

HOUSE BILL 1132
CONSTITUTIONAL AMENDMENT

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1998 Regular Session
8lr2414
CF 8lr2415

By: **Delegates McIntosh and Hurson**

Introduced and read first time: February 13, 1998

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Clean Campaign Public Financing Act for Candidates for the General**
3 **Assembly**

4 FOR the purpose of establishing, subject to the adoption of this Constitutional
5 Amendment by the voters of the State, the Clean Campaign Public Financing
6 Act for Candidates for the General Assembly to be administered by the State
7 Board of Elections with the assistance of the Comptroller; defining certain
8 terms; creating the Clean Campaign Public Financing Fund and providing for
9 the inclusion of certain money in the Fund; establishing certain procedures,
10 requirements, and conditions for participation in the Fund and for the
11 distribution of revenues from the Fund; requiring that candidates participating
12 in the Fund adhere to certain expenditure limitations; providing for certain
13 penalties; requiring the Comptroller to perform certain duties in connection
14 with the establishment, maintenance, and administration of the Fund;
15 authorizing certain taxpayers to make certain contributions and receive certain
16 tax advantages for certain contributions and donations made under this Act;
17 authorizing certain candidates to be listed on the ballot in a certain manner;
18 generally relating to the establishment of the Clean Campaign Public Financing
19 Act for Candidates for the General Assembly; and submitting this amendment to
20 the qualified voters of the State of Maryland for their adoption or rejection.

21 BY proposing an addition to the Constitution of Maryland
22 Article III - Legislative Department
23 Section 62-1 through 62-13

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, (Three-fifths of all members elected to each of the two Houses
26 concurring), That it be proposed that the Constitution of Maryland read as follows:

1 **Article III - Legislative Department**

2 TITLE 62. CLEAN CAMPAIGN PUBLIC FINANCING ACT FOR CANDIDATES FOR THE
3 GENERAL ASSEMBLY.

4 62-1.

5 (A) THE GENERAL ASSEMBLY OF MARYLAND RECOGNIZES THAT A SYSTEM
6 FOR THE PUBLIC FINANCING OF CAMPAIGNS NOW EXISTS FOR CANDIDATES FOR
7 GOVERNOR AND LIEUTENANT GOVERNOR IN THE STATE AND THAT AN ALTERNATIVE
8 SYSTEM OF PUBLICLY FINANCED CAMPAIGNS ALSO IS NEEDED FOR CANDIDATES
9 SEEKING ELECTION TO THE GENERAL ASSEMBLY. A SYSTEM OF PUBLIC FINANCING
10 FOR ELECTIONS FOR THE GENERAL ASSEMBLY WILL ELIMINATE THE REAL AND
11 PERCEIVED CONFLICTS OF INTEREST THAT ARISE FROM LARGE PRIVATE
12 CONTRIBUTIONS TO CANDIDATES BY PROVIDING THE CANDIDATES INSTEAD WITH A
13 SYSTEM OF CLEAN PUBLIC RESOURCES. A SYSTEM OF CLEAN PUBLIC RESOURCES
14 FOR CAMPAIGNS FOR ELECTION TO THE GENERAL ASSEMBLY ALSO WILL:

15 (1) ALLOW VIABLE CANDIDATES TO RUN COMPETITIVE CAMPAIGNS
16 REGARDLESS OF THEIR ACCESS TO WEALTH;

17 (2) INCREASE VOTER CHOICE IN ELECTIONS;

18 (3) CONTROL THE RISING COSTS OF POLITICAL CAMPAIGNS; AND

19 (4) FREE CANDIDATES FROM RELENTLESS FUND-RAISING AND
20 THEREBY ALLOW CANDIDATES TO SPEND MORE TIME DISCUSSING ISSUES WITH
21 VOTERS.

22 (B) CAMPAIGNS THAT ARE FINANCED WITH CLEAN MONEY WILL HELP
23 RESTORE CONFIDENCE AND TRUST IN GOVERNMENT AND PROMOTE DEMOCRACY BY
24 INCREASING COMPETITION IN ELECTIONS FOR THE GENERAL ASSEMBLY. FURTHER,
25 INCREASED COMPETITION IN ELECTIONS WILL CREATE A POLITICAL MARKETPLACE
26 FOR IDEAS AND CAUSE ELECTIONS TO CHANGE FROM WEALTH-BASED CAMPAIGNS
27 TO IDEA-BASED CAMPAIGNS.

