

# HOUSE BILL 418

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CF 4lr1881

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By: **Delegates Cardin, Arora, Carr, Gutierrez, Hucker, Luedtke, B. Robinson, S. Robinson, Rosenberg, F. Turner, M. Washington, and Zucker**

Introduced and read first time: January 24, 2014

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Funding and Small Donor Act for General Assembly Elections**

3 FOR the purpose of establishing a system of public financing of campaigns for certain  
4 General Assembly candidates; requiring the State Board of Elections to  
5 administer the system of public financing for General Assembly candidates;  
6 specifying certain powers and duties of the State Board; requiring the  
7 Comptroller to credit to the Fair Campaign Financing Fund money collected  
8 under certain provisions of this Act and to distribute public contributions to the  
9 campaign finance entities of certain candidates for election to the General  
10 Assembly; repealing a certain provision of law regarding distributions from the  
11 Fund; requiring the State Board to transfer to the Comptroller for the purposes  
12 of a certain fund certain money, contributions, fines, and donations; defining  
13 certain terms; specifying certain procedures, requirements, and conditions  
14 participating candidates must meet to receive a distribution from the Fund;  
15 requiring that participating candidates adhere to certain campaign expenditure  
16 limits; authorizing participating candidates to raise certain supplemental  
17 private contributions under certain circumstances; prohibiting a participating  
18 candidate from being a member of a slate; prohibiting a participating candidate  
19 from accepting a contribution from a political party; requiring a participating  
20 candidate who opts out of public financing to repay the full amount of the public  
21 contribution received by the candidate and pay a certain penalty; providing for  
22 judicial review of certain actions by the State Board, subject to a certain  
23 exception; providing for certain penalties; providing that certain captions are  
24 not law and may not be considered to have been enacted as part of this Act;  
25 requiring the State Board to adopt certain regulations; making provisions of  
26 this Act severable; creating a Commission to Study Public Financing of  
27 Elections in Maryland; providing for the membership, duties, and staffing of the  
28 Commission; requiring the Commission to report its findings and  
29 recommendations to the Governor and the General Assembly on or before a  
30 certain date; requiring the State Board to provide certain reports to certain

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 persons on or before certain dates on certain matters; providing for a delayed  
2 effective date for certain provisions of this Act; providing for the termination of  
3 certain provisions of this Act; and generally relating to the Public Funding and  
4 Small Donor Act for General Assembly Elections.

5 BY repealing

6 Article – Election Law

7 Section 15–106

8 Annotated Code of Maryland

9 (2010 Replacement Volume and 2013 Supplement)

10 BY repealing and reenacting, with amendments,

11 Article – Election Law

12 Section 13–235 and 15–103

13 Annotated Code of Maryland

14 (2010 Replacement Volume and 2013 Supplement)

15 BY adding to

16 Article – Election Law

17 Section 15.5–101 through 15.5–118 to be under the new title “Title 15.5. Public  
18 Funding and Small Donor Act for General Assembly Elections”

19 Annotated Code of Maryland

20 (2010 Replacement Volume and 2013 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That Section(s) 15–106 of Article – Election Law of the Annotated Code  
23 of Maryland be repealed.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland  
25 read as follows:

26 **Article – Election Law**

27 13–235.

28 (a) This section applies to the following officials:

29 (1) the Governor;

30 (2) the Lieutenant Governor;

31 (3) the Attorney General;

32 (4) the Comptroller; and

33 (5) a member of the General Assembly.

1 (b) Except as provided in subsection (c), (d), or (e) of this section, during a  
2 regular session of the General Assembly an official described in subsection (a) of this  
3 section, or a person acting on behalf of the official, may not, as to a candidate for  
4 federal, State, or local office, or a campaign finance entity of the candidate or any  
5 other campaign finance entity organized under this title and operated in coordination  
6 with a candidate:

7 (1) receive a contribution;

8 (2) conduct a fund-raising event;

9 (3) solicit or sell a ticket to a fund-raising event; or

10 (4) deposit or use any contribution of money that was not deposited  
11 prior to the session.

12 (c) An official described in subsection (a) of this section, or a person acting on  
13 behalf of the official, is not subject to this section when engaged in activities solely  
14 related to the official's election to an elective federal or local office for which the official  
15 is a filed candidate.

16 (d) Under the Public Financing Act, a gubernatorial ticket, during the year of  
17 the election only, may accept eligible private contributions and any disbursement of  
18 funds by the State Board that is based on the eligible private contributions.

19 **(E) UNDER THE PUBLIC FUNDING AND SMALL DONOR ACT FOR**  
20 **GENERAL ASSEMBLY ELECTIONS, A PARTICIPATING CANDIDATE, DURING THE**  
21 **YEAR OF THE ELECTION ONLY, MAY ACCEPT SEED MONEY AND QUALIFYING**  
22 **CONTRIBUTIONS AND ANY DISBURSEMENT OF FUNDS BY THE STATE BOARD**  
23 **THAT ARE BASED ON THE QUALIFYING CONTRIBUTIONS.**

24 **[(e)] (F)** An official described in subsection (a) of this section, or a person  
25 acting on behalf of the official, may deposit a contribution during the legislative  
26 session if the contribution was made electronically before the start of the session.

27 **[(f)] (G)** (1) As to a violation of this section, the campaign finance entity  
28 of the official in violation is liable for a civil penalty as provided in this subsection.

29 (2) The State Board, represented by the State Prosecutor, may  
30 institute a civil action in the circuit court for any county seeking the civil penalty  
31 provided in this subsection.

32 (3) A campaign finance entity that receives a contribution as a result  
33 of the violation shall:

34 (i) refund the contribution to the contributor; and

1 (ii) pay a civil penalty that equals the sum of \$1,000 plus the  
2 amount of the contribution.

3 15–103.

4 (a) There is a Fair Campaign Financing Fund.

5 (b) The Comptroller shall administer the Fund in accordance with this  
6 section.

7 (c) In accordance with this title, the Comptroller shall:

8 (1) credit to the Fund all money collected under this title **AND TITLE**  
9 **15.5 OF THIS ARTICLE;**

10 (2) subject to the usual investing procedures for State funds, invest  
11 the money in the Fund; and

12 (3) make distributions from the Fund promptly on authorization by  
13 the State Board.

