

SENATE BILL 360

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SB 707/00 - EEA

2001 Regular Session
1r1211

By: **Senators Pinsky, Conway, Frosh, Sfikas, and Van Hollen**
Introduced and read first time: February 1, 2001
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 this 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 2000 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 2000 Supplement)

31 BY adding to

1 Article - Tax - General
2 Section 10-208(q)
3 Annotated Code of Maryland
4 (1997 Replacement Volume and 2000 Supplement)

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

7 **Article 33 - Election Code**

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

10 15A-101.

11 (A) THE GENERAL ASSEMBLY OF MARYLAND RECOGNIZES THAT A SYSTEM
12 FOR THE PUBLIC FINANCING OF CAMPAIGNS NOW EXISTS FOR CANDIDATES FOR
13 GOVERNOR AND LIEUTENANT GOVERNOR IN THE STATE AND FINDS AND DECLARES
14 THAT AN ALTERNATIVE SYSTEM OF PUBLICLY FINANCED CAMPAIGNS FOR
15 CANDIDATES SEEKING ELECTION TO THE GENERAL ASSEMBLY IS IN THE PUBLIC
16 INTEREST OF THE STATE.

17 (B) IN FURTHERANCE OF THIS PUBLIC INTEREST, A SYSTEM OF PUBLIC
18 FINANCING OF ELECTIONS FOR THE GENERAL ASSEMBLY WILL ELIMINATE THE
19 REAL AND PERCEIVED CONFLICTS OF INTEREST THAT ARISE FROM LARGE PRIVATE
20 CONTRIBUTIONS TO CANDIDATES BY PROVIDING THE CANDIDATES A SYSTEM OF
21 CLEAN PUBLIC RESOURCES THAT 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 (C) THE GENERAL ASSEMBLY FURTHER FINDS AND DECLARES THAT
29 CAMPAIGNS FINANCED WITH CLEAN MONEY WILL HELP RESTORE CONFIDENCE AND
30 TRUST IN GOVERNMENT AND PROMOTE DEMOCRACY BY INCREASING COMPETITION
31 IN ELECTIONS FOR THE GENERAL ASSEMBLY. FURTHER, INCREASED COMPETITION
32 IN ELECTIONS WILL CREATE A POLITICAL MARKETPLACE FOR IDEAS AND CAUSE
33 ELECTIONS TO CHANGE FROM WEALTH-BASED CAMPAIGNS TO IDEA-BASED
34 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 EARLIER 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) \$45,000, ADJUSTED ANNUALLY BEGINNING JANUARY 1, 2001, IN
29 ACCORDANCE WITH THE CONSUMER PRICE INDEX, FOR A CANDIDATE FOR ELECTION
30 TO THE HOUSE OF DELEGATES; OR

31 (2) \$90,000, ADJUSTED ANNUALLY BEGINNING JANUARY 1, 2001, 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 MAY NOT:

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

12 (II) EXPEND AN AMOUNT THAT EXCEEDS 5% OF THE EXPENDITURE
13 LIMIT APPLICABLE TO AN ELIGIBLE CANDIDATE UNDER THIS TITLE ON BEHALF OF
14 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 AND THE STATE BOARD 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 NO
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.

37 (C) THE STATE BOARD SHALL ADOPT REGULATIONS TO CARRY OUT THE
38 PURPOSES AND REQUIREMENTS OF THIS TITLE THAT INCLUDE PROVISIONS FOR:

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

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

6 (3) THE DATES THAT THE STATE BOARD IS TO ORDER, AND THE
7 COMPTROLLER IS TO MAKE, DISBURSEMENTS OF PUBLIC CONTRIBUTIONS TO
8 ELIGIBLE CANDIDATES IN ACCORDANCE WITH THIS TITLE;

9 (4) PRO RATA DISTRIBUTIONS IN THE EVENT THERE IS NOT SUFFICIENT
10 MONEY IN THE FUND;

11 (5) A FORMULA FOR DISTRIBUTING SUPPLEMENTARY PUBLIC
12 CONTRIBUTIONS TO THE OTHER ELIGIBLE CANDIDATES IF:

13 (I) AN ELIGIBLE CANDIDATE FAILS TO REQUEST A PUBLIC
14 CONTRIBUTION;

15 (II) AN ELIGIBLE CANDIDATE WITHDRAWS AS A CANDIDATE,
16 BECOMES DISQUALIFIED, OR DIES; OR

17 (III) ADDITIONAL FUNDS BECOME AVAILABLE;

18 (6) STANDARDS FOR APPLYING EXPENDITURES BY POLITICAL
19 COMMITTEES AND SLATES AFFILIATED WITH AN ELIGIBLE CANDIDATE TO THE
20 EXPENDITURE LIMIT OF THE CANDIDATE;

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

24 (8) DISTRIBUTIONS TO:

25 (I) UNOPPOSED CANDIDATES;

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

28 (III) WRITE-IN CANDIDATES; AND

29 (9) PROHIBITED USES OF PUBLIC CONTRIBUTIONS.

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

32 (2) THE COMPTROLLER SHALL SUBMIT A STATEMENT OF THE FUND'S
33 BALANCE TO THE STATE BOARD ON MAY 15 OF EACH YEAR, AT THE STATE BOARD'S
34 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) ONLY THE STATE BOARD MAY ORDER A DISBURSEMENT FROM THE
5 FUND.

6 15A-105.

7 (A) ON THE DATE ESTABLISHED 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 EQUAL 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 DEPARTMENT 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 EQUAL AT LEAST TWO-THIRDS OF 1% OF THE POPULATION IN THE
25 LEGISLATIVE DISTRICT ON JANUARY 1 OF THE YEAR OF THE ELECTION AS
26 CALCULATED BY THE STATE DEPARTMENT 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 MAY NOT RECEIVE PUBLIC CONTRIBUTIONS.

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

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

21 15A-106.

22 (A) UPON FILING OF A CANDIDACY UNDER ARTICLE 33, CANDIDATES SHALL
23 DECLARE IF THEY WILL SEEK TO BE CERTIFIED UNDER THIS SECTION.

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

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

38 (3) ANY CANDIDATE NOT CERTIFIED UNDER THIS SECTION SHALL FILE
39 A SPECIAL CAMPAIGN REPORT 5 DAYS BEFORE THE PRIMARY AND GENERAL

1 ELECTION THAT LISTS ALL CONTRIBUTIONS AND EXPENDITURES AS OF THE SIXTH
2 DAY PRIOR TO THE ELECTION DAY.

3 (C) A CANDIDATE NOT AFFILIATED WITH A POLITICAL PARTY IS ENTITLED TO
4 A DISTRIBUTION FROM THE FUND TO THE SAME EXTENT AND AT THE SAME TIME
5 DISTRIBUTIONS ARE MADE TO ELIGIBLE CANDIDATES IN AN UNCONTESTED
6 PRIMARY ELECTION AND IN A CONTESTED GENERAL ELECTION.

7 15A-107.

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

9 (1) WITH THE AUTHORITY OF THE CANDIDATE OR THE CANDIDATE'S
10 TREASURER;

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

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

15 (4) FOR PURPOSES THAT DO NOT VIOLATE STATE LAW.

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

18 (C) (1) AN UNSPENT PORTION OF A PUBLIC CONTRIBUTION SHALL BE
19 REPAID TO THE COMPTROLLER FOR REