

Department of Legislative Services  
Maryland General Assembly  
2007 Session

FISCAL AND POLICY NOTE

House Bill 918  
Ways and Means

(Delegate Lee, *et al.*)

---

Election Law - Regulation of Local Campaign Finance Activity - County  
Authority

---

This bill allows a county governing body to enact laws to regulate campaign finance activity of county elective officers and candidates for election to those offices. The laws may include provisions relating to contributions and expenditures, reporting, campaign material, and administrative penalties. The laws may be more stringent than applicable State law, but may not conflict with State or federal law.

---

Fiscal Summary

**State Effect:** None. The bill would not directly affect State operations or finances.

**Local Effect:** None. The bill would not directly affect local government finances.

**Small Business Effect:** None.

---

Analysis

**Current Law/Background:** State campaign finance law applies to each election conducted under State election law, but does not apply to campaign finance activity governed solely by federal law. Except for municipal elections other than in Baltimore City, State election law generally applies to all primary, general, and special elections, including those for county offices.

In *County Council for Montgomery County, Maryland v. Montgomery Association, Inc.*, 274 Md. 52, 333 A.2d 596 (1975), the Court of Appeals held that three Montgomery

County ordinances designed to regulate the campaign finance activities of candidates for county offices were invalid because the General Assembly “had preempted the field of election financing practices” through the enactment of detailed State campaign finance laws.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Montgomery County, Garrett County, State Board of Elections, Department of Legislative Services

**Fiscal Note History:** First Reader - March 15, 2007  
ncs/jr

---

Analysis by: Scott D. Kennedy

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510