28 62-2.

29 (A) IN THIS TITLE THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED
30 UNLESS OTHERWISE PROVIDED.

31 (B) "CANDIDATE" MEANS A CANDIDATE FOR ELECTION AS A MEMBER OF THE
32 HOUSE OF DELEGATES OR SENATE OF MARYLAND.

33 (C) "COMPTROLLER" MEANS THE STATE COMPTROLLER OF THE TREASURY.

34 (D) "ELIGIBLE CANDIDATE" MEANS A CANDIDATE WHO HAS QUALIFIED TO
35 RECEIVE A PUBLIC CONTRIBUTION UNDER THIS TITLE.

1 (E) "ELIGIBLE PRIVATE CONTRIBUTION" MEANS THAT PORTION OF A
2 MONETARY OR IN KIND CAMPAIGN CONTRIBUTION, OR SERIES OF CONTRIBUTIONS,
3 FROM AN INDIVIDUAL THAT IS NOT LESS THAN \$5 NOR MORE THAN \$100 THAT MEETS
4 THE REQUIREMENTS OF § 62-5 OF THIS TITLE.

5 (F) "FUND" MEANS THE "CLEAN CAMPAIGN PUBLIC FINANCING FUND FOR
6 CANDIDATES FOR THE GENERAL ASSEMBLY".

7 (G) "PUBLIC CONTRIBUTION" MEANS A SUM DISBURSED FROM THE CLEAN
8 CAMPAIGN PUBLIC FINANCING FUND TO A CANDIDATE ACCORDING TO THE
9 PROVISIONS OF THIS TITLE.

10 (H) "SEED MONEY" MEANS A SUM OF LAWFULLY RAISED ELIGIBLE PRIVATE
11 CONTRIBUTIONS THAT IS:

12 (1) NO MORE THAN \$100 FOR EACH DONOR;

13 (2) RECEIVED NO SOONER THAN 1 YEAR, AND NO LATER THAN 2
14 MONTHS, BEFORE THE DATE OF THE PRIMARY ELECTION; AND

15 (3) USED ONLY TO GENERATE ELIGIBLE PRIVATE CONTRIBUTIONS.

16 (I) "TREASURER" INCLUDES A CAMPAIGN SUBTREASURER.

17 62-3.

18 (A) A CANDIDATE WHO APPLIES FOR AND ACCEPTS A PUBLIC CONTRIBUTION
19 FROM THE FUND MAY NOT EXPEND AN AMOUNT IN EXCESS OF:

20 (1) \$35,000, ADJUSTED ANNUALLY BEGINNING JANUARY 1, 2000 IN
21 ACCORDANCE WITH THE CONSUMER PRICE INDEX, FOR A CANDIDATE FOR ELECTION
22 TO THE HOUSE OF DELEGATES; OR

23 (2) \$80,000, ADJUSTED ANNUALLY BEGINNING JANUARY 1, 2000 IN
24 ACCORDANCE WITH THE CONSUMER PRICE INDEX, FOR A CANDIDATE FOR ELECTION
25 TO THE SENATE OF MARYLAND.

26 (B) (1) A CANDIDATE SUBJECT TO THIS SECTION MAY NOT EXPEND MORE
27 THAN 60% OF THE EXPENDITURE LIMIT ALLOWED UNDER SUBSECTION (A) OF THIS
28 SECTION IN THE PRIMARY ELECTION AND NOT MORE THAN 40% OF THAT
29 EXPENDITURE LIMIT IN THE GENERAL ELECTION.

30 (2) A CANDIDATE WHO IS UNOPPOSED IN A PRIMARY OR GENERAL
31 ELECTION IS ELIGIBLE TO RECEIVE ONE-HALF OF THE MAXIMUM AMOUNT
32 ALLOWED UNDER THIS TITLE FOR CANDIDATES FOR ELECTION TO THE OFFICE THAT
33 THE CANDIDATE SEEKS.

