

HOUSE BILL 809

Unofficial Copy
G1

1999 Regular Session
9r1295
CF 9r0827

By: **Delegates Hurson, McIntosh, Dypski, Petzold, Fulton, Rosenberg,
Dembrow, Montague, Heller, Turner, Barve, Pitkin, Mandel, Love,
Hixson, Goldwater, Rosso, Marriott, and Grosfeld**

Introduced and read first time: February 12, 1999

Assigned to: Commerce and Government Matters

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; and generally relating to the establishment of the Clean
18 Campaign Public Financing Act for Candidates for the General Assembly.

19 BY adding to
20 Article 33 - Election Code
21 Section 15A-101 through 15A-112, inclusive, to be under the new title "Title
22 15A. Clean Campaign Public Financing Act for Candidates for the General
23 Assembly"
24 Annotated Code of Maryland
25 (1997 Replacement Volume and 1998 Supplement)

26 BY repealing and reenacting, without amendments,
27 Article - Tax - General
28 Section 10-208(a)
29 Annotated Code of Maryland
30 (1997 Replacement Volume and 1998 Supplement)

1 BY adding to
2 Article - Tax - General
3 Section 10-208(o)
4 Annotated Code of Maryland
5 (1997 Replacement Volume and 1998 Supplement)

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

8 **Article 33 - Election Code**

9 TITLE 15A. CLEAN CAMPAIGN PUBLIC FINANCING ACT FOR CANDIDATES FOR THE
10 GENERAL ASSEMBLY.

11 15A-101.

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

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

24 (2) INCREASE VOTER CHOICE IN ELECTIONS;

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

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

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

34 15A-102.

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

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

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

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

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

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

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

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

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

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

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

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

22 15A-103.

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

25 (1) \$60,000, ADJUSTED ANNUALLY BEGINNING JANUARY 1, 2000 IN
26 ACCORDANCE WITH THE CONSUMER PRICE INDEX, FOR A CANDIDATE FOR ELECTION
27 TO THE HOUSE OF DELEGATES; OR

28 (2) \$100,000, ADJUSTED ANNUALLY BEGINNING JANUARY 1, 2000 IN
29 ACCORDANCE WITH THE CONSUMER PRICE INDEX, FOR A CANDIDATE FOR ELECTION
30 TO THE SENATE OF MARYLAND.

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

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

5 (C) (1) A STATE OR LOCAL PARTISAN CENTRAL COMMITTEE MAY NOT:

6 (I) MAKE AN EXPENDITURE ON BEHALF OF AN ELIGIBLE
7 CANDIDATE IN A PRIMARY ELECTION; AND

8 (II) EXPEND AN AMOUNT THAT EXCEEDS 5% OF THE EXPENDITURE
9 LIMIT APPLICABLE TO AN ELIGIBLE CANDIDATE UNDER THIS TITLE ON BEHALF OF
10 THAT ELIGIBLE CANDIDATE IN ANY GENERAL ELECTION.

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

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

18 (E) THE CANDIDATE AND ANY CHAIRMAN OR TREASURER ASSOCIATED WITH
19 THE EXPENDITURE ARE JOINTLY AND SEVERALLY LIABLE CIVILLY AND CRIMINALLY
20 FOR ANY EXPENDITURE MADE IN VIOLATION OF THIS SECTION.

21 15A-104.

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

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

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

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

36 (1) THE MANNER AND DATE BY WHICH A CANDIDATE SHALL NOTIFY
37 THE STATE BOARD THAT THE CANDIDATE INTENDS TO QUALIFY FOR PUBLIC
38 CONTRIBUTIONS;

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

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

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

8 (5) A FORMULA FOR DISTRIBUTING SUPPLEMENTARY PUBLIC
9 CONTRIBUTIONS TO THE OTHER ELIGIBLE CANDIDATES IF, BECAUSE AN ELIGIBLE
10 CANDIDATE FAILS TO REQUEST A PUBLIC CONTRIBUTION, THE CANDIDATE
11 WITHDRAWS AS A CANDIDATE, BECOMES DISQUALIFIED, OR DIES, ADDITIONAL
12 FUNDS BECOME AVAILABLE;