14 (d) The Comptroller shall distribute public contributions:

15 (1) only on authorization of the State Board; [and]

16 (2) as to each eligible gubernatorial ticket, to the same campaign  
17 account of a single campaign finance entity established under Title 13, Subtitle 2 of  
18 this article; **AND**

19 **(3) AS TO EACH PARTICIPATING CANDIDATE RECEIVING PUBLIC**  
20 **CONTRIBUTIONS UNDER TITLE 15.5 OF THIS ARTICLE, TO THE PUBLICLY**  
21 **FUNDED CAMPAIGN ACCOUNT OF THE CAMPAIGN FINANCE ENTITY**  
22 **ESTABLISHED UNDER TITLE 13, SUBTITLE 2 OF THIS ARTICLE FOR THE**  
23 **CANDIDATE.**

24 (e) The Comptroller shall submit a statement of the Fund's balance to the  
25 State Board at the State Board's request and on May 15 of each year.

26 **(F) THE STATE BOARD SHALL ADOPT REGULATIONS REGARDING THE**  
27 **DISTRIBUTION OF PUBLIC CONTRIBUTIONS FROM THE FUND TO ELIGIBLE**  
28 **GUBERNATORIAL TICKETS UNDER THIS TITLE AND TO PARTICIPATING**  
29 **CANDIDATES FOR ELECTION TO THE GENERAL ASSEMBLY UNDER TITLE 15.5 OF**  
30 **THIS ARTICLE ON A FIRST-COME, FIRST-SERVED BASIS.**



1 **15.5–102. DUTIES.**

2 (A) THE STATE BOARD SHALL MANAGE AND SUPERVISE THE SYSTEM OF  
3 PUBLIC FINANCING OF ELECTIONS ESTABLISHED UNDER THIS TITLE.

4 (B) THE STATE BOARD SHALL ADOPT REGULATIONS AS NECESSARY TO  
5 EFFECT THE PURPOSES OF THIS TITLE.

6 (C) THE STATE BOARD SHALL:

7 (1) ENSURE THAT THE SYSTEM OF PUBLIC FINANCING OF  
8 ELECTIONS:

9 (I) ACCOMMODATES QUALIFYING CANDIDATES ON A  
10 FIRST-COME, FIRST-SERVED BASIS;

11 (II) ESTABLISHES AN INITIAL LIMIT ON THE NUMBER OF  
12 PARTICIPATING CANDIDATES DURING AN ELECTION CYCLE; AND

13 (III) ALLOWS FOR AN INCREASE OR A DECREASE IN THE  
14 NUMBER OF PARTICIPATING CANDIDATES DURING THE ELECTION CYCLE IN  
15 CORRELATION TO THE AMOUNT OF MONEY IN THE FUND;

16 (2) DEVELOP AN ELECTRONIC DATABASE THAT IS ACCESSIBLE TO  
17 THE PUBLIC ON THE INTERNET AND THAT CONTAINS THE INFORMATION  
18 NECESSARY FOR THE PROPER ADMINISTRATION OF THIS TITLE, INCLUDING:

19 (I) CONTRIBUTIONS TO AND EXPENDITURES BY  
20 PARTICIPATING CANDIDATES AND OTHER CANDIDATES AND THEIR AUTHORIZED  
21 CAMPAIGN FINANCE ENTITIES; AND

22 (II) PUBLIC CONTRIBUTIONS FROM THE FUND THAT ARE  
23 DISBURSED TO PARTICIPATING CANDIDATES;

24 (3) PROVIDE FORMS AND ELECTRONIC SOFTWARE AS NECESSARY  
25 TO ENSURE COMPLIANCE WITH THIS TITLE;

26 (4) DEVELOP AN EDUCATION PROGRAM THAT INCLUDES  
27 INFORMATIONAL MATERIALS AND COMPLIANCE MANUALS TO INFORM  
28 CANDIDATES AND THE PUBLIC ABOUT THE PURPOSE AND EFFECT OF THIS  
29 TITLE; AND

1           **(5) PROVIDE A WRITTEN REPORT TO THE GENERAL ASSEMBLY,**  
2 **IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, AFTER**  
3 **EACH ELECTION CYCLE THAT INCLUDES:**

4                   **(I) AN EVALUATION OF THIS TITLE AND ITS EFFECT ON**  
5 **PARTICIPATING CANDIDATES;**

6                   **(II) ANY RECOMMENDATIONS TO IMPROVE THIS TITLE;**

7                   **(III) A DETAILED SUMMARY REGARDING QUALIFYING**  
8 **CONTRIBUTIONS AND ANY BENEFITS RECEIVED OR EXPERIENCED BY**  
9 **PARTICIPATING CANDIDATES;**

10                  **(IV) EXPENDITURES MADE BY PARTICIPATING AND**  
11 **NONPARTICIPATING CANDIDATES; AND**

12                  **(V) ANY OTHER INFORMATION THE STATE BOARD**  
13 **DETERMINES TO BE APPROPRIATE.**

14 **15.5-103. DISCRETIONARY POWERS.**

15           **THE STATE BOARD MAY:**

16                   **(1) EMPLOY STAFF, INCLUDING LEGAL COUNSEL, SUFFICIENT TO**  
17 **PERFORM THE FUNCTIONS OF THE STATE BOARD UNDER THIS TITLE;**

18                   **(2) INVESTIGATE MATTERS GOVERNED BY THIS TITLE;**

19                   **(3) PUBLICIZE THE NAMES OF CANDIDATES FOR NOMINATION OR**  
20 **ELECTION TO A LEGISLATIVE OFFICE WHO VIOLATE THIS TITLE;**

21                   **(4) ON WRITTEN REQUEST OF A CANDIDATE, A CAMPAIGN**  
22 **FINANCE ENTITY, OR THE PUBLIC, RENDER A WRITTEN PUBLIC ADVISORY**  
23 **OPINION REGARDING QUESTIONS THAT ARISE UNDER THIS TITLE;**

24                   **(5) CONDUCT RANDOM AUDITS OF PARTICIPATING CANDIDATES**  
25 **TO ENSURE COMPLIANCE WITH THIS TITLE;**

26                   **(6) SUBPOENA DOCUMENTS FROM ANY CANDIDATE OR CAMPAIGN**  
27 **FINANCE ENTITY SUBJECT TO THIS ARTICLE;**

28                   **(7) LEVY FINES FOR CIVIL INFRACTIONS IN ACCORDANCE WITH**  
29 **THIS TITLE;**

1           **(8) BE A PARTY TO OR OTHERWISE PARTICIPATE IN ANY CIVIL OR**  
2 **CRIMINAL ACTION FILED FOR A VIOLATION OF THIS TITLE; AND**

3           **(9) SEEK AN INJUNCTION IN AN APPROPRIATE COURT IF:**

4                   **(I) THERE IS A SUBSTANTIAL LIKELIHOOD THAT A**  
5 **VIOLATION OF THIS TITLE IS OCCURRING OR IS ABOUT TO OCCUR;**

6                   **(II) FAILURE TO ACT IN AN EXPEDITIOUS MANNER WILL**  
7 **RESULT IN IRREPARABLE HARM TO A PARTY AFFECTED BY THE POTENTIAL**  
8 **VIOLATION;**