34 (C) (1) A STATE OR LOCAL PARTISAN CENTRAL COMMITTEE:

35 (I) MAY NOT MAKE AN EXPENDITURE ON BEHALF OF AN ELIGIBLE
36 CANDIDATE IN A PRIMARY ELECTION; AND

1 (II) MAY NOT EXPEND AN AMOUNT THAT EXCEEDS 5% OF THE
2 EXPENDITURE LIMIT APPLICABLE TO AN ELIGIBLE CANDIDATE UNDER THIS TITLE
3 ON BEHALF OF THAT ELIGIBLE CANDIDATE IN ANY GENERAL ELECTION.

4 (2) AN EXPENDITURE MADE BY A STATE OR LOCAL PARTISAN CENTRAL
5 COMMITTEE ON BEHALF OF AN ELIGIBLE CANDIDATE UNDER PARAGRAPH (1)(II) OF
6 THIS SUBSECTION IS NOT SUBJECT TO THE EXPENDITURE LIMITATION APPLICABLE
7 TO THAT ELIGIBLE CANDIDATE UNDER THIS TITLE.

8 (D) AN ELIGIBLE CANDIDATE WHO RECEIVES A DISTRIBUTION FROM THE
9 FUND MAY NOT MAKE A CONTRIBUTION IN EXCESS OF \$100 IN PERSONAL FUNDS IN
10 SEED MONEY OR OTHER CONTRIBUTION TO THE CANDIDATE'S CAMPAIGN.

11 (E) THE CANDIDATE, AND ANY CHAIRMAN OR TREASURER ASSOCIATED WITH
12 THE EXPENDITURE, ARE JOINTLY AND SEVERALLY LIABLE CIVILLY AND CRIMINALLY
13 FOR ANY EXPENDITURE MADE IN VIOLATION OF THIS SECTION.

14 62-4.

15 (A) (1) THERE IS A CLEAN CAMPAIGN PUBLIC FINANCING FUND FOR
16 CANDIDATES FOR THE GENERAL ASSEMBLY ADMINISTERED BY THE COMPTROLLER
17 IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE.

18 (2) THE COMPTROLLER SHALL CREDIT TO THE FUND ALL MONEY
19 COLLECTED PURSUANT TO THESE PROVISIONS.

20 (B) SUBJECT TO THE OTHER REQUIREMENTS OF THIS TITLE, THE STATE
21 BOARD SHALL BEGIN TO DISTRIBUTE ONE-HALF OF THE MONEY IN THE FUND NOT
22 LATER THAN FEBRUARY 1 OF THE YEAR OF THE ELECTION TO ELIGIBLE CANDIDATES
23 IN THE PRIMARY ELECTION ON A CONTINUING BASIS AND THE REMAINING MONEY
24 IN THE FUND PROMPTLY AFTER THE PRIMARY ELECTION TO ELIGIBLE CANDIDATES
25 IN THE GENERAL ELECTION.

26 (C) THE EXECUTIVE DIRECTOR SHALL ADOPT COMPREHENSIVE
27 REGULATIONS TO CARRY OUT THE PURPOSES AND REQUIREMENTS OF THIS TITLE.
28 THE REGULATIONS SHALL INCLUDE PROVISIONS REGARDING:

29 (1) THE MANNER AND DATE BY WHICH A CANDIDATE SHALL NOTIFY
30 THE STATE BOARD THAT THE CANDIDATE INTENDS TO QUALIFY FOR PUBLIC
31 CONTRIBUTIONS;

32 (2) THE DEADLINE FOR CANDIDATES TO SUBMIT REQUESTS FOR PUBLIC
33 CONTRIBUTIONS;

34 (3) THE DATES UPON WHICH THE STATE BOARD IS TO ORDER, AND THE
35 COMPTROLLER IS TO MAKE, DISBURSEMENTS OF PUBLIC CONTRIBUTIONS TO
36 ELIGIBLE CANDIDATES IN ACCORDANCE WITH THIS TITLE;

37 (4) PRO RATA DISTRIBUTIONS IF THERE IS NOT, OR MAY NOT BE,
38 SUFFICIENT MONEY IN THE FUND;