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

16 (7) THE SPECIFICATION OF THRESHOLDS FOR IN KIND CONTRIBUTIONS
17 THAT WILL NOT BE DEEMED CONTRIBUTIONS OR EXPENDITURES FOR THE
18 PURPOSES OF THIS TITLE;

19 (8) DISTRIBUTIONS TO:

20 (I) UNOPPOSED CANDIDATES;

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

23 (III) WRITE-IN CANDIDATES; AND

24 (9) THE PURPOSES FOR WHICH PUBLIC CONTRIBUTIONS MAY NOT BE
25 USED.

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

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

31 (E) (1) THE COMPTROLLER SHALL DISBURSE PUBLIC CONTRIBUTIONS TO A
32 SINGLE CAMPAIGN DEPOSITORY OF AN ELIGIBLE CANDIDATE, AS PROVIDED IN §
33 13-204(A) OF THIS ARTICLE.

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

1 15A-105.

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

4 (1) THE REQUIRED SEED MONEY RAISED BY THE CANDIDATE DOES NOT
5 EXCEED:

6 (I) \$4,000 FOR A CANDIDATE FOR ELECTION TO THE HOUSE OF
7 DELEGATES; AND

8 (II) \$8,000 FOR A CANDIDATE FOR ELECTION TO THE SENATE OF
9 MARYLAND; AND

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

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

22 (III) THE ELIGIBLE PRIVATE CONTRIBUTIONS ARE REFUNDABLE
23 ONLY IN THE EVENT OF THE WITHDRAWAL OF THE CANDIDATE'S NAME FROM THE
24 BALLOT; AND

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

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

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

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

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

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

5 (4) AN ELIGIBLE CANDIDATE WHO DID NOT RECEIVE PUBLIC
6 CONTRIBUTIONS IN THE PRIMARY, BUT IS A NOMINEE IN THE GENERAL ELECTION,
7 MAY ONLY RECEIVE PUBLIC CONTRIBUTIONS IN THE GENERAL ELECTION IF THE
8 CANDIDATE DID NOT SPEND MORE THAN THE MAXIMUM EXPENDITURE LIMIT
9 PERMITTED FOR ELIGIBLE CANDIDATES IN THE PRIMARY.

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

14 15A-106.

15 (A) UPON FILING OF A CANDIDACY UNDER TITLE 33, A CANDIDATE SHALL
16 DECLARE IF THEY WILL SEEK TO BE CERTIFIED UNDER THIS SECTION.

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

28 (2) THE STATE BOARD MAY NOT MAKE A MATCHING ADDITIONAL
29 EXCESS CONTRIBUTION AMOUNT TO AN ELIGIBLE CANDIDATE UNDER THIS TITLE
30 THAT EXCEEDS TWO TIMES THE AMOUNT SPECIFIED IN § 15A-103(A) AND (B).

31 (3) ANY CANDIDATE NOT CERTIFIED UNDER THIS SECTION SHALL FILE
32 A SPECIAL CAMPAIGN FINANCE REPORT 2 DAYS BEFORE THE PRIMARY AND
33 GENERAL ELECTION DAY WHICH LISTS ALL CONTRIBUTIONS AND EXPENDITURES AS
34 OF THE THIRD DAY PRIOR TO THE ELECTION DAY.

35 (B) A CANDIDATE NOT AFFILIATED WITH A POLITICAL PARTY IS ENTITLED TO
36 A DISTRIBUTION FROM THE FUND TO THE SAME EXTENT AND AT THE SAME TIME
37 THAT THE BOARD ESTABLISHES FOR MAKING DISTRIBUTIONS TO ELIGIBLE
38 CANDIDATES IN AN UNCONTESTED PRIMARY ELECTION AND IN A CONTESTED
39 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 A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A
28 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000
29 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR 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 (O) 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 October 1, 1999.