

# SENATE BILL 535

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CF HB 147

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By: **Senators Lam and Guzzone**

Introduced and read first time: February 4, 2019

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Local Public Campaign Financing – Boards of Education**

3 FOR the purpose of altering a certain provision of law to authorize the governing body of a  
4 county to establish, by law, a system of public campaign financing for an elected  
5 member of the county board of education; making conforming changes; making a  
6 technical correction; and generally relating to local public campaign financing.

7 BY repealing and reenacting, with amendments,

8 Article – Election Law

9 Section 13–505

10 Annotated Code of Maryland

11 (2017 Replacement Volume and 2018 Supplement)

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

14 **Article – Election Law**

15 13–505.

16 (a) (1) Subject to the provisions of this section, the governing body of a county  
17 may establish, by law, a system of public campaign financing for [elective] **THE**  
18 **FOLLOWING** offices:

19 **(I) AN ELECTIVE OFFICE** in the executive or legislative branches of  
20 county government; **OR**

21 **(II) AN ELECTED MEMBER OF THE COUNTY BOARD OF**  
22 **EDUCATION.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) When establishing a system of public campaign financing for [elective  
2 offices in the executive or legislative branches of county government] **AN OFFICE UNDER**  
3 **PARAGRAPH (1) OF THIS SUBSECTION**, the governing body of a county shall specify the  
4 criteria that [is] **ARE** to be used to determine whether an individual is eligible for public  
5 campaign financing.

6           (b) A system of public campaign financing enacted under subsection (a) of this  
7 section:

8           (1) shall provide for participation of candidates in public campaign  
9 financing on a strictly voluntary basis;

10           (2) may not regulate candidates who choose not to participate in public  
11 campaign financing;

12           (3) shall prohibit the use of public campaign financing for any campaign  
13 except a campaign for county elective office;

14           (4) shall require a candidate who accepts public campaign financing to:

15           (i) establish a campaign finance entity solely for the campaign for  
16 county elective office; and

17           (ii) use funds from that campaign finance entity only for the  
18 campaign for county elective office;

19           (5) shall prohibit a candidate who accepts public campaign financing from  
20 transferring funds:

21           (i) to the campaign finance entity established to finance the  
22 campaign for county elective office from any other campaign finance entity established for  
23 the candidate; and

24           (ii) from the campaign finance entity established to finance the  
25 campaign for county elective office to any other campaign finance entity;

26           (6) shall provide for a public election fund for county elective offices that is  
27 administered by the chief financial officer of the county; and

28           (7) shall be subject to regulation and oversight by the State Board to ensure  
29 conformity with State law and policy to the extent practicable.

30           (c) A system of public campaign financing enacted under subsection (a) of this  
31 section may:

32           (1) provide for more stringent regulation of campaign finance activity by  
33 candidates who choose to accept public campaign financing, including contributions,

1 expenditures, reporting, and campaign material, than is provided for by State law; and

2 (2) provide for administrative penalties for violations, in accordance with  
3 [Article 25A, § 5 of the Code] **§ 10-202 OF THE LOCAL GOVERNMENT ARTICLE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
5 October 1, 2019.