

1 **..Title**

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

6 **..Body**

7 **CITY COUNCIL OF THE**
8 **City of Annapolis**

9
10 **Ordinance 15-21**

11
12 **Introduced by: Alderman Savidge**
13 **Co-sponsored by:**

14
15 **Referred to**
16 **Rules and City Government Committee**

17 **90 day Rule:** _____

18
19 **AN ORDINANCE** concerning

20
21 **Elections – Independent Expenditure Report**

22
23 **FOR** the purpose of requiring the filing of Independent Expenditure Reports; providing reporting
24 procedures and requirements; adopting state provisions; providing certain definitions;
25 providing penalties; and generally relating to Independent Expenditure Reports.

26
27
28 **BY** repealing and re-enacting with amendments the following portions of the Code of the City
29 of Annapolis, 2021 Edition
30 4.44.080
31 4.44.090

32
33 **BY** adding the following portions to the Code of the City of Annapolis, 2021 Edition
34 4.44.085

35
36
37 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
38 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

39
40 **Title 4 – ELECTIONS**
41 **Chapter 4.44 - FAIR ELECTION PRACTICES**
42 **Section 4.44.080 - Election reports required.**

43
44 A. A candidate to public or party office, and the treasurer designated by that candidate shall file
45 and sign the report or statement of contributions, loans and expenditures as prescribed in
46 accordance with this chapter with the board. UNLESS A FINAL REPORT IS SUBMITTED

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

- 16 1. No later than the fourth Tuesday preceding any primary election;
 - 17 2. No later than the Tuesday immediately preceding any primary election;
 - 18 3. No later than the fourth Tuesday preceding any general election;
 - 19 4. No later than the Tuesday immediately preceding any general election;
 - 20 5. No later than seven days prior to any special election;
 - 21 6. No later than July 1st in any year in which there is no election for City Council
22 notwithstanding special elections; and
 - 23 7. No later than December 1st following a general election. This report shall cover the
24 balance of the preceding election cycle which ends on the day of the general election.
- 25 B. Any report filed pursuant to Subdivisions 1 through 6 of Subsection A of this section shall be
26 completed through and including the previous Sunday.
- 27 C. If a candidate does not intend to receive contributions or make expenditures of ~~one hundred~~
28 ~~dollars~~ \$100 or more, exclusive of the candidate's filing fee, the candidate and the candidate's
29 treasurer jointly may execute an affidavit to that effect on a form prescribed by the board. If
30 the candidate, in fact, does not receive contributions or make expenditures of ~~one hundred~~
31 ~~dollars~~ \$100 or more, no further reports need be filed pursuant to this section. The affidavit
32 shall be filed not later than the date by which the first report is due. If at any time the
33 cumulative contributions to or expenditures by a candidate who has filed such an affidavit
34 equal or exceed ~~one hundred dollars~~ \$100, the candidate and the candidate's treasurer thereafter
35 shall file all reports required by this section, and failure to do so constitutes a failure to file
36 and the commission of a misdemeanor, subject to the penalties prescribed in this chapter.
- 37 D. It is the responsibility of the candidate and treasurer, jointly and severally, if it is the statement
38 of a committee, to file all reports or statements in full and accurate detail.
- 39 E. The chair and the treasurer of any central committee, political committee, or partisan
40 organization, excluding the chairmen and treasurers of political clubs, shall file the report or
41 statement of contributions, loans and expenditures as prescribed in accordance with this
42 chapter with the board at each of the times and for the respective periods specified in this
43 section.
- 44 F. IF A CANDIDATE HAS NEITHER A CASH BALANCE NOR AN OUTSTANDING
45 OBLIGATION AT THE END OF A REPORTING PERIOD, A CANDIDATE REPORT
46 FOR THAT REPORTING PERIOD, CLEARLY MARKED AS "FINAL", SHALL BE

1 FILED ON OR BEFORE THE APPLICABLE DUE DATE, AND NO FURTHER REPORT
2 IS REQUIRED.

3
4 **SECTION 4.44.085 – INDEPENDENT EXPENDITURE REPORT.**

5
6 A. **DEFINITIONS.** IN THIS SECTION THE FOLLOWING WORDS HAVE THE
7 MEANINGS INDICATED.

