

In subsection (d)(2) of this section, the reference to the "entity" is added for clarity.

Defined terms: "Campaign finance entity" § 1-101

"Campaign finance report" § 1-101

"Contribution" § 1-101

"Expenditure" § 1-101

"Responsible officer" § 1-101

### 13-332. DISQUALIFICATION — ELIGIBILITY TO BE CANDIDATE OR TREASURER.

AN INDIVIDUAL MAY NOT BECOME A CANDIDATE FOR ANY PUBLIC OR PARTY OFFICE IN THIS STATE OR BECOME A TREASURER FOR A CAMPAIGN FINANCE ENTITY IF, AS TO ANY CAMPAIGN FINANCE REPORT DUE UNDER § 13-304 OF THIS SUBTITLE FROM, OR ON BEHALF OF, THAT INDIVIDUAL DURING THE PRECEDING FIVE CALENDAR YEARS:

- (1) THERE EXISTS A FAILURE TO FILE AS SPECIFIED IN § 13-327 OF THIS SUBTITLE; OR
- (2) THE INDIVIDUAL HAS FAILED TO PAY A LATE FILING FEE THAT IS DUE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 33, § 13-403(b).

The defined term "campaign finance report" is substituted for the former reference to "reports or statements" for clarity. *See* General Revisor's Note to this title and § 1-101 of this article. Similarly, the defined term "campaign finance entity" is substituted for the former reference to "candidate or committee".

The reference to an "individual" is substituted for the former reference to a "person" because only an individual, and not the other entities included in the defined term "person", may become candidates or treasurers. Correspondingly, the reference to an "individual" is added to item (2) of this section for clarity.

The former phrase "a certificate of candidacy may not be accepted on his behalf" is deleted as redundant.

The former reference to a candidate in an "election" is deleted as obsolete because, as defined in § 1-101 of this article, a "candidate" may include an individual who has not filed a certificate of candidacy and the forming of a political committee is not tied to a specific election. The Election Law Article Review Committee calls this deletion to the attention of the General Assembly.

The Election Law Article Review Committee notes, for consideration by the General Assembly, that the prohibition against an individual filing a certificate of a candidacy or becoming a treasurer for a candidate or political committee may be preempted and unenforceable as to a federal