9                   **(III) EXPEDITIOUS ACTION WILL NOT CAUSE UNDUE HARM**  
10 **OR PREJUDICE TO THE INTEREST OF ANY OTHER PERSON; AND**

11                   **(IV) THE PUBLIC INTEREST WILL BE BEST SERVED BY THE**  
12 **ISSUANCE OF THE INJUNCTION.**

13 **15.5-104. TRANSFER OF FUNDS TO THE FAIR CAMPAIGN FINANCING FUND.**

14           **THE STATE BOARD SHALL TRANSFER TO THE COMPTROLLER FOR THE**  
15 **PURPOSES OF THE FUND UNDER § 15-103 OF THIS ARTICLE:**

16                   **(1) UNSPENT SEED MONEY COLLECTED BY CANDIDATES WHO**  
17 **FAIL TO QUALIFY FOR PUBLIC FINANCING UNDER THIS TITLE;**

18                   **(2) EXCESS SEED MONEY COLLECTED BY ANY CANDIDATE WHO**  
19 **SEEKS TO BECOME CERTIFIED AS A PARTICIPATING CANDIDATE, REGARDLESS**  
20 **OF WHETHER THE CANDIDATE BECOMES CERTIFIED;**

21                   **(3) QUALIFYING CONTRIBUTIONS REQUIRED OF A CANDIDATE**  
22 **WHO SEEKS TO BECOME CERTIFIED AS A PARTICIPATING CANDIDATE,**  
23 **INCLUDING QUALIFYING CONTRIBUTIONS IN EXCESS OF THE AMOUNT**  
24 **PRESCRIBED UNDER § 15.5-106 OF THIS TITLE THAT ARE RAISED BY THE**  
25 **CANDIDATE;**

26                   **(4) UNSPENT MONEY THAT:**

27                   **(I) IS DISTRIBUTED TO A PARTICIPATING CANDIDATE WHO**  
28 **DOES NOT REMAIN A CANDIDATE UNTIL THE PRIMARY OR GENERAL ELECTION**  
29 **FOR WHICH THE MONEY WAS DISBURSED; OR**

1                   **(II) IS RETAINED BY A PARTICIPATING CANDIDATE AFTER**  
2 **THE PRIMARY OR GENERAL ELECTION FOR WHICH THE MONEY WAS DISBURSED;**

3                   **(5) FINES LEVIED BY THE STATE BOARD AGAINST CANDIDATES**  
4 **FOR VIOLATIONS OF THE ELECTION LAW;**

5                   **(6) VOLUNTARY DONATIONS MADE DIRECTLY TO THE FUND; AND**

6                   **(7) ANY MONEY PROVIDED IN THE ANNUAL STATE BUDGET FOR**  
7 **THE PURPOSES OF THIS TITLE.**

8 **15.5–105. SEED MONEY; PUBLICLY FUNDED CAMPAIGN ACCOUNT REQUIRED.**

9                   **(A) A CANDIDATE WHO SEEKS TO QUALIFY FOR PUBLIC FINANCING**  
10 **UNDER THIS TITLE SHALL:**

11                   **(1) FILE NOTICE OF THE CANDIDATE’S INTENT WITH THE STATE**  
12 **BOARD NO LATER THAN FEBRUARY 15 OF THE YEAR OF THE ELECTION ON THE**  
13 **FORM PRESCRIBED BY THE STATE BOARD; AND**

14                   **(2) IN CONJUNCTION WITH THE STATE BOARD AND BEFORE**  
15 **RAISING SEED MONEY OR ANY OTHER CONTRIBUTION GOVERNED BY THIS**  
16 **TITLE, ESTABLISH A PUBLICLY FUNDED CAMPAIGN ACCOUNT FOR THE**  
17 **CANDIDATE FOR THE PURPOSE OF RECEIVING CONTRIBUTIONS AND MAKING**  
18 **EXPENDITURES IN ACCORDANCE WITH THE REQUIREMENTS OF THIS ARTICLE.**

19                   **(B) A CANDIDATE WHO SEEKS TO QUALIFY FOR PUBLIC FINANCING**  
20 **UNDER THIS TITLE MAY ACCEPT SEED MONEY ONLY AS SPECIFIED IN THIS**  
21 **SECTION, INCLUDING:**

22                   **(1) AGGREGATE SEED MONEY OF NO MORE THAN:**

23                   **(I) \$3,500 FOR A CANDIDATE FOR ELECTION TO THE**  
24 **SENATE OF MARYLAND; OR**

25                   **(II) \$3,500 FOR A CANDIDATE FOR ELECTION TO THE**  
26 **HOUSE OF DELEGATES; AND**

27                   **(2) PERSONAL CONTRIBUTIONS FROM THE CANDIDATE AND FROM**  
28 **THE CANDIDATE’S SPOUSE OF NO MORE THAN \$500 EACH, WHETHER**  
29 **CONTRIBUTED AS SEED MONEY OR AS A QUALIFYING CONTRIBUTION.**

1           **(C) A CANDIDATE SHALL REMIT TO THE FUND ANY SEED MONEY RAISED**  
2 **BY THE CANDIDATE IN EXCESS OF:**

3                   **(1) \$3,500, IF A CANDIDATE FOR THE SENATE OF MARYLAND; OR**

4                   **(2) \$3,500, IF A CANDIDATE FOR THE HOUSE OF DELEGATES.**

5           **(D) A CANDIDATE WHO SEEKS TO BECOME A PARTICIPATING**  
6 **CANDIDATE FOR ELECTION TO THE GENERAL ASSEMBLY MAY SPEND SEED**  
7 **MONEY, TO THE LIMIT ALLOWED UNDER THIS SECTION, DURING THE**  
8 **QUALIFYING CONTRIBUTIONS PERIOD.**

9 **15.5-106. QUALIFYING CONTRIBUTIONS FOR GENERAL ASSEMBLY**  
10 **CANDIDATES.**

11           **(A) TO QUALIFY AS A PARTICIPATING CANDIDATE AND BE ELIGIBLE**  
12 **FOR A PUBLIC CONTRIBUTION FROM THE FUND:**

13                   **(1) A CANDIDATE FOR ELECTION TO THE SENATE OF MARYLAND**  
14 **SHALL COLLECT AT LEAST 350 QUALIFYING CONTRIBUTIONS; OR**

15                   **(2) A CANDIDATE FOR ELECTION TO THE HOUSE OF DELEGATES**  
16 **SHALL COLLECT AT LEAST 350 QUALIFYING CONTRIBUTIONS.**

17           **(B) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:**

18                   **(1) SPECIFY HOW AND WHEN QUALIFYING CONTRIBUTIONS MUST**  
19 **BE SUBMITTED TO THE STATE BOARD; AND**

20                   **(2) ALLOW FOR ANY CONTRIBUTION OR QUALIFYING**  
21 **CONTRIBUTION UNDER THIS SECTION TO BE MADE THROUGH THE INTERNET.**

22           **(C) A CANDIDATE WHO SEEKS TO BECOME A PARTICIPATING**  
23 **CANDIDATE SHALL DEPOSIT ALL QUALIFYING CONTRIBUTIONS RECEIVED IN**  
24 **THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT AND THEREAFTER**  
25 **DELIVER THE AMOUNT RECEIVED TO THE STATE BOARD FOR DEPOSIT IN THE**  
26 **FUND.**

27           **(D) A CONTRIBUTOR MAY MAKE A QUALIFYING CONTRIBUTION FOR A**  
28 **CANDIDATE BY CASH, CHECK, OR MONEY ORDER MADE PAYABLE TO THE FUND**  
29 **OR THROUGH THE INTERNET IN ACCORDANCE WITH THE REGULATIONS OF THE**  
30 **STATE BOARD.**

1           **(E) A CANDIDATE SHALL INCLUDE WITH EACH QUALIFYING**  
2 **CONTRIBUTION THAT THE CANDIDATE SUBMITS TO THE STATE BOARD FOR**  
3 **DEPOSIT IN THE FUND A RECEIPT THAT INCLUDES:**

4                   **(1) THE PRINTED NAME OF THE CONTRIBUTOR;**

5                   **(2) THE ADDRESS OF THE CONTRIBUTOR; AND**

6                   **(3) A SIGNED STATEMENT BY WHICH THE CONTRIBUTOR ATTESTS**  
7 **THAT THE CONTRIBUTOR UNDERSTANDS THE PURPOSE OF THE CONTRIBUTION**  
8 **AND THAT THE CONTRIBUTION WAS MADE WITHOUT COERCION OR**  
9 **REIMBURSEMENT.**

10           **(F) A CANDIDATE MAY COLLECT QUALIFYING CONTRIBUTIONS ONLY**  
11 **DURING THE PERIOD THAT:**

12                   **(1) BEGINS ON SEPTEMBER 1 IN THE YEAR PRECEDING THE**  
13 **PRIMARY ELECTION FOR THE OFFICE THE CANDIDATE SEEKS; AND**

14                   **(2) ENDS ON THE DAY THAT IS 45 DAYS BEFORE THE DATE OF THE**  
15 **PRIMARY ELECTION FOR THE OFFICE THAT THE CANDIDATE SEEKS.**

16           **(G) A CANDIDATE MAY NOT ACCEPT A CONTRIBUTION FROM:**

17                   **(1) A BUSINESS ENTITY;**

18                   **(2) A POLITICAL PARTY;**

19                   **(3) A REGULATED LOBBYIST;**

20                   **(4) THE CAMPAIGN FINANCE ENTITY OF A CANDIDATE;**

21                   **(5) A POLITICAL ACTION COMMITTEE; OR**

22                   **(6) ANY OTHER POLITICAL COMMITTEE.**

23           **(H) A CANDIDATE WHO IS AN INCUMBENT MEMBER OF THE GENERAL**  
24 **ASSEMBLY WHO SEEKS TO QUALIFY FOR PUBLIC FINANCING UNDER THIS TITLE**  
25 **IS BOUND BY THE FUND-RAISING RESTRICTIONS SPECIFIED UNDER § 13-235 OF**  
26 **THIS ARTICLE.**

1           **(I) A CANDIDATE SHALL SATISFY ANY OTHER CONDITIONS GOVERNING**  
2 **QUALIFYING CONTRIBUTIONS PRESCRIBED UNDER REGULATIONS ADOPTED BY**  
3 **THE STATE BOARD.**

4 **15.5–107. QUALIFICATION OF CANDIDATE — DETERMINATION BY STATE**  
5 **BOARD.**

6           **(A) THE STATE BOARD SHALL REVIEW AND MAKE A DETERMINATION**  
7 **WHETHER TO CERTIFY A CANDIDATE AS A PARTICIPATING CANDIDATE NO**  
8 **LATER THAN 15 DAYS AFTER RECEIPT OF THE FOLLOWING INFORMATION FROM**  
9 **THE CANDIDATE:**

10                   **(1) A DECLARATION THAT THE CANDIDATE WILL ABIDE BY THE**  
11 **REGULATIONS AND POLICIES PRESCRIBED BY THE STATE BOARD; AND**

12                   **(2) A CAMPAIGN FINANCE REPORT THAT STATES, IN ADDITION TO**  
13 **THE LIST OF QUALIFYING CONTRIBUTIONS REQUIRED UNDER § 15.5–106 OF**  
14 **THIS TITLE:**

15                           **(I) ALL EXPENDITURES MADE BY THE CANDIDATE DURING**  
16 **THE CAMPAIGN; AND**

17                           **(II) ALL RECEIPTS ASSOCIATED WITH THOSE**  
18 **CONTRIBUTIONS AND EXPENDITURES.**

19           **(B) A CANDIDATE CERTIFIED BY THE STATE BOARD AS A**  
20 **PARTICIPATING CANDIDATE SHALL RECEIVE THE PUBLIC CONTRIBUTION**  
21 **SPECIFIED UNDER THIS TITLE FOR THAT LEGISLATIVE OFFICE.**

22           **(C) FOR ANY ELECTION, A CANDIDATE MAY SUBMIT AN APPLICATION TO**  
23 **THE STATE BOARD TO QUALIFY FOR PUBLIC FINANCING UNDER THIS TITLE**  
24 **ONLY ONCE.**

25           **(D) A DETERMINATION BY THE STATE BOARD AS TO WHETHER A**  
26 **CANDIDATE IS ELIGIBLE FOR PUBLIC FINANCING:**

27                   **(1) IS FINAL; AND**

28                   **(2) IS NOT SUBJECT TO JUDICIAL REVIEW.**

29 **15.5–108. DISTRIBUTION TO PARTICIPATING CANDIDATE’S PUBLICLY FUNDED**  
30 **CAMPAIGN ACCOUNT.**

1           **(A) SUBJECT TO THE REGULATIONS ADOPTED BY THE STATE BOARD**  
2 **UNDER § 15–103(F) OF THIS ARTICLE, AFTER THE STATE BOARD DETERMINES**  
3 **THAT A CANDIDATE HAS SATISFIED THE REQUIREMENTS TO BECOME A**  
4 **PARTICIPATING CANDIDATE, THE STATE BOARD SHALL AUTHORIZE THE**  
5 **DISBURSEMENT OF A PUBLIC CONTRIBUTION FROM THE FUND TO THE**  
6 **PUBLICLY FUNDED CAMPAIGN ACCOUNT FOR THAT PARTICIPATING CANDIDATE**  
7 **IN ACCORDANCE WITH THE REQUIREMENTS OF THIS TITLE.**