1 (5) A FORMULA FOR DISTRIBUTING SUPPLEMENTARY PUBLIC
2 CONTRIBUTIONS TO THE OTHER ELIGIBLE CANDIDATES IF, BECAUSE AN ELIGIBLE
3 CANDIDATE FAILS TO REQUEST A PUBLIC CONTRIBUTION, THE CANDIDATE
4 WITHDRAWS AS A CANDIDATE, BECOMES DISQUALIFIED, OR DIES, ADDITIONAL
5 FUNDS BECOME AVAILABLE;

6 (6) THE STANDARDS BY WHICH EXPENDITURES BY POLITICAL
7 COMMITTEES AND SLATES WITH WHICH AN ELIGIBLE CANDIDATE IS AFFILIATED
8 ARE APPLIED TO THE EXPENDITURE LIMIT OF THE CANDIDATE;

9 (7) THE SPECIFICATION OF THRESHOLDS FOR IN KIND CONTRIBUTIONS
10 THAT WILL NOT BE DEEMED CONTRIBUTIONS OR EXPENDITURES FOR THE
11 PURPOSES OF THIS TITLE;

12 (8) DISTRIBUTIONS TO:

13 (I) UNOPPOSED CANDIDATES;

14 (II) CANDIDATES WHO ARE NOT MEMBERS OF THE TWO PRINCIPAL
15 POLITICAL PARTIES; AND

16 (III) WRITE-IN CANDIDATES; AND

17 (9) THE PURPOSES FOR WHICH PUBLIC CONTRIBUTIONS MAY NOT BE
18 USED.

19 (D) (1) THE STATE BOARD MAY REQUEST THE ASSISTANCE OF THE
20 COMPTROLLER IN THE ADMINISTRATION OF THIS TITLE.

21 (2) THE COMPTROLLER SHALL SUBMIT A STATEMENT OF THE FUND'S
22 BALANCE TO THE STATE BOARD ON MAY 15 OF EACH YEAR, AT THE STATE BOARD'S
23 REQUEST.

24 (E) (1) THE COMPTROLLER SHALL DISBURSE PUBLIC CONTRIBUTIONS TO A
25 SINGLE CAMPAIGN DEPOSITORY OF AN ELIGIBLE CANDIDATE, AS PROVIDED IN
26 SUBSECTION (A) OF THIS SECTION.

27 (2) THE STATE BOARD HAS THE SOLE RIGHT AND RESPONSIBILITY FOR
28 ORDERING A DISBURSEMENT FROM THE FUND.

29 62-5.

30 (A) ON THE DATE SPECIFIED BY REGULATION PURSUANT TO § 62-4 OF THIS
31 TITLE, A CANDIDATE IS ENTITLED TO A PUBLIC CONTRIBUTION IF:

32 (1) THE REQUIRED SEED MONEY RAISED BY THE CANDIDATE DOES NOT
33 EXCEED:

34 (I) \$2,000 FOR A CANDIDATE FOR ELECTION TO THE HOUSE OF
35 DELEGATES; AND

1 (II) \$ 5,000 FOR A CANDIDATE FOR ELECTION TO THE SENATE OF
2 MARYLAND; AND

3 (2) (I) IN THE CASE OF A CANDIDATE FOR THE HOUSE OF DELEGATES,
4 ELIGIBLE PRIVATE CONTRIBUTIONS ARE RECEIVED FROM A NUMBER OF
5 CONTRIBUTORS IN THE LEGISLATIVE DISTRICT THAT THE CANDIDATE SEEKS TO
6 REPRESENT THAT EQUALS AT LEAST ONE-THIRD OF 1% OF THE POPULATION IN THE
7 LEGISLATIVE DISTRICT ON JANUARY 1 OF THE YEAR OF THE ELECTION AS
8 CALCULATED BY THE STATE OFFICE OF PLANNING;

9 (II) IN THE CASE OF A CANDIDATE FOR THE SENATE OF MARYLAND,
10 ELIGIBLE PRIVATE CONTRIBUTIONS ARE RECEIVED FROM A NUMBER OF
11 CONTRIBUTORS IN THE LEGISLATIVE DISTRICT THAT THE CANDIDATE SEEKS TO
12 REPRESENT THAT EQUALS AT LEAST TWO-THIRDS OF 1% OF THE POPULATION IN
13 THE LEGISLATIVE DISTRICT ON JANUARY 1 OF THE YEAR OF THE ELECTION AS
14 CALCULATED BY THE STATE OFFICE OF PLANNING;

