

the population of the State "by the State Board" is added for clarity and in light of the requirement in § 15-109(a)(1) of this title for the State Board to administer this title.

In subsection (d) of this section, the reference to "members of the" gubernatorial ticket is added for clarity and consistency with the purpose of this subsection to impose joint and several liability on each candidate, *i.e.*, the members of a gubernatorial ticket, and any chairman or treasurer, for a violation of this title.

Also in subsection (d) of this section, the defined term "responsible officer" is substituted for the former reference to "any chairman or treasurer". See § 1-101 of this article.

The Election Law Article Review Committee notes, for consideration by the General Assembly, that subsection (d) of this section explicitly provides for the joint and several liability for the members of the gubernatorial ticket and, in certain circumstances, the responsible officers of its campaign finance entity for any expenditure made in violation of this section. Similarly, in § 15-107(c) of this title, the members of the gubernatorial ticket and its responsible officers are made jointly and severally liable for failure to repay the Comptroller any part of a public contribution that is not spent or that was spent in violation of this title. It seems anomalous that these are the only two sections of this title that explicitly provide for such liability.

Defined terms: "Election" § 1-101  
 "Expenditure" § 1-101  
 "Gubernatorial ticket" § 15-102  
 "Public contribution" § 15-102  
 "Responsible officer" § 1-101  
 "State Board" § 1-101

#### 15-106. PUBLIC CONTRIBUTIONS — DISTRIBUTIONS.

##### (A) IN GENERAL.

(1) (I) IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION, THE STATE BOARD SHALL AUTHORIZE DISTRIBUTION ON A CONTINUING BASIS OF ONE-HALF OF THE MONEY IN THE FUND TO ELIGIBLE GUBERNATORIAL TICKETS IN THE PRIMARY ELECTION.

(II) DISTRIBUTIONS SHALL BEGIN NOT LATER THAN FEBRUARY 1 OF THE YEAR OF THE ELECTION.

(2) PROMPTLY AFTER THE PRIMARY ELECTION, THE STATE BOARD SHALL AUTHORIZE DISTRIBUTION OF THE REMAINING MONEY IN THE FUND IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION.

##### (B) INSUFFICIENT MONEY.