8           **(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A**  
9 **PARTICIPATING CANDIDATE OR A PERSON ACTING ON BEHALF OF THE**  
10 **PARTICIPATING CANDIDATE MAY NOT MAKE A CAMPAIGN EXPENDITURE FOR**  
11 **THE CANDIDATE OTHER THAN FROM THE CANDIDATE’S PUBLICLY FUNDED**  
12 **CAMPAIGN ACCOUNT.**

13           **(C) A PARTICIPATING CANDIDATE MAY MAINTAIN A PETTY CASH FUND**  
14 **IN ACCORDANCE WITH § 13–220(C) OF THIS ARTICLE.**

15           **(D) (1) A PARTICIPATING CANDIDATE AND THE CAMPAIGN FINANCE**  
16 **ENTITY FOR THE PARTICIPATING CANDIDATE MAY USE THE PUBLICLY FUNDED**  
17 **CAMPAIGN ACCOUNT ONLY IN ACCORDANCE WITH THIS ARTICLE.**

18           **(2) THE STATE BOARD MAY GAIN ACCESS AT ANY TIME TO THE**  
19 **RECORDS AND TRANSACTIONS OF A PARTICIPATING CANDIDATE’S PUBLICLY**  
20 **FUNDED CAMPAIGN ACCOUNT.**

21           **(3) IN ACCORDANCE WITH THE STATE BOARD REGULATIONS AND**  
22 **GUIDELINES, THE STATE BOARD MAY TERMINATE A PARTICIPATING**  
23 **CANDIDATE’S PUBLICLY FUNDED CAMPAIGN ACCOUNT.**

24 **15.5–109. PARTICIPATING CANDIDATE — JOINING A SLATE PROHIBITED.**

25           **A PARTICIPATING CANDIDATE MAY NOT BE A MEMBER OF A SLATE IN ANY**  
26 **ELECTION IN WHICH THE CANDIDATE IS GOVERNED BY THIS TITLE.**

27 **15.5–110. EXPENDITURE LIMITS FOR PARTICIPATING CANDIDATES TO THE**  
28 **GENERAL ASSEMBLY.**

29           **(A) IN THIS SECTION, AN “UNCONTESTED” ELECTION MEANS AN**  
30 **ELECTION IN WHICH:**

31           **(1) ONLY ONE CANDIDATE QUALIFIES TO RUN FOR NOMINATION**  
32 **FOR OR ELECTION TO AN OFFICE; OR**

1           **(2) THE NUMBER OF CANDIDATES WHO QUALIFY TO RUN FOR**  
 2 **NOMINATION FOR OR ELECTION TO AN OFFICE OR MULTIPLE OFFICES OF THE**  
 3 **SAME CATEGORY EQUALS THE NUMBER OF OFFICES.**

4           **(B) A PARTICIPATING CANDIDATE FOR ELECTION TO THE SENATE OF**  
 5 **MARYLAND MAY NOT EXPEND FOR CAMPAIGN PURPOSES AN AMOUNT IN EXCESS**  
 6 **OF THE LIMITS SPECIFIED IN THIS SUBSECTION.**

|                             | <b>PRIMARY</b>  | <b>GENERAL</b>  | <b>TOTAL</b>     |
|-----------------------------|-----------------|-----------------|------------------|
| 7 <b>CONTESTED SENATE</b>   | <b>\$50,000</b> | <b>\$50,000</b> | <b>\$100,000</b> |
| 8 <b>UNCONTESTED SENATE</b> | <b>8,000</b>    | <b>4,000</b>    | <b>12,000</b>    |

10           **(C) A PARTICIPATING CANDIDATE FOR ELECTION TO THE HOUSE OF**  
 11 **DELEGATES MAY NOT EXPEND FOR CAMPAIGN PURPOSES AN AMOUNT IN**  
 12 **EXCESS OF THE LIMITS SPECIFIED IN THIS SUBSECTION.**

|                             | <b>PRIMARY</b>  | <b>GENERAL</b>  | <b>TOTAL</b>     |
|-----------------------------|-----------------|-----------------|------------------|
| 13 <b>CONTESTED HOUSE</b>   |                 |                 |                  |
| 14 <b>(THREE MEMBER)</b>    | <b>\$50,000</b> | <b>\$50,000</b> | <b>\$100,000</b> |
| 15 <b>(TWO MEMBER)</b>      | <b>35,000</b>   | <b>35,000</b>   | <b>70,000</b>    |
| 16 <b>(SINGLE MEMBER)</b>   | <b>20,000</b>   | <b>20,000</b>   | <b>40,000</b>    |
| 17 <b>UNCONTESTED HOUSE</b> |                 |                 |                  |
| 18 <b>(THREE MEMBER)</b>    | <b>\$8,000</b>  | <b>\$4,000</b>  | <b>\$12,000</b>  |
| 19 <b>(TWO MEMBER)</b>      | <b>6,000</b>    | <b>3,500</b>    | <b>9,500</b>     |
| 20 <b>(SINGLE MEMBER)</b>   | <b>5,000</b>    | <b>3,000</b>    | <b>8,000</b>     |

22           **(D) (1) THIS SUBSECTION APPLIES TO A PARTICIPATING CANDIDATE**  
 23 **FOR ELECTION TO THE SENATE OF MARYLAND OR TO THE HOUSE OF**  
 24 **DELEGATES WHO IS ENGAGED IN:**

25                   **(I) A CONTESTED PRIMARY ELECTION AND A CONTESTED**  
 26 **GENERAL ELECTION; OR**

27                   **(II) AN UNCONTESTED PRIMARY ELECTION.**

28           **(2) A PARTICIPATING CANDIDATE WHO IS INVOLVED IN A**  
 29 **CONTESTED PRIMARY ELECTION AND IN A CONTESTED GENERAL ELECTION MAY**  
 30 **CHOOSE AN ALTERNATIVE APPORTIONMENT OF THE EXPENDITURE LIMIT**  
 31 **ESTABLISHED FOR THAT CANDIDATE UNDER THIS SECTION SO THAT:**

32                   **(I) FOR THE PRIMARY ELECTION, THE CANDIDATE MAY**  
 33 **RECEIVE A PUBLIC CONTRIBUTION OF AND EXPEND AN AMOUNT THAT DOES NOT**

1 EXCEED 70% OF THE COMBINED EXPENDITURE LIMIT ESTABLISHED FOR THAT  
2 CANDIDATE FOR THE PRIMARY ELECTION AND FOR THE GENERAL ELECTION;  
3 AND

4 (II) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, FOR  
5 THE GENERAL ELECTION THE CANDIDATE MAY RECEIVE A PUBLIC  
6 CONTRIBUTION OF AND EXPEND THE BALANCE OF THE COMBINED  
7 EXPENDITURE LIMIT AUTHORIZED FOR THAT CANDIDATE FOR THE PRIMARY  
8 ELECTION AND FOR THE GENERAL ELECTION.

