



House Bill 118

Election Law – Persons Doing Public Business – Reporting by Governmental Entities

MACo Position: **SUPPORT**

To: Ways & Means Committee

Date: February 7, 2017

From: Barbara Zektick

The Maryland Association of Counties (MACo) **SUPPORTS** HB 118. The bill simplifies a campaign finance law mandate. The bill repeals the requirement that procurement officials notify the State Board of Elections if awardees of contracts worth \$200,000 or more fail to file requisite campaign finance disclosures with that State Board. Instead, it requires those government entities to provide the Board with a list of all individuals and entities receiving contracts worth \$200,000 or more who are required to file the subject disclosures.

The Campaign Finance Reform Act of 2013 sought to reduce the risk of “pay to play” activities influencing government contracting – and by streamlining enforcement procedures, this bill helps to further those goals. This bill removes the “middle man” from an enforcement role it is unable to effectively accomplish. Recipients of government contracts worth \$200,000 or more are currently required to file statements of political contributions with the State Board. The provision of existing law addressed in this bill holds state and local procurement officers responsible for (1) requiring that the applicable contract awardees certify that they have made their requisite disclosure filings with the State Board, and (2) notifying the State Board if those awardees actually fail to make the requisite filings.

Regarding that latter requirement, procurement officers do not actually have the means to verify whether their contractors have filed the requisite disclosures with the State Board – the State Board has that information. Instead, this bill requires state and local government entities to file a list of applicable contract awardees with the State Board, returning enforcement obligations to the Board which is supposed to receive the campaign finance disclosures in the first place.

By streamlining these enforcement obligations, this bill removes the “middle man” and unnecessary bureaucracy, and better allows the appropriate government entities to enforce provisions protecting against “pay to play” activities.

Accordingly, MACo **SUPPORTS** HB 118 and urges a **FAVORABLE** report.