

# SENATE BILL 583

G1, L1

3lr1751

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By: **Senators Pinsky, Brochin, Colburn, Ferguson, Kittleman, Madaleno, Montgomery, Ramirez, Raskin, and Rosapepe**

Introduced and read first time: February 1, 2013

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Public Campaign Financing of Local Elections**

3 FOR the purpose of authorizing the governing body of a county to enact laws to  
4 regulate public campaign finance activity for certain county elective offices and  
5 certain candidates for election to those offices; specifying certain provisions,  
6 requirements, and limitations applicable to any county laws enacted to regulate  
7 public campaign finance activity; and generally relating to public campaign  
8 financing of local elections.

9 BY adding to

10 Article – Election Law

11 Section 13–505

12 Annotated Code of Maryland

13 (2010 Replacement Volume and 2012 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Election Law**

17 **13–505.**

18 **(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE GOVERNING**  
19 **BODY OF A COUNTY MAY ENACT LAWS TO REGULATE PUBLIC CAMPAIGN**  
20 **FINANCE ACTIVITY FOR COUNTY ELECTIVE OFFICES AND CANDIDATES FOR**  
21 **ELECTION TO THOSE OFFICES WHO CHOOSE TO ACCEPT PUBLIC CAMPAIGN**  
22 **FINANCING.**

23 **(B) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION MAY NOT**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 REGULATE COUNTY ELECTIVE OFFICES OR CANDIDATES FOR ELECTION TO  
2 THOSE OFFICES WHO DO NOT RECEIVE ANY PUBLIC CAMPAIGN FINANCING.

3 (C) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION SHALL:

4 (1) PROHIBIT THE USE OF PUBLIC CAMPAIGN FINANCING FOR  
5 ANY ELECTION OTHER THAN THAT OF A COUNTY ELECTIVE OFFICE;

6 (2) REQUIRE A CANDIDATE WHO ACCEPTS PUBLIC CAMPAIGN  
7 FINANCING TO:

8 (I) ESTABLISH A CAMPAIGN FINANCE ENTITY SOLELY FOR  
9 THE CAMPAIGN FOR THAT COUNTY ELECTIVE OFFICE; AND

10 (II) USE FUNDS FROM THAT CAMPAIGN FINANCE ENTITY  
11 ONLY FOR THAT CAMPAIGN FOR COUNTY ELECTIVE OFFICE; AND

12 (3) PROHIBIT THE TRANSFER OF FUNDS INTO THE CAMPAIGN  
13 FINANCE ENTITY ESTABLISHED FOR THE COUNTY ELECTIVE OFFICE BY A  
14 CANDIDATE WHO ACCEPTS PUBLIC CAMPAIGN FINANCING FROM ANY OTHER  
15 CAMPAIGN FINANCE ENTITY PREVIOUSLY ESTABLISHED FOR THAT CANDIDATE.

16 (D) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION SHALL:

17 (1) PROVIDE FOR A PUBLIC ELECTION FUND FOR COUNTY  
18 ELECTIVE OFFICES ADMINISTERED BY THE CHIEF FINANCIAL OFFICER OF THE  
19 COUNTY; AND

20 (2) REQUIRE THAT THE SYSTEM FOR PUBLIC CAMPAIGN FINANCE  
21 ACTIVITY FOR COUNTY ELECTIVE OFFICES BE REGULATED IN ACCORDANCE  
22 WITH STATE LAW BY THE STATE BOARD.

23 (E) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION MAY:

24 (1) ESTABLISH A SYSTEM OF PUBLIC CAMPAIGN FINANCING; AND

25 (2) INCLUDE PROVISIONS RELATING TO CONTRIBUTIONS,  
26 EXPENDITURES, REPORTING, CAMPAIGN MATERIAL, AND, AS PROVIDED UNDER  
27 ARTICLE 25A, § 5 OF THE CODE, ADMINISTRATIVE PENALTIES.

28 (F) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION:

1                   **(1) MAY BE MORE STRINGENT THAN ANY APPLICABLE LAW OF**  
2 **THE STATE AND MODIFIED TO THE EXTENT NECESSARY TO MAKE THE**  
3 **PROVISIONS RELEVANT TO THE COUNTY; BUT**

4                   **(2) MAY NOT CONFLICT WITH ANY APPLICABLE LAW OF THE**  
5 **STATE OR THE UNITED STATES.**

6                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2013.