8
9 "CAMPAIGN MATERIAL" MEANS ANY MATERIAL THAT:

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

15 CAMPAIGN MATERIAL INCLUDES:

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

21
22 "DONATION" MEANS THE GIFT OR TRANSFER, OR PROMISE OF GIFT OR TRANSFER,
23 OF MONEY OR OTHER THING OF VALUE TO A PERSON WHO MAKES INDEPENDENT
24 EXPENDITURES. "DONATION" DOES NOT INCLUDE ANY AMOUNT OF MONEY OR
25 ANY OTHER THING OF VALUE:

- 26 (1) RECEIVED BY A PERSON IN THE ORDINARY COURSE OF ANY TRADE OR
27 BUSINESS CONDUCTED BY THE PERSON, WHETHER FOR PROFIT OR NOT
28 FOR PROFIT, OR IN THE FORM OF INVESTMENTS IN THE PERSON'S
29 BUSINESS; OR
30 (2) A. THAT THE DONOR AND THE PERSON RECEIVING THE MONEY OR
31 THING OF VALUE EXPRESSLY AGREE IN WRITING MAY NOT BE USED FOR
32 INDEPENDENT EXPENDITURES; AND
33 B. IN THE CASE OF A MONETARY DONATION, IS DEPOSITED IN A
34 SEPARATE BANK ACCOUNT THAT IS NEVER USED FOR INDEPENDENT
35 EXPENDITURES.

36
37 "E-MAIL BLAST" MEANS A TRANSMISSION OF ELECTRONIC MAIL MESSAGES OF AN
38 IDENTICAL OR SUBSTANTIALLY SIMILAR NATURE TO 5,000 OR MORE E-MAIL
39 ACCOUNTS SIMULTANEOUSLY.

40
41 "INDEPENDENT EXPENDITURE" MEANS A GIFT, TRANSFER, DISBURSEMENT, OR
42 PROMISE OF MONEY OR A THING OF VALUE BY A PERSON EXPRESSLY
43 ADVOCATING THE SUCCESS OR DEFEAT OF A CLEARLY IDENTIFIED CANDIDATE
44 OR BALLOT QUESTION IF THE GIFT, TRANSFER, DISBURSEMENT, OR PROMISE OF
45 MONEY OR A THING OF VALUE IS NOT MADE IN COORDINATION, COOPERATION,
46 CONSULTATION, UNDERSTANDING, AGREEMENT, OR CONCERT WITH, OR AT THE

1 REQUEST OR SUGGESTION OF, A CANDIDATE, A POLITICAL COMMITTEE OF A
2 CANDIDATE, OR AN AGENT OF A CANDIDATE. FOR PURPOSES OF THIS DEFINITION.

3
4 "CLEARLY IDENTIFIED" MEANS:

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

9
10 "MASS MAILING" MEANS A MAILING BY UNITED STATES MAIL OR FACSIMILE OF
11 MORE THAN 500 PIECES OF MAIL MATTER OF AN IDENTICAL OR SUBSTANTIALLY
12 SIMILAR NATURE WITHIN ANY 30-DAY PERIOD.

13
14 "ONLINE PLATFORM" MEANS ANY PUBLIC-FACING WEBSITE, WEB APPLICATION,
15 OR DIGITAL APPLICATION, INCLUDING A SOCIAL NETWORK, AD NETWORK, OR
16 SEARCH ENGINE, THAT:

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

21
22 "PERSON" INCLUDES AN INDIVIDUAL, A PARTNERSHIP, A COMMITTEE, AN
23 ASSOCIATION, A CORPORATION, A LABOR ORGANIZATION, AND ANY OTHER
24 ORGANIZATION OR GROUP OF PERSONS. PERSON DOES NOT INCLUDE A POLITICAL
25 COMMITTEE AS DEFINED IN THIS TITLE.

26
27 "PUBLIC COMMUNICATION" MEANS A COMMUNICATION BY MEANS OF ANY
28 BROADCAST TELEVISION OR RADIO COMMUNICATION, CABLE TELEVISION
29 COMMUNICATION, SATELLITE TELEVISION, RADIO COMMUNICATION, ONLINE
30 PLATFORM, NEWSPAPER, MAGAZINE, OUTDOOR ADVERTISING FACILITY, MASS
31 MAILING, E-MAIL BLAST, TEXT BLAST, QUALIFYING PAID DIGITAL
32 COMMUNICATION, OR TELEPHONE BANK TO THE GENERAL PUBLIC, OR ANY
33 OTHER FORM OF GENERAL PUBLIC POLITICAL ADVERTISING.