15 (III) THE ELIGIBLE PRIVATE CONTRIBUTIONS ARE REFUNDABLE
16 ONLY IN THE EVENT OF THE WITHDRAWAL OF THE CANDIDATE'S NAME FROM THE
17 BALLOT; AND

18 (IV) THE CANDIDATE'S TREASURER CERTIFIES, ON FORMS
19 PRESCRIBED BY THE STATE BOARD, THAT THE ELIGIBLE PRIVATE CONTRIBUTIONS
20 WERE RAISED IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE.

21 (B) (1) THE STATE BOARD SHALL ORDER DISBURSEMENTS FROM THE FUND
22 TO ELIGIBLE CANDIDATES IN AN AMOUNT EQUAL TO 75% OF THE EXPENDITURE
23 LIMIT SPECIFIED FOR THAT OFFICE UNDER § 62-3 OF THIS TITLE IN ACCORDANCE
24 WITH THE DISTRIBUTION SCHEDULE FOR THE PRIMARY AND GENERAL ELECTION
25 DETERMINED BY THE STATE BOARD.

26 (2) AN ELIGIBLE CANDIDATE MAY RAISE THE REMAINING 25% OF THE
27 EXPENDITURE LIMIT SPECIFIED FOR THAT OFFICE UNDER § 62-3 OF THIS TITLE IN
28 ELIGIBLE PRIVATE CONTRIBUTIONS OR TRANSFERS OF \$100 OR LESS FROM ANY
29 INDIVIDUALS, POLITICAL COMMITTEES, OR POLITICAL PARTIES.

30 (C) (1) THE STATE BOARD SHALL ORDER DISBURSEMENT OF MONEY IN THE
31 FUND, INCLUDING MONEY REMAINING FROM THE PORTION DESIGNATED FOR THE
32 PRIMARY ELECTION, AS PROVIDED IN THIS SUBSECTION.

33 (2) ALL ELIGIBLE CANDIDATES WHO ARE NOMINEES SHALL RECEIVE
34 EQUAL SHARES OF THE FUND.

35 (3) IF A CANDIDATE IS UNOPPOSED ON THE GENERAL ELECTION
36 BALLOT, THE CANDIDATE SHALL RECEIVE NO PUBLIC CONTRIBUTIONS.

37 (4) AN ELIGIBLE CANDIDATE WHO DID NOT RECEIVE PUBLIC
38 CONTRIBUTIONS IN THE PRIMARY, BUT IS A NOMINEE IN THE GENERAL ELECTION,
39 MAY ONLY RECEIVE PUBLIC CONTRIBUTIONS IN THE GENERAL ELECTION IF THE

1 CANDIDATE DID NOT SPEND MORE THAN THE MAXIMUM EXPENDITURE LIMIT
2 PERMITTED FOR ELIGIBLE CANDIDATES IN THE PRIMARY.

3 (5) THE STATE BOARD SHALL DISBURSE PUBLIC CONTRIBUTIONS
4 PROMPTLY AFTER THE CERTIFICATION OF PRIMARY RESULTS IN ACCORDANCE WITH
5 THE STATE BOARD'S DISTRIBUTION SCHEDULE ESTABLISHED UNDER § 62-4 OF THIS
6 TITLE.

7 62-6.

8 (A) (1) IF A CANDIDATE WHO IS NOT CERTIFIED AS A CLEAN CAMPAIGN
9 PUBLIC FINANCING ACT CANDIDATE UNDER THIS TITLE FILES A CAMPAIGN FINANCE
10 REPORT UNDER THIS ARTICLE THAT INDICATES THAT THE SUM OF THE
11 EXPENDITURES OR OBLIGATIONS MADE BY THE CANDIDATE OR THE FUNDS RAISED
12 OR BORROWED BY THE CANDIDATE, WHICHEVER IS GREATER, TOGETHER WITH ANY
13 INDEPENDENT EXPENDITURES AUTHORIZED BY THE CANDIDATE, EXCEED THE
14 DISTRIBUTION AMOUNT MADE TO AN OPPOSING ELIGIBLE CANDIDATE UNDER THIS
15 TITLE, THE STATE BOARD SHALL DISTRIBUTE TO EACH ELIGIBLE CANDIDATE AN
16 ADDITIONAL AMOUNT THAT IS EQUIVALENT TO THE EXCESS CONTRIBUTION
17 AMOUNT REPORTED BY THE CANDIDATE WHO IS NOT SUBJECT TO THIS TITLE.