9 (3) A PARTICIPATING CANDIDATE INVOLVED IN AN  
10 UNCONTESTED PRIMARY ELECTION MAY CHOOSE AN ALTERNATIVE  
11 APPORTIONMENT OF THE EXPENDITURE LIMIT ESTABLISHED FOR THAT  
12 CANDIDATE UNDER THIS SECTION SO THAT FOR THE GENERAL ELECTION THE  
13 CANDIDATE MAY RECEIVE NO MORE THAN 70% OF THE COMBINED  
14 EXPENDITURE LIMIT ESTABLISHED FOR THAT CANDIDATE FOR THE PRIMARY  
15 ELECTION AND FOR THE GENERAL ELECTION.

16 (4) A PARTICIPATING CANDIDATE INVOLVED IN A CONTESTED  
17 PRIMARY ELECTION WHO CHOOSES AN ALTERNATIVE APPORTIONMENT OF THE  
18 EXPENDITURE LIMIT ESTABLISHED FOR THAT CANDIDATE SO THAT FOR THE  
19 PRIMARY ELECTION THE CANDIDATE RECEIVES MORE THAN 50% OF THE  
20 COMBINED EXPENDITURE LIMIT ESTABLISHED FOR THE CANDIDATE FOR THE  
21 PRIMARY ELECTION AND FOR THE GENERAL ELECTION IS NOT ELIGIBLE TO  
22 RECEIVE ANY FURTHER PUBLIC CONTRIBUTION UNDER THIS SECTION IF THE  
23 CANDIDATE THEREAFTER IS ENGAGED IN AN UNCONTESTED GENERAL  
24 ELECTION.

25 15.5-111. DISBURSEMENTS BY THE COMPTROLLER.

26 (A) (1) (I) BEGINNING ON MARCH 1 OF THE YEAR OF THE  
27 ELECTION, THE STATE BOARD SHALL AUTHORIZE THE COMPTROLLER TO MAKE  
28 A DISBURSEMENT FROM THE FUND TO EACH PARTICIPATING CANDIDATE WHOM  
29 THE STATE BOARD AS OF THAT DATE HAS CERTIFIED TO RECEIVE A PUBLIC  
30 CONTRIBUTION FOR THE PRIMARY ELECTION.

31 (II) BEFORE THE FILING DEADLINE FOR THE PRIMARY  
32 ELECTION FOR CANDIDATES FOR THE GENERAL ASSEMBLY, THE  
33 COMPTROLLER MAY NOT MAKE AGGREGATE DISBURSEMENTS TO A  
34 PARTICIPATING CANDIDATE THAT EXCEED 15% OF THE EXPENDITURE LIMIT  
35 SPECIFIED FOR THAT CANDIDATE FOR THE PRIMARY ELECTION.

1           **(2) DURING THE PERIOD FROM MARCH 1 OF THE YEAR OF THE**  
2 **ELECTION UNTIL THE FILING DEADLINE FOR CANDIDATES FOR ELECTION TO**  
3 **THE GENERAL ASSEMBLY, IF A PARTICIPATING CANDIDATE WHO WAS**  
4 **UNOPPOSED IS LATER OPPOSED, IN ACCORDANCE WITH § 15.5-110 OF THIS**  
5 **TITLE, THE STATE BOARD PROMPTLY SHALL AUTHORIZE THE COMPTROLLER**  
6 **TO MAKE A DISTRIBUTION FROM THE FUND TO THE NOW OPPOSED**  
7 **PARTICIPATING CANDIDATE.**

8           **(3) A PARTICIPATING CANDIDATE MAY USE THE PUBLIC**  
9 **CONTRIBUTION DISBURSED UNDER THIS SUBSECTION ONLY FOR EXPENSES**  
10 **INCURRED FOR THE PRIMARY ELECTION.**

11           **(4) THE STATE BOARD MAY DIRECT THE COMPTROLLER TO**  
12 **DISBURSE A PUBLIC CONTRIBUTION TO A PARTICIPATING CANDIDATE FOR THE**  
13 **PRIMARY ELECTION UNTIL 45 DAYS BEFORE THE DATE OF THE PRIMARY**  
14 **ELECTION.**

15           **(5) WITHIN 15 DAYS AFTER THE PRIMARY ELECTION, A**  
16 **PARTICIPATING CANDIDATE SHALL RETURN TO THE STATE BOARD ANY PART**  
17 **OF THE PUBLIC CONTRIBUTION THAT THE CANDIDATE DID NOT SPEND FOR THE**  
18 **PRIMARY ELECTION.**

19           **(B) (1) WITHIN 72 HOURS AFTER THE STATE BOARD CERTIFIES THE**  
20 **RESULTS OF THE PRIMARY ELECTION, THE STATE BOARD SHALL DIRECT THE**  
21 **COMPTROLLER TO DISBURSE A PUBLIC CONTRIBUTION TO EACH**  
22 **PARTICIPATING CANDIDATE WHO HAS BEEN CERTIFIED BY THE STATE BOARD**  
23 **TO RECEIVE A PUBLIC CONTRIBUTION FOR THE GENERAL ELECTION.**

24           **(2) WITHIN 45 DAYS AFTER THE GENERAL ELECTION, A**  
25 **PARTICIPATING CANDIDATE SHALL RETURN TO THE STATE BOARD ANY PART**  
26 **OF THE PUBLIC CONTRIBUTION THAT THE CANDIDATE DID NOT SPEND FOR THE**  
27 **GENERAL ELECTION.**

28           **(C) A PARTICIPATING CANDIDATE NOMINATED BY PETITION IS**  
29 **ELIGIBLE TO RECEIVE A PUBLIC CONTRIBUTION FROM THE FUND FOR THE**  
30 **GENERAL ELECTION AFTER MARCH 1 OF THE YEAR OF THE ELECTION IF:**

31           **(1) THE CANDIDATE'S NOMINATION HAS BEEN CERTIFIED BY THE**  
32 **STATE BOARD; AND**

33           **(2) THE CANDIDATE DOES NOT PARTICIPATE IN A PRIMARY**  
34 **ELECTION.**

1           **(D) THE COMPTROLLER SHALL DEPOSIT A PUBLIC CONTRIBUTION IN**  
2 **THE PUBLICLY FUNDED CAMPAIGN ACCOUNT OF A PARTICIPATING CANDIDATE**  
3 **NO LATER THAN 5 DAYS AFTER THE STATE BOARD DIRECTS THAT THE**  
4 **DISBURSEMENT BE MADE.**