34
35 "PUBLIC COMMUNICATION" DOES NOT INCLUDE:

- 36 (1) A NEWS STORY, A COMMENTARY, OR AN EDITORIAL DISSEMINATED BY A
37 BROADCASTING STATION, INCLUDING A CABLE TELEVISION OPERATOR,
38 PROGRAMMER, OR PRODUCER, SATELLITE TELEVISION OR RADIO
39 PROVIDER, WEBSITE, NEWSPAPER, MAGAZINE, OR OTHER PERIODICAL
40 PUBLICATION, INCLUDING ANY INTERNET OR ELECTRONIC PUBLICATION,
41 THAT IS NOT CONTROLLED BY A CANDIDATE OR POLITICAL PARTY;
- 42 (2) AN INTERNAL MEMBERSHIP COMMUNICATION BY A BUSINESS OR OTHER
43 ENTITY TO ITS STOCKHOLDERS OR MEMBERS AND EXECUTIVE AND
44 ADMINISTRATIVE PERSONNEL AND THEIR IMMEDIATE FAMILIES, OR BY A
45 MEMBERSHIP ENTITY, AS DEFINED UNDER § 13-243 OF THE ELECTION LAW
46 ARTICLE OF THE MARYLAND ANNOTATED CODE, AS MAY BE AMENDED,

1 TO ITS MEMBERS, EXECUTIVE AND ADMINISTRATIVE PERSONNEL AND
2 THEIR IMMEDIATE FAMILIES; OR
3 (3) A CANDIDATE DEBATE OR FORUM.
4

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

- 7 (1) IS CAMPAIGN MATERIAL;
8 (2) IS PLACED OR PROMOTED FOR A FEE ON AN ONLINE PLATFORM;
9 (3) IS DISSEMINATED TO 500 OR MORE INDIVIDUALS; AND
10 (4) DOES NOT PROPOSE A COMMERCIAL TRANSACTION.
11

12 "TELEPHONE BANK" MEANS MORE THAN 500 TELEPHONE CALLS OF AN IDENTICAL
13 OR SUBSTANTIALLY SIMILAR NATURE WITHIN ANY 30-DAY PERIOD.
14

15 "TEXT BLAST" MEANS A TRANSMISSION OF TEXT MESSAGES OF AN IDENTICAL OR
16 SUBSTANTIALLY SIMILAR NATURE TO 1,000 OR MORE TELEPHONE NUMBERS
17 SIMULTANEOUSLY.
18

19 **B. IN GENERAL -- EXPENDITURES OF \$5,000 OR MORE.** WITHIN 48 HOURS AFTER
20 A PERSON MAKES AGGREGATE INDEPENDENT EXPENDITURES OF \$ 5,000 OR
21 MORE IN AN ELECTION CYCLE FOR CAMPAIGN MATERIAL THAT IS A PUBLIC
22 COMMUNICATION, THE PERSON SHALL FILE A REGISTRATION FORM WITH THE
23 BOARD.
24

25 **C. IN GENERAL -- EXPENDITURES OF \$10,000 OR MORE.** WITHIN 48 HOURS
26 AFTER A DAY ON WHICH A PERSON MAKES AGGREGATE INDEPENDENT
27 EXPENDITURES OF \$ 10,000 OR MORE IN AN ELECTION CYCLE FOR CAMPAIGN
28 MATERIAL THAT IS A PUBLIC COMMUNICATION, THE PERSON SHALL FILE AN
29 INDEPENDENT EXPENDITURE REPORT WITH THE BOARD.
30

31 **D. ADDITIONAL REPORT FOR REPORTS FOLLOWING CLOSING DATE OF**
32 **PREVIOUS REPORT FOR EXPENDITURES OF \$10,000 OR MORE.** A PERSON
33 WHO FILES AN INDEPENDENT EXPENDITURE REPORT UNDER SUBSECTION (C)
34 OF THIS SECTION SHALL FILE AN ADDITIONAL INDEPENDENT EXPENDITURE
35 REPORT WITH THE BOARD WITHIN 48 HOURS AFTER A DAY ON WHICH THE
36 PERSON MAKES AGGREGATE INDEPENDENT EXPENDITURES OF \$ 10,000 OR
37 MORE FOR CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION
38 FOLLOWING THE CLOSING DATE OF THE PERSON'S PREVIOUS INDEPENDENT
39 EXPENDITURE REPORT.
40

