

SENATE BILL 609

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1998 Regular Session
8r1657
CF 8r1656

By: **Senators Pinsky, Van Hollen, Forehand, Teitelbaum, Sfikas, and Frosh**
Introduced and read first time: February 6, 1998
Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

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

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

20 BY adding to
21 Article 33 - Election Code
22 Section 15A-101 through 15A-112, inclusive, to be under the new title "Title
23 15A. Clean Campaign Public Financing Act for Candidates for the General
24 Assembly"
25 Annotated Code of Maryland
26 (1997 Replacement Volume and 1997 Supplement)
27 (As enacted by Chapter _____ (S.B. _____(8lr1182)/H.B. _____(8lr0487)) of the
28 Acts of the General Assembly of 1998)

29 BY repealing and reenacting, without amendments,
30 Article - Tax - General
31 Section 10-208(a)
32 Annotated Code of Maryland

1 (1997 Replacement Volume)

2 BY adding to

3 Article - Tax - General

4 Section 10-208(m)

5 Annotated Code of Maryland

6 (1997 Replacement Volume)

7 (As enacted by Chapter 485 of the Acts of the General Assembly of 1997)

8 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF

9 MARYLAND, That the Laws of Maryland read as follows:

10 **Article 33 - Election Code**

11 TITLE 15A. CLEAN CAMPAIGN PUBLIC FINANCING ACT FOR CANDIDATES FOR THE

12 GENERAL ASSEMBLY.

13 15A-101.

14 (A) THE GENERAL ASSEMBLY OF MARYLAND RECOGNIZES THAT A SYSTEM
15 FOR THE PUBLIC FINANCING OF CAMPAIGNS NOW EXISTS FOR CANDIDATES FOR
16 GOVERNOR AND LIEUTENANT GOVERNOR IN THE STATE AND THAT AN ALTERNATIVE
17 SYSTEM OF PUBLICLY FINANCED CAMPAIGNS ALSO IS NEEDED FOR CANDIDATES
18 SEEKING ELECTION TO THE GENERAL ASSEMBLY. A SYSTEM OF PUBLIC FINANCING
19 FOR ELECTIONS FOR THE GENERAL ASSEMBLY WILL ELIMINATE THE REAL AND
20 PERCEIVED CONFLICTS OF INTEREST THAT ARISE FROM LARGE PRIVATE
21 CONTRIBUTIONS TO CANDIDATES BY PROVIDING THE CANDIDATES INSTEAD WITH A
22 SYSTEM OF CLEAN PUBLIC RESOURCES. A SYSTEM OF CLEAN PUBLIC RESOURCES
23 FOR CAMPAIGNS FOR ELECTION TO THE GENERAL ASSEMBLY ALSO WILL:

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

26 (2) INCREASE VOTER CHOICE IN ELECTIONS;

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

28 (4) FREE CANDIDATES FROM RELENTLESS FUNDRAISING AND THEREBY
29 ALLOW CANDIDATES TO SPEND MORE TIME DISCUSSING ISSUES WITH VOTERS.

30 (B) CAMPAIGNS THAT ARE FINANCED WITH CLEAN MONEY WILL HELP
31 RESTORE CONFIDENCE AND TRUST IN GOVERNMENT AND PROMOTE DEMOCRACY BY
32 INCREASING COMPETITION IN ELECTIONS FOR THE GENERAL ASSEMBLY. FURTHER,
33 INCREASED COMPETITION IN ELECTIONS WILL CREATE A POLITICAL MARKETPLACE
34 FOR IDEAS AND CAUSE ELECTIONS TO CHANGE FROM WEALTH-BASED CAMPAIGNS
35 TO IDEA-BASED CAMPAIGNS.

1 15A-102.

