR WHICH THE INDIVIDUAL IS RESPONSIBLE, THE INDIVIDUAL MAY NOT:

- (1) SERVE AS THE RESPONSIBLE OFFICER OF A POLITICAL COMMITTEE;
- (2) SERVE IN ANY POSITION OF RESPONSIBILITY IN ANY OTHER ENTITY SUBJECT TO REGULATION UNDER THIS TITLE; OR
- (3) ASSIST IN THE FORMATION OF A POLITICAL COMMITTEE OR ANY OTHER ENTITY SUBJECT TO REGULATION UNDER THIS TITLE.

**L. ADDITIONAL REQUIREMENTS.**

1. AN ENTITY REQUIRED TO FILE AN INDEPENDENT EXPENDITURE REPORT UNDER THIS SECTION SHALL DO AT LEAST ONE OF THE FOLLOWING, UNLESS NEITHER ARE APPLICABLE TO THE ENTITY:
  - (I) IF THE ENTITY SUBMITS REGULAR, PERIODIC REPORTS TO ITS SHAREHOLDERS, MEMBERS, OR DONORS, INCLUDE IN EACH REPORT, IN A CLEAR AND CONSPICUOUS MANNER, THE INFORMATION SPECIFIED IN SUBSECTION (E)(3) THROUGH (5) OF THIS SECTION FOR EACH INDEPENDENT EXPENDITURE MADE DURING THE PERIOD COVERED BY THE REPORT THAT MUST BE INCLUDED IN AN INDEPENDENT EXPENDITURE REPORT; OR
  - (II) IF THE ENTITY MAINTAINS AN INTERNET SITE, POST ON THAT INTERNET SITE A HYPERLINK FROM ITS HOMEPAGE TO THE INTERNET SITE WHERE THE ENTITY'S INDEPENDENT EXPENDITURE REPORT INFORMATION IS PUBLICLY AVAILABLE.
2. AN ENTITY SHALL POST THE HYPERLINK REQUIRED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION WITHIN 24 HOURS OF THE ENTITY'S INDEPENDENT EXPENDITURE REPORT INFORMATION BEING MADE PUBLICLY AVAILABLE ON THE INTERNET, AND THE HYPERLINK SHALL REMAIN POSTED ON THE ENTITY'S INTERNET SITE UNTIL THE END OF THE ELECTION CYCLE DURING WHICH THE ENTITY FILED AN INDEPENDENT EXPENDITURE REPORT.

**M. DETAILED AND ACCURATE RECORDS.**

1. A PERSON REQUIRED TO FILE AN INDEPENDENT EXPENDITURE REPORT UNDER THIS SECTION SHALL KEEP DETAILED AND ACCURATE RECORDS OF:
  - (I) ALL INDEPENDENT EXPENDITURES MADE BY THE PERSON FOR CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION; AND
  - (II) ALL DONATIONS RECEIVED BY THE PERSON.
2. RECORDS REQUIRED TO BE KEPT UNDER THIS SUBSECTION SHALL BE PRESERVED FOR 2 YEARS AFTER THE END OF THE ELECTION CYCLE IN WHICH THE PERSON FILED THE INDEPENDENT EXPENDITURE REPORT TO WHICH THE RECORDS RELATE.

**N. REGULATIONS.** THE BOARD MAY ADOPT REGULATIONS AS NECESSARY TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION.

**O. STATE PROVISIONS ADOPTED.** EXCEPT AS OTHERWISE PROVIDED BY THIS SECTION, THE PROVISIONS OF TITLE 13 OF THE ELECTION LAW ARTICLE OF THE MARYLAND ANNOTATED CODE, AS THE SAME FROM TIME TO TIME MAY BE AMENDED, AS RELATES TO INDEPENDENT EXPENDITURES ARE APPLICABLE AND EFFECTIVE WITHIN THE CITY AS THOUGH THOSE PROVISIONS WERE SET FORTH AT LENGTH IN THIS SECTION. THE BOARD MAY CONSULT WITH THE MARYLAND STATE BOARD OF ELECTIONS IN DETERMINING HOW TO APPLY AND ENFORCE THIS SECTION, AND THE RELATED STATE LAW PROVISIONS.

**4.44.090 - Forms.**

- A. ~~The ANY forms REQUIRED BY THIS CHAPTER for the "report, or statement of campaign and election contributions and expenditures" and the "schedule of receipts and disbursements"~~ shall be prescribed by the board.
- B. In lieu of filing the prescribed forms, the board may allow the filing of a computer printout which contains the requisite information.

**SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.

**Explanation:**

UPPERCASE indicates matter added to existing law.  
~~Strike through~~ indicates matter stricken from existing law.  
Underlining indicates amendments.