41 **E. CONTENTS.** AN INDEPENDENT EXPENDITURE REPORT SHALL INCLUDE THE
42 FOLLOWING INFORMATION:
43

- 44 (1) THE IDENTITY OF THE PERSON MAKING THE INDEPENDENT
45 EXPENDITURES AND OF THE PERSON EXERCISING DIRECTION OR

1 CONTROL OVER THE ACTIVITIES OF THE PERSON MAKING THE
2 INDEPENDENT EXPENDITURES;

3 (2) THE BUSINESS ADDRESS OF THE PERSON MAKING THE INDEPENDENT
4 EXPENDITURES;

5 (3) THE AMOUNT AND DATE OF EACH INDEPENDENT EXPENDITURE DURING
6 THE PERIOD COVERED BY THE REPORT AND THE PERSON TO WHOM THE
7 EXPENDITURE WAS MADE;

8 (4) THE CANDIDATE OR BALLOT QUESTION TO WHICH THE INDEPENDENT
9 EXPENDITURE RELATES AND WHETHER THE INDEPENDENT EXPENDITURE
10 SUPPORTS OR OPPOSES THAT CANDIDATE OR BALLOT QUESTION; AND

11 (5) THE IDENTITY OF EACH PERSON WHO MADE CUMULATIVE DONATIONS OF
12 \$6,000 OR MORE TO THE PERSON MAKING THE INDEPENDENT
13 EXPENDITURES DURING THE PERIOD COVERED BY THE REPORT.
14

15 **F. EXECUTION OF CONTRACT TO MAKE INDEPENDENT EXPENDITURE.** FOR
16 PURPOSES OF THIS SECTION, A PERSON SHALL BE CONSIDERED TO HAVE
17 MADE AN INDEPENDENT EXPENDITURE IF THE PERSON HAS EXECUTED A
18 CONTRACT TO MAKE AN INDEPENDENT EXPENDITURE.
19

20 **G. COST OF CAMPAIGN MATERIAL.** THE COST OF CREATING AND
21 DISSEMINATING CAMPAIGN MATERIAL, INCLUDING ANY DESIGN AND
22 PRODUCTION COSTS, SHALL BE CONSIDERED IN DETERMINING THE
23 AGGREGATE AMOUNT OF INDEPENDENT EXPENDITURES MADE BY A PERSON
24 FOR CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION UNDER THIS
25 SECTION.
26

27 **H. WHO SHALL SIGN AND FILE REPORT.** -- THE TREASURER OR OTHER
28 INDIVIDUAL DESIGNATED BY AN ENTITY REQUIRED TO FILE AN
29 INDEPENDENT EXPENDITURE REPORT UNDER THIS SECTION:
30

31 (1) SHALL SIGN EACH INDEPENDENT EXPENDITURE REPORT; AND

32 (2) IS RESPONSIBLE FOR FILING INDEPENDENT EXPENDITURE REPORTS IN
33 FULL AND ACCURATE DETAIL.
34

35 **I. IDENTIFICATION OF REGISTERED AGENT -- AGGREGATE INDEPENDENT**
36 **EXPENDITURES OF \$25,000 OR MORE.**
37

38 1. WITHIN 48 HOURS AFTER A PERSON MAKES AGGREGATE INDEPENDENT
39 EXPENDITURES OF \$25,000 OR MORE IN AN ELECTION CYCLE FOR
40 CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION, THE PERSON
41 SHALL IDENTIFY A REGISTERED AGENT LOCATED IN THE CITY FOR
42 SERVICE OF PROCESS.
43

44 2. A PERSON MAKING INDEPENDENT EXPENDITURES SHALL IDENTIFY A
45 REGISTERED AGENT ON A FORM PRESCRIBED BY THE BOARD.
46

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

2
3 1. IF A PERSON FAILS TO PROVIDE ON AN INDEPENDENT EXPENDITURE
4 REPORT ALL OF THE INFORMATION REQUIRED BY THIS SECTION SHALL,
5 THEN:

- 6 (I) THE BOARD SHALL NOTIFY THE RESPONSIBLE OFFICERS IN WRITING
7 OF THE PARTICULAR DEFICIENCIES; AND
8 (II) THE RESPONSIBLE OFFICERS SHALL FILE AN AMENDED REPORT THAT
9 INCLUDES ALL OF THE INFORMATION REQUIRED WITHIN 30 DAYS
10 AFTER SERVICE OF THE NOTICE.

