

A PERSON WHO VIOLATES AN INJUNCTION ISSUED UNDER THIS SECTION:

- (1) IS IN CRIMINAL CONTEMPT; AND
- (2) IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$250 OR IMPRISONMENT NOT EXCEEDING 30 DAYS OR BOTH.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 33, § 13-605.

In subsection (b)(2) of this section, the reference to being "guilty of a misdemeanor" is added to state expressly that which was only implied in the former law by reference to a "conviction". In this State, any crime that was not a felony at common law and has not been declared a felony by statute, is considered to be a misdemeanor. *See State v. Canova*, 278 Md. 483, 490 (1976), *Bowser v. State*, 136 Md. 342, 345 (1920), *Dutton v. State*, 123 Md. 373, 378 (1914), and *Williams v. State*, 4 Md. App. 342, 347 (1968).

The Election Law Article Review Committee notes, for consideration by the General Assembly, that the requirement in subsection (a) of this section that the "Secretary of State" seek an injunction against any violation of the campaign finance law may be obsolete. The General Assembly may wish to give this enforcement power to the State Board of Elections rather than the Secretary of State.

Defined term: "State Board" § 1-101

GENERAL REVISOR'S NOTE TO TITLE:

Throughout this title, the defined term "campaign finance report" is substituted for the former references to a "report", "campaign fund report", "report of contributions and expenditures", "statement", and other similar references for clarity and consistency. *See* § 1-101 of this article for the definition of "campaign finance report".

Also throughout this title, the defined term "campaign finance entity" is substituted for the former references to a "political committee", "candidate", "candidate and treasurer", "treasurer and chairman", "authorized candidate campaign committee", "slate", "treasurer of [a] slate", and other similar references, as appropriate, for clarity, brevity, and consistency. *See* § 1-101 of this article for the definition of "campaign finance entity".

Also throughout this title, the former references to a "candidate for nomination or election to public or private office" are deleted as included in the definition of "candidate". *See* § 1-101 of this article for the definition of "candidate".

Also throughout this title, the former references to "Baltimore City" are deleted in light of the definition of "county". *See* § 1-101 of this article for the definition of "county".