18 (2) THE STATE BOARD MAY NOT MAKE A MATCHING ADDITIONAL
19 EXCESS CONTRIBUTION AMOUNT TO AN ELIGIBLE CANDIDATE UNDER THIS TITLE
20 THAT EXCEEDS TWO TIMES THE AMOUNT OF THE DISTRIBUTION THAT THE ELIGIBLE
21 CANDIDATE IS ENTITLED TO RECEIVE UNDER THIS TITLE.

22 (B) A CANDIDATE NOT AFFILIATED WITH A POLITICAL PARTY IS ENTITLED TO
23 A DISTRIBUTION FROM THE FUND TO THE SAME EXTENT AND AT THE SAME TIME
24 THAT THE BOARD ESTABLISHES FOR MAKING DISTRIBUTIONS TO ELIGIBLE
25 CANDIDATES IN AN UNCONTESTED PRIMARY ELECTION AND IN A CONTESTED
26 GENERAL ELECTION.

27 62-7.

28 (A) A PUBLIC CONTRIBUTION MAY BE EXPENDED ONLY:

29 (1) WITH THE AUTHORITY OF THE CANDIDATE OR THE CANDIDATE'S
30 TREASURER;

31 (2) FOR REASONABLE EXPENSES TO FURTHER THE CANDIDATE'S
32 NOMINATION OR ELECTION;

33 (3) FOR EXPENSES INCURRED NOT LATER THAN 30 DAYS AFTER THE
34 ELECTION FOR WHICH THE EXPENSES WERE MADE; AND

35 (4) FOR PURPOSES THAT ARE NOT VIOLATIVE OF STATE LAW.

36 (B) A PUBLIC CONTRIBUTION MAY NOT BE EXPENDED FOR THE PERSONAL
37 USE OF THE CANDIDATE.

1 (C) ANY UNSPENT PORTION OF A PUBLIC CONTRIBUTION SHALL BE REPAYED
2 TO THE COMPTROLLER FOR REDEPOSIT IN THE FUND NOT LATER THAN 60 DAYS
3 FOLLOWING THE ELECTION FOR WHICH THE PUBLIC CONTRIBUTION WAS GRANTED.
4 WHEN COMPUTING WHETHER THERE IS AN UNSPENT PART OF A PUBLIC
5 CONTRIBUTION, ALL PRIVATE CONTRIBUTIONS TO THE CANDIDATE SHALL BE
6 PRESUMED AS SPENT PRIOR TO ANY EXPENDITURE OF THE PUBLIC CONTRIBUTION.

7 (D) A CANDIDATE AND THE CANDIDATE'S TREASURER ARE JOINTLY AND
8 SEVERALLY PERSONALLY LIABLE FOR REPAYING TO THE COMPTROLLER ANY PART
9 OF A PUBLIC CONTRIBUTION WHICH WAS UNSPENT OR WHICH IS SPENT IN
10 VIOLATION OF THIS SECTION.

11 62-8.

12 AN ELIGIBLE CANDIDATE MAY BE DESIGNATED ON THE BALLOT AS A
13 PARTICIPANT IN THE CLEAN CAMPAIGN PUBLIC FINANCING ACT FOR CANDIDATES
14 FOR THE GENERAL ASSEMBLY.

15 62-9.

16 ON CONVICTION OF EACH VIOLATION OF THIS TITLE, THE VIOLATOR SHALL BE
17 FINED NOT MORE THAN \$5,000 OR IMPRISONED FOR NOT MORE THAN 1 YEAR, OR
18 BOTH.

19 62-10.

20 ANY MONEY REMAINING IN THE FUND AFTER DISBURSEMENTS TO ELIGIBLE
21 CANDIDATES SHALL BE RECREDITED TO THE FUND FOR THE PURPOSES PROVIDED
22 IN THIS TITLE.