11
12 2 (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH,
13 IN ADDITION TO ANY OTHER SANCTION PROVIDED BY LAW, THE BOARD
14 MAY ASSESS A LATE FILING FEE FOR FAILURE TO FILE PROPERLY AN
15 INDEPENDENT EXPENDITURE REPORT OR AN AMENDED INDEPENDENT
16 EXPENDITURE REPORT IN AN AMOUNT NOT EXCEEDING THE GREATER OF:

- 17
18 (1) \$1,000 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT
19 EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE
20 REPORT IS OVERDUE; OR
21 (2) 10% OF THE AMOUNT OF THE DONATIONS OR INDEPENDENT
22 EXPENDITURES THAT WERE NOT REPORTED IN A TIMELY MANNER.

23
24 (II) IF THE FAILURE TO FILE PROPERLY AN INDEPENDENT EXPENDITURE
25 REPORT OR AN AMENDED INDEPENDENT EXPENDITURE REPORT OCCURS
26 MORE THAN 28 DAYS BEFORE THE DAY OF A PRIMARY OR GENERAL
27 ELECTION, THE BOARD MAY ASSESS A LATE FILING FEE IN AN AMOUNT
28 NOT EXCEEDING THE GREATER OF:

- 29
30 (1) \$100 FOR EACH DAY OR PART OF A DAY THAT AN INDEPENDENT
31 EXPENDITURE REPORT OR AMENDED INDEPENDENT EXPENDITURE
32 REPORT IS OVERDUE; OR
33 (2) 10% OF THE AMOUNT OF THE DONATIONS OR DISBURSEMENTS FOR
34 INDEPENDENT EXPENDITURES THAT WERE NOT REPORTED IN A
35 TIMELY MANNER.

36
37 3. A LATE FILING FEE UNDER THIS SUBSECTION SHALL BE THE JOINT AND
38 SEVERAL LIABILITY OF:

- 39
40 (1) THE PERSON MAKING INDEPENDENT EXPENDITURES;
41 (2) THE TREASURER OR OTHER INDIVIDUAL WHO SIGNS AND FILES THE
42 REPORTS REQUIRED BY THIS SECTION FOR THE PERSON MAKING
43 INDEPENDENT EXPENDITURES; AND
44 (3) THE PERSON EXERCISING DIRECTION OR CONTROL OVER THE
45 ACTIVITIES OF THE PERSON MAKING INDEPENDENT EXPENDITURES.
46

1
2 **K. EFFECT OF FAILURE TO PAY LATE FILING FEE.** IF A TREASURER OF A
3 PERSON MAKING INDEPENDENT EXPENDITURES OR A PERSON EXERCISING
4 DIRECTION OR CONTROL OVER THE ACTIVITIES OF A PERSON MAKING
5 INDEPENDENT EXPENDITURES HAS FAILED TO PAY ANY LATE FILING FEE
6 UNDER THIS SECTION FOR WHICH THE INDIVIDUAL IS RESPONSIBLE, THE
7 INDIVIDUAL MAY NOT:

- 8
9 (1) SERVE AS THE RESPONSIBLE OFFICER OF A POLITICAL COMMITTEE;
10 (2) SERVE IN ANY POSITION OF RESPONSIBILITY IN ANY OTHER ENTITY
11 SUBJECT TO REGULATION UNDER THIS TITLE; OR
12 (3) ASSIST IN THE FORMATION OF A POLITICAL COMMITTEE OR ANY OTHER
13 ENTITY SUBJECT TO REGULATION UNDER THIS TITLE.
14

15 **L. ADDITIONAL REQUIREMENTS.**
16

17 1. AN ENTITY REQUIRED TO FILE AN INDEPENDENT EXPENDITURE REPORT
18 UNDER THIS SECTION SHALL DO AT LEAST ONE OF THE FOLLOWING,
19 UNLESS NEITHER ARE APPLICABLE TO THE ENTITY:
20