5 **15.5-112. PARTICIPATING CANDIDATE — SUPPLEMENTAL PRIVATE**  
6 **CONTRIBUTIONS.**

7           **(A) IN ADDITION TO THE PUBLIC CONTRIBUTION AUTHORIZED UNDER**  
8 **THIS TITLE, A PARTICIPATING CANDIDATE MAY RAISE SUPPLEMENTAL PRIVATE**  
9 **CONTRIBUTIONS IF THE PARTICIPATING CANDIDATE IS OPPOSED BY A**  
10 **NONPARTICIPATING CANDIDATE IN A PRIMARY ELECTION OR IN A GENERAL**  
11 **ELECTION.**

12           **(B) (1) THE AGGREGATE AMOUNT OF ALL SUPPLEMENTAL PRIVATE**  
13 **CONTRIBUTIONS THAT A PARTICIPATING CANDIDATE MAY RAISE UNDER THIS**  
14 **SECTION MAY NOT EXCEED \$10,000.**

15           **(2) THE AGGREGATE AMOUNT OF THE SUPPLEMENTAL PRIVATE**  
16 **CONTRIBUTIONS RECEIVED FROM A CONTRIBUTOR MAY NOT EXCEED \$100.**

17 **15.5-113. EXPENDITURES BY NONPARTICIPATING CANDIDATE IN EXCESS OF**  
18 **EXPENDITURE LIMIT FOR PARTICIPATING CANDIDATE.**

19           **(A) (1) IF A NONPARTICIPATING CANDIDATE MAKES EXPENDITURES**  
20 **THAT EXCEED THE EXPENDITURE LIMIT ESTABLISHED FOR A PARTICIPATING**  
21 **CANDIDATE FOR THAT OFFICE, THE NONPARTICIPATING CANDIDATE**  
22 **THEREAFTER SHALL FILE A BIWEEKLY CAMPAIGN FINANCE REPORT OF ALL OF**  
23 **THE CANDIDATE'S EXPENDITURES THROUGH AND INCLUDING THE WEEK AFTER**  
24 **THE ELECTION.**

25           **(2) IN ADDITION TO THE REQUIREMENTS OF PARAGRAPH (1) OF**  
26 **THIS SUBSECTION, DURING THE 30 DAYS PRECEDING AN ELECTION, A**  
27 **NONPARTICIPATING CANDIDATE SHALL NOTIFY THE STATE BOARD WITHIN 48**  
28 **HOURS OF EACH EXPENDITURE OVER \$500 THAT THE CANDIDATE MAKES OR**  
29 **BECOMES OBLIGATED TO MAKE.**

30           **(B) IN ACCORDANCE WITH REGULATIONS OR WRITTEN GUIDELINES**  
31 **THAT THE STATE BOARD ADOPTS, THE STATE BOARD MAY MAKE AN**  
32 **INDEPENDENT DETERMINATION WHETHER A NONPARTICIPATING CANDIDATE**  
33 **HAS MADE AN EXPENDITURE THAT IS SUBJECT TO THIS SECTION.**

1 **15.5–114. PARTICIPATING CANDIDATE WHO OPTS OUT — RETURN OF PUBLIC**  
2 **MONEY AND PENALTY.**

3 **AFTER BEING CERTIFIED AS A PARTICIPATING CANDIDATE BY THE STATE**  
4 **BOARD, IF THE CANDIDATE ELECTS TO OPT OUT OF THE SYSTEM OF PUBLIC**  
5 **FINANCING OF ELECTIONS ESTABLISHED UNDER THIS TITLE, THE CANDIDATE**  
6 **SHALL:**

7 **(1) FILE A STATEMENT OF WITHDRAWAL WITH THE STATE BOARD**  
8 **ON THE FORM PRESCRIBED BY THE STATE BOARD; AND**

9 **(2) WITHIN 5 BUSINESS DAYS AFTER FILING THE STATEMENT OF**  
10 **WITHDRAWAL, REPAY TO THE STATE BOARD FOR REDEPOSIT IN THE FUND THE**  
11 **FULL AMOUNT OF THE MONEY DISBURSED TO THE CANDIDATE BY THE**  
12 **COMPTROLLER, TOGETHER WITH THE INTEREST AND PENALTY PRESCRIBED BY**  
13 **THE STATE BOARD BY REGULATION.**

14 **15.5–115. POLITICAL PARTY CONTRIBUTIONS AND EXPENDITURES.**

15 **(A) A PARTICIPATING CANDIDATE MAY NOT ACCEPT A CONTRIBUTION**  
16 **FROM A STATE OR LOCAL CENTRAL COMMITTEE OF A POLITICAL PARTY.**

17 **(B) THIS TITLE MAY NOT BE CONSTRUED TO PREVENT A POLITICAL**  
18 **PARTY FROM USING ITS FUNDS FOR EXPENSES FOR:**

19 **(1) THE GENERAL OPERATING EXPENSES OF THE POLITICAL**  
20 **PARTY;**

21 **(2) A POLITICAL PARTY CONVENTION;**

22 **(3) NOMINATING AND ENDORSING CANDIDATES;**

23 **(4) IDENTIFYING, RESEARCHING, AND DEVELOPING THE PARTY'S**  
24 **POSITIONS ON ISSUES;**

25 **(5) PARTY PLATFORM ACTIVITIES;**

26 **(6) VOTER REGISTRATION ACTIVITIES THAT ARE NOT**  
27 **CANDIDATE-SPECIFIC;**

28 **(7) GET-OUT-THE-VOTE ACTIVITIES THAT ARE NOT**  
29 **CANDIDATE-SPECIFIC;**

1           **(8) TRAVEL EXPENSES FOR LEADERS AND STAFF OF THE**  
2 **POLITICAL PARTY WHO ARE NOT CANDIDATES; OR**

3           **(9) OTHER PARTY-BUILDING ACTIVITIES THAT ARE NOT**  
4 **CANDIDATE-SPECIFIC.**

5 **15.5-116. JUDICIAL REVIEW.**

6           **(A) EXCEPT AS PROVIDED UNDER § 15.5-107(D) OF THIS TITLE, AN**  
7 **ACTION OF THE STATE BOARD UNDER THIS TITLE MAY BE REVIEWED BY A**  
8 **CIRCUIT COURT IN ACCORDANCE WITH § 10-222(C) OF THE STATE**  
9 **GOVERNMENT ARTICLE.**