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

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

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

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

9 (E) "ELIGIBLE PRIVATE CONTRIBUTION" MEANS THAT PORTION OF A
10 MONETARY OR IN KIND CAMPAIGN CONTRIBUTION, OR SERIES OF CONTRIBUTIONS,
11 FROM AN INDIVIDUAL THAT IS NOT LESS THAN \$5 NOR MORE THAN \$100 THAT MEETS
12 THE REQUIREMENTS OF § 15A-105 OF THIS TITLE.

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

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

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

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

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

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

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

25 15A-103.

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

28 (1) \$35,000, ADJUSTED ANNUALLY BEGINNING JANUARY 1, 2000 IN
29 ACCORDANCE WITH THE CONSUMER PRICE INDEX, FOR A CANDIDATE FOR ELECTION
30 TO THE HOUSE OF DELEGATES; OR

31 (2) \$80,000, ADJUSTED ANNUALLY BEGINNING JANUARY 1, 2000 IN
32 ACCORDANCE WITH THE CONSUMER PRICE INDEX, FOR A CANDIDATE FOR ELECTION
33 TO THE SENATE OF MARYLAND.

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

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

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

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

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

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

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

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

25 15A-104.

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

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

31 (B) SUBJECT TO THE OTHER REQUIREMENTS OF THIS TITLE, THE STATE
32 BOARD SHALL BEGIN TO DISTRIBUTE ONE-HALF OF THE MONEY IN THE FUND NOT
33 LATER THAN FEBRUARY 1 OF THE YEAR OF THE ELECTION TO ELIGIBLE CANDIDATES
34 IN THE PRIMARY ELECTION ON A CONTINUING BASIS AND THE REMAINING MONEY
35 IN THE FUND PROMPTLY AFTER THE PRIMARY ELECTION TO ELIGIBLE CANDIDATES
36 IN THE GENERAL ELECTION.

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

4 (1) THE MANNER AND DATE BY WHICH A CANDIDATE SHALL NOTIFY
5 THE STATE BOARD THAT THE CANDIDATE INTENDS TO QUALIFY FOR PUBLIC
6 CONTRIBUTIONS;

7 (2) THE DEADLINE FOR CANDIDATES TO SUBMIT REQUESTS FOR PUBLIC
8 CONTRIBUTIONS;

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

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

14 (5) A FORMULA FOR DISTRIBUTING SUPPLEMENTARY PUBLIC
15 CONTRIBUTIONS TO THE OTHER ELIGIBLE CANDIDATES IF, BECAUSE AN ELIGIBLE
16 CANDIDATE FAILS TO REQUEST A PUBLIC CONTRIBUTION, THE CANDIDATE
17 WITHDRAWS AS A CANDIDATE, BECOMES DISQUALIFIED, OR DIES, ADDITIONAL
18 FUNDS BECOME AVAILABLE;

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

22 (7) THE SPECIFICATION OF THRESHOLDS FOR IN KIND CONTRIBUTIONS
23 THAT WILL NOT BE DEEMED CONTRIBUTIONS OR EXPENDITURES FOR THE
24 PURPOSES OF THIS TITLE;

25 (8) DISTRIBUTIONS TO:

26 (I) UNOPPOSED CANDIDATES;

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

29 (III) WRITE-IN CANDIDATES; AND

30 (9) THE PURPOSES FOR WHICH PUBLIC CONTRIBUTIONS MAY NOT BE
31 USED.

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

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

1 (E) (1) THE COMPTROLLER SHALL DISBURSE PUBLIC CONTRIBUTIONS TO A
2 SINGLE CAMPAIGN DEPOSITORY OF AN ELIGIBLE CANDIDATE, AS PROVIDED IN §
3 13-204(A) OF THIS ARTICLE.

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

6 15A-105.