23 62-11.

24 (A) (1) FOR EVERY INDIVIDUAL OTHER THAN A NONRESIDENT ALIEN
25 FILING A PERSONAL STATE INCOME TAX RETURN, THE COMPTROLLER SHALL
26 ESTABLISH, FOR EACH TAXABLE YEAR, A TAX ADD-ON SYSTEM THAT ALLOWS
27 DONATIONS TO THE CLEAN CAMPAIGN PUBLIC FINANCING FUND FOR CANDIDATES
28 FOR THE GENERAL ASSEMBLY NOT TO EXCEED \$100 PER TAX FILER.

29 (2) IN ADDITION TO THE MONEY DERIVED FROM THE TAX CHECK-OFF
30 SYSTEM UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE FOLLOWING MONEY
31 SHALL BE CREDITED TO THE FUND:

32 (I) REVENUES FROM THE GENERAL FUND OF THE STATE;

33 (II) VOLUNTARY DONATIONS MADE DIRECTLY TO THE FUND;

34 (III) UNSPENT MONEY THAT IS RETURNED TO THE FUND BY
35 ELIGIBLE CANDIDATES UNDER THIS TITLE; AND

36 (IV) FINES COLLECTED BY THE STATE BOARD UNDER THIS TITLE.

1 (3) IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE, THE
2 COMPTROLLER SHALL:

3 (I) CREDIT TO THE FUND ALL MONEY COLLECTED PURSUANT TO
4 THESE PROVISIONS; AND

5 (II) MAKE DISBURSEMENTS FROM THE FUND PROMPTLY UPON
6 RECEIPT OF AN AUTHORIZED REQUEST FROM THE STATE BOARD.

7 (B) THE COMPTROLLER SHALL ADMINISTER THE FUND AND INVEST THE
8 MONEY IN THE FUND, SUBJECT TO THE USUAL INVESTING PROCEDURES FOR STATE
9 FUNDS.

10 62-12.

11 THE AMOUNTS UNDER THIS SECTION MAY BE SUBTRACTED FROM THE
12 FEDERAL ADJUSTED GROSS INCOME OF A RESIDENT OF MARYLAND, IN
13 ACCORDANCE WITH § 10-207 OF THE TAX - GENERAL ARTICLE OF THE CODE, TO
14 DETERMINE MARYLAND ADJUSTED GROSS INCOME:

15 (1) A CONTRIBUTION, NOT TO EXCEED \$100, MADE DIRECTLY TO THE
16 CLEAN CAMPAIGN PUBLIC FINANCING FUND FOR CANDIDATES ESTABLISHED UNDER
17 THIS TITLE; AND

18 (2) A DONATION, NOT TO EXCEED \$100, MADE DIRECTLY TO THE CLEAN
19 CAMPAIGN PUBLIC FINANCING FUND FOR CANDIDATES FOR THE GENERAL
20 ASSEMBLY ESTABLISHED UNDER THIS TITLE.

21 62-13.

22 THIS TITLE MAY BE CITED AS THE CLEAN CAMPAIGN PUBLIC FINANCING ACT
23 FOR CANDIDATES FOR THE GENERAL ASSEMBLY.

24 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
25 determines that the amendment to the Constitution of Maryland proposed by this Act
26 affects multiple jurisdictions and that the provisions of Article XIV, Section 1 of the
27 Constitution concerning local approval of constitutional amendments do not apply.

28 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
29 proposed as an amendment to the Constitution of Maryland shall be submitted to the
30 legal and qualified voters of this State at the next general election to be held in
31 November, 1998 for their adoption or rejection in pursuance of directions contained in
32 Article XIV of the Constitution of this State. At that general election, the vote on this
33 proposed amendment to the Constitution shall be by ballot, and upon each ballot
34 there shall be printed the words "For the Constitutional Amendments" and "Against
35 the Constitutional Amendments," as now provided by law. Immediately after the
36 election, all returns shall be made to the Governor of the vote for and against the
37 proposed amendment, as directed by Article XIV of the Constitution, and further
38 proceedings had in accordance with Article XIV.