10           **(B) A PETITION TO REVIEW AN ACTION OF THE STATE BOARD UNDER**  
11 **THIS SECTION SHALL BE BROUGHT WITHIN 60 DAYS AFTER THE STATE BOARD**  
12 **ACTS.**

13 **15.5-117. PENALTIES.**

14           **(A) A PARTICIPATING CANDIDATE MAY NOT KNOWINGLY OR**  
15 **INTENTIONALLY:**

16           **(1) ACCEPT A CONTRIBUTION TO WHICH THE CANDIDATE IS NOT**  
17 **ENTITLED;**

18           **(2) MAKE AN EXPENDITURE IN AN AMOUNT THAT IS GREATER**  
19 **THAN THE AMOUNT THAT THE CANDIDATE RECEIVES FROM THE FUND; OR**

20           **(3) MISUSE A CONTRIBUTION OR MONEY RECEIVED FROM THE**  
21 **FUND.**

22           **(B) IF THE STATE BOARD DETERMINES THAT A PARTICIPATING**  
23 **CANDIDATE KNOWINGLY OR INTENTIONALLY RECEIVED A CONTRIBUTION OR**  
24 **MADE AN EXPENDITURE THAT EXCEEDS CONTRIBUTION OR EXPENDITURE**  
25 **LIMITS SPECIFIED UNDER THIS TITLE OR FAILED TO DISCLOSE THE**  
26 **CONTRIBUTION OR EXPENDITURE, THE PARTICIPATING CANDIDATE IS GUILTY**  
27 **OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT**  
28 **EXCEEDING \$2,500 OR IMPRISONMENT FOR NOT MORE THAN 1 YEAR OR BOTH.**

29           **(C) IN THE DISCRETION OF THE STATE BOARD, AN INDIVIDUAL WHO**  
30 **VIOLATES THIS TITLE MAY BE BARRED FROM FURTHER PARTICIPATION AS A**  
31 **PARTICIPATING CANDIDATE UNDER THIS TITLE.**

1           **(D) (1) A PERSON MAY NOT KNOWINGLY OR INTENTIONALLY**  
2 **PROVIDE FALSE INFORMATION TO OR CONCEAL OR WITHHOLD INFORMATION**  
3 **ABOUT A CONTRIBUTION OR AN EXPENDITURE FROM THE STATE BOARD.**

4           **(2) A PERSON THAT VIOLATES THIS SUBSECTION IS GUILTY OF A**  
5 **MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A PERSONAL FINE OF**  
6 **THREE TIMES THE AMOUNT OF THE ILLEGAL CONTRIBUTION, EXPENDITURE, OR**  
7 **FALSE DISCLOSURE TO A MAXIMUM OF \$5,000 FOR EACH VIOLATION OR**  
8 **IMPRISONMENT FOR 2 YEARS OR BOTH.**

9 **15.5–118. SHORT TITLE.**

10           **THIS TITLE MAY BE CITED AS THE PUBLIC FUNDING AND SMALL DONOR**  
11 **ACT FOR GENERAL ASSEMBLY ELECTIONS.**

12           SECTION 3. AND BE IT FURTHER ENACTED, That:

13           (a) There is a Commission to Study Public Financing of Elections in  
14 Maryland.

15           (b) The Commission shall consist of the following 10 members:

16                   (1) One member of the Senate of Maryland, appointed by the  
17 President of the Senate;

18                   (2) One member of the House of Delegates, appointed by the Speaker  
19 of the House;

20                   (3) Six individuals appointed by the Governor, including:

21                           (i) A member of the State Board of Elections;

22                           (ii) A member of the State Ethics Commission; and

23                           (iii) Four representatives of statewide organizations concerned  
24 with campaign finance practices, fair elections, and ethics in government;

25                   (4) One representative appointed by the chair of the Maryland State  
26 Democratic Party Central Committee; and

27                   (5) One representative appointed by the chair of the Maryland State  
28 Republican Party Central Committee.

29           (c) The Governor shall designate the chair of the Commission.

1 (d) The State Board of Elections and the State Ethics Commission shall  
2 provide staff for the Commission.

3 (e) A member of the Commission:

4 (1) May not receive compensation as a member of the Commission; but

5 (2) Is entitled to reimbursement for expenses under the Standard  
6 State Travel Regulations, as provided in the State budget.

7 (f) The Commission shall:

8 (1) Convene following the November 2014 general election;

9 (2) Receive testimony as the Commission considers appropriate; and

10 (3) On or before December 31, 2016, report its findings and  
11 recommendations, including any proposed statutory changes to the Maryland election  
12 laws, to the Governor and, subject to § 2-1246 of the State Government Article, the  
13 General Assembly concerning:

14 (i) Information relating to the practice of public funding of  
15 election campaigns in other jurisdictions in the United States;

16 (ii) The need for additional disclosure of campaign contributions  
17 or expenditures under this Act;

18 (iii) The effect and role of independent expenditures under this  
19 Act;

20 (iv) The effectiveness of the regulations, guidelines, and policies  
21 established by the State Board of Elections governing the disclosure and reporting of  
22 contributions and expenditures by participating candidates and nonparticipating  
23 candidates in accordance with this Act;

24 (v) Funding sources that the General Assembly should consider  
25 for the purposes of this Act; and

26 (vi) Any other matter the Commission determines to be  
27 appropriate.

28 SECTION 4. AND BE IT FURTHER ENACTED, That the captions contained in  
29 this Act are not law and may not be considered to have been enacted as part of this  
30 Act.

31 SECTION 5. AND BE IT FURTHER ENACTED, That if any provision of this  
32 Act or the application thereof to any person or circumstance is held invalid for any

1 reason in a court of competent jurisdiction, the invalidity does not affect other  
2 provisions or any other application of this Act which can be given effect without the  
3 invalid provision or application, and for this purpose the provisions of this Act are  
4 declared severable.

5 SECTION 6. AND BE IT FURTHER ENACTED, That the State Board of  
6 Elections shall undertake actions, as required to manage and supervise the system of  
7 public financing of elections for General Assembly candidates established under Title  
8 15.5 of the Election Law Article, as enacted by Section 2 of this Act, to include the  
9 development and adoption on or before October 1, 2014, of comprehensive regulations  
10 to implement the purposes of this Act, as required under § 15.5–102 of the Election  
11 Law Article, as enacted by Section 2 of this Act.

12 SECTION 7. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall  
13 take effect July 1, 2015. It shall remain effective for a period of 2 years and, at the end  
14 of June 30, 2017, with no further action required by the General Assembly, Section 3  
15 of this Act shall be abrogated and of no further force and effect.

16 SECTION 8. AND BE IT FURTHER ENACTED, That, except as provided in  
17 Section 7 of this Act, this Act shall take effect June 1, 2014.