

HOUSE BILL 433

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By: **Montgomery County Delegation**

Introduced and read first time: January 15, 2021

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Public Campaign Financing – Expansion**

3 **MC 14–21**

4 FOR the purpose of authorizing the governing body of Montgomery County to establish, by
5 law, a system of public campaign financing for candidates for the offices of Clerk of
6 the Circuit Court, Register of Wills, Sheriff, and State’s Attorney; making a
7 conforming change; making a technical correction; and generally relating to public
8 campaign financing in Montgomery County.

9 BY repealing and reenacting, with amendments,
10 Article – Election Law
11 Section 13–505
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2020 Supplement)

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

16 **Article – Election Law**

17 13–505.

18 (a) (1) **(I)** Subject to the provisions of this section, the governing body of a
19 county may establish, by law, a system of public campaign financing for elective offices in
20 the executive or legislative branches of county government.

21 **(II) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE**
22 **GOVERNING BODY OF MONTGOMERY COUNTY MAY ESTABLISH, BY LAW, A SYSTEM**
23 **OF PUBLIC CAMPAIGN FINANCING FOR THE FOLLOWING OFFICES:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 1. **CLERK OF THE CIRCUIT COURT;**
- 2 2. **REGISTER OF WILLS;**
- 3 3. **SHERIFF; OR**
- 4 4. **STATE'S ATTORNEY.**

5 (2) When establishing a system of public campaign financing for [elective
6 offices in the executive or legislative branches of county government] **AN OFFICE UNDER**
7 **PARAGRAPH (1) OF THIS SUBSECTION**, the governing body of a county shall:

8 (i) specify the criteria that [is] **ARE** to be used to determine whether
9 an individual is eligible for public campaign financing; and

10 (ii) provide the funding and staff necessary for the operation,
11 administration, and auditing of the system of public campaign financing.

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

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

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

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

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

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

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

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

27 (i) to the campaign finance entity established to finance the
28 campaign for county elective office from any other campaign finance entity established for
29 the candidate; and

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

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

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

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

9 (1) provide for more stringent regulation of campaign finance activity by
10 candidates who choose to accept public campaign financing, including contributions,
11 expenditures, reporting, and campaign material, than is provided for by State law; and

12 (2) provide for administrative penalties for violations, in accordance with §
13 10-202 of the Local Government Article.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
15 1, 2021.