7 (A) ON THE DATE SPECIFIED BY REGULATION PURSUANT TO § 15A-104 OF
8 THIS TITLE, A CANDIDATE IS ENTITLED TO A PUBLIC CONTRIBUTION IF:

9 (1) THE REQUIRED SEED MONEY RAISED BY THE CANDIDATE DOES NOT
10 EXCEED:

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

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

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

21 (II) IN THE CASE OF A CANDIDATE FOR THE SENATE OF MARYLAND,
22 ELIGIBLE PRIVATE CONTRIBUTIONS ARE RECEIVED FROM A NUMBER OF
23 CONTRIBUTORS IN THE LEGISLATIVE DISTRICT THAT THE CANDIDATE SEEKS TO
24 REPRESENT THAT EQUALS AT LEAST TWO-THIRDS OF 1% OF THE POPULATION IN
25 THE LEGISLATIVE DISTRICT ON JANUARY 1 OF THE YEAR OF THE ELECTION AS
26 CALCULATED BY THE STATE OFFICE OF PLANNING;

27 (III) THE ELIGIBLE PRIVATE CONTRIBUTIONS ARE REFUNDABLE
28 ONLY IN THE EVENT OF THE WITHDRAWAL OF THE CANDIDATE'S NAME FROM THE
29 BALLOT; AND

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

33 (B) (1) THE STATE BOARD SHALL ORDER DISBURSEMENTS FROM THE FUND
34 TO ELIGIBLE CANDIDATES IN AN AMOUNT EQUAL TO 75% OF THE EXPENDITURE
35 LIMIT SPECIFIED FOR THAT OFFICE UNDER § 15A-103 OF THIS TITLE IN
36 ACCORDANCE WITH THE DISTRIBUTION SCHEDULE FOR THE PRIMARY AND
37 GENERAL ELECTION DETERMINED BY THE STATE BOARD.

1 (2) AN ELIGIBLE CANDIDATE MAY RAISE THE REMAINING 25% OF THE
2 EXPENDITURE LIMIT SPECIFIED FOR THAT OFFICE UNDER § 15A-103 OF THIS TITLE
3 IN ELIGIBLE PRIVATE CONTRIBUTIONS OR TRANSFERS OF \$100 OR LESS FROM ANY
4 INDIVIDUALS, POLITICAL COMMITTEES, OR POLITICAL PARTIES.

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

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

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

12 (4) AN ELIGIBLE CANDIDATE WHO DID NOT RECEIVE PUBLIC
13 CONTRIBUTIONS IN THE PRIMARY, BUT IS A NOMINEE IN THE GENERAL ELECTION,
14 MAY ONLY RECEIVE PUBLIC CONTRIBUTIONS IN THE GENERAL ELECTION IF THE
15 CANDIDATE DID NOT SPEND MORE THAN THE MAXIMUM EXPENDITURE LIMIT
16 PERMITTED FOR ELIGIBLE CANDIDATES IN THE PRIMARY.

17 (5) THE STATE BOARD SHALL DISBURSE PUBLIC CONTRIBUTIONS
18 PROMPTLY AFTER THE CERTIFICATION OF PRIMARY RESULTS IN ACCORDANCE WITH
19 THE STATE BOARD'S DISTRIBUTION SCHEDULE ESTABLISHED UNDER § 15A-104 OF
20 THIS TITLE.

21 15A-106.

22 (A) (1) IF A CANDIDATE WHO IS NOT CERTIFIED AS A CLEAN CAMPAIGN
23 PUBLIC FINANCING ACT CANDIDATE UNDER THIS TITLE FILES A CAMPAIGN FINANCE
24 REPORT UNDER THIS ARTICLE THAT INDICATES THAT THE SUM OF THE
25 EXPENDITURES OR OBLIGATIONS MADE BY THE CANDIDATE OR THE FUNDS RAISED
26 OR BORROWED BY THE CANDIDATE, WHICHEVER IS GREATER, TOGETHER WITH ANY
27 INDEPENDENT EXPENDITURES AUTHORIZED BY THE CANDIDATE, EXCEED THE
28 DISTRIBUTION AMOUNT MADE TO AN OPPOSING ELIGIBLE CANDIDATE UNDER THIS
29 TITLE, THE STATE BOARD SHALL DISTRIBUTE TO EACH ELIGIBLE CANDIDATE AN
30 ADDITIONAL AMOUNT THAT IS EQUIVALENT TO THE EXCESS CONTRIBUTION
31 AMOUNT REPORTED BY THE CANDIDATE WHO IS NOT SUBJECT TO THIS TITLE.