- 21 (I) IF THE ENTITY SUBMITS REGULAR, PERIODIC REPORTS TO ITS
22 SHAREHOLDERS, MEMBERS, OR DONORS, INCLUDE IN EACH
23 REPORT, IN A CLEAR AND CONSPICUOUS MANNER, THE
24 INFORMATION SPECIFIED IN SUBSECTION (E)(3) THROUGH (5) OF
25 THIS SECTION FOR EACH INDEPENDENT EXPENDITURE MADE
26 DURING THE PERIOD COVERED BY THE REPORT THAT MUST BE
27 INCLUDED IN AN INDEPENDENT EXPENDITURE REPORT; OR
28 (II) IF THE ENTITY MAINTAINS AN INTERNET SITE, POST ON THAT
29 INTERNET SITE A HYPERLINK FROM ITS HOMEPAGE TO THE
30 INTERNET SITE WHERE THE ENTITY'S INDEPENDENT EXPENDITURE
31 REPORT INFORMATION IS PUBLICLY AVAILABLE.
32

33 2. AN ENTITY SHALL POST THE HYPERLINK REQUIRED UNDER
34 PARAGRAPH (1)(II) OF THIS SUBSECTION WITHIN 24 HOURS OF THE
35 ENTITY'S INDEPENDENT EXPENDITURE REPORT INFORMATION BEING
36 MADE PUBLICLY AVAILABLE ON THE INTERNET, AND THE HYPERLINK
37 SHALL REMAIN POSTED ON THE ENTITY'S INTERNET SITE UNTIL THE
38 END OF THE ELECTION CYCLE DURING WHICH THE ENTITY FILED AN
39 INDEPENDENT EXPENDITURE REPORT.
40

41 **M. DETAILED AND ACCURATE RECORDS.**
42

43 1. A PERSON REQUIRED TO FILE AN INDEPENDENT EXPENDITURE REPORT
44 UNDER THIS SECTION SHALL KEEP DETAILED AND ACCURATE
45 RECORDS OF:
46

- 1 (I) ALL INDEPENDENT EXPENDITURES MADE BY THE PERSON FOR
2 CAMPAIGN MATERIAL THAT IS A PUBLIC COMMUNICATION; AND
3 (II) ALL DONATIONS RECEIVED BY THE PERSON.
4

- 5 2. RECORDS REQUIRED TO BE KEPT UNDER THIS SUBSECTION SHALL BE
6 PRESERVED FOR 2 YEARS AFTER THE END OF THE ELECTION CYCLE IN
7 WHICH THE PERSON FILED THE INDEPENDENT EXPENDITURE REPORT
8 TO WHICH THE RECORDS RELATE.
9

10 N. **REGULATIONS.** THE BOARD MAY ADOPT REGULATIONS AS NECESSARY
11 TO IMPLEMENT THE REQUIREMENTS OF THIS SECTION.
12

13 O. **STATE PROVISIONS ADOPTED.** EXCEPT AS OTHERWISE PROVIDED BY
14 THIS SECTION, THE PROVISIONS OF TITLE 13 OF THE ELECTION LAW
15 ARTICLE OF THE MARYLAND ANNOTATED CODE, AS THE SAME FROM
16 TIME TO TIME MAY BE AMENDED, AS RELATES TO INDEPENDENT
17 EXPENDITURES ARE APPLICABLE AND EFFECTIVE WITHIN THE CITY AS
18 THOUGH THOSE PROVISIONS WERE SET FORTH AT LENGTH IN THIS
19 SECTION. THE BOARD MAY CONSULT WITH THE MARYLAND STATE
20 BOARD OF ELECTIONS IN DETERMINING HOW TO APPLY AND ENFORCE
21 THIS SECTION, AND THE RELATED STATE LAW PROVISIONS.
22

23 **4.44.090 - Forms.**
24

- 25 A. ~~The ANY forms REQUIRED BY THIS CHAPTER for the "report, or statement of~~
26 ~~campaign and election contributions and expenditures" and the "schedule of receipts and~~
27 ~~disbursements"~~ shall be prescribed by the board.
28 B. In lieu of filing the prescribed forms, the board may allow the filing of a computer
29 printout which contains the requisite information.
30

31
32 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
33 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect from the date of its passage.
34

35
36 **Explanation:**

37 UPPERCASE indicates matter added to existing law.

38 ~~Strikethrough~~ indicates matter stricken from existing law.

39 Underlining indicates amendments.
40