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

36 (B) A CANDIDATE NOT AFFILIATED WITH A POLITICAL PARTY IS ENTITLED TO
37 A DISTRIBUTION FROM THE FUND TO THE SAME EXTENT AND AT THE SAME TIME
38 THAT THE BOARD ESTABLISHES FOR MAKING DISTRIBUTIONS TO ELIGIBLE
39 CANDIDATES IN AN UNCONTESTED PRIMARY ELECTION AND IN A CONTESTED
40 GENERAL ELECTION.

1 15A-107.

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

3 (1) WITH THE AUTHORITY OF THE CANDIDATE OR THE CANDIDATE'S
4 TREASURER;

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

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

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

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

12 (C) ANY UNSPENT PORTION OF A PUBLIC CONTRIBUTION SHALL BE REPAID
13 TO THE COMPTROLLER FOR REDEPOSIT IN THE FUND NOT LATER THAN 60 DAYS
14 FOLLOWING THE ELECTION FOR WHICH THE PUBLIC CONTRIBUTION WAS GRANTED.
15 WHEN COMPUTING WHETHER THERE IS AN UNSPENT PART OF A PUBLIC
16 CONTRIBUTION, ALL PRIVATE CONTRIBUTIONS TO THE CANDIDATE SHALL BE
17 PRESUMED AS SPENT PRIOR TO ANY EXPENDITURE OF THE PUBLIC CONTRIBUTION.

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

22 15A-108.

23 AN ELIGIBLE CANDIDATE MAY BE DESIGNATED ON THE BALLOT AS A
24 PARTICIPANT IN THE CLEAN CAMPAIGN PUBLIC FINANCING ACT FOR CANDIDATES
25 FOR THE GENERAL ASSEMBLY.

26 15A-109.

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

30 15A-110.

31 ANY MONEY REMAINING IN THE FUND AFTER DISBURSEMENTS TO ELIGIBLE
32 CANDIDATES SHALL BE RECREDITED TO THE FUND FOR THE PURPOSES PROVIDED
33 IN THIS TITLE.

1 15A-111.

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

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

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

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

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

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

15 (3) IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE, THE
16 COMPTROLLER SHALL:

17 (I) CREDIT TO THE FUND ALL MONEY COLLECTED PURSUANT TO
18 THESE PROVISIONS; AND

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

21 (B) THE COMPTROLLER SHALL ADMINISTER THE FUND AND INVEST THE
22 MONEY IN THE FUND, SUBJECT TO THE USUAL INVESTING PROCEDURES FOR STATE
23 FUNDS.

24 15A-112.

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

27 **Article - Tax - General**

28 10-208.

29 (a) In addition to the modification under § 10-207 of this subtitle, the
30 amounts under this section are subtracted from the federal adjusted gross income of
31 a resident to determine Maryland adjusted gross income.

32 (M) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES:

1 (1) A CONTRIBUTION, NOT TO EXCEED \$100, MADE TO AN ELIGIBLE
2 CANDIDATE AS SEED MONEY OR AS ANY OTHER CONTRIBUTION UNDER ARTICLE 33,
3 TITLE 15A OF THE CODE; AND

4 (2) A DONATION, NOT TO EXCEED \$100, MADE DIRECTLY TO THE CLEAN
5 CAMPAIGN PUBLIC FINANCING FUND FOR CANDIDATES FOR THE GENERAL
6 ASSEMBLY ESTABLISHED UNDER ARTICLE 33, TITLE 15A OF THE CODE.

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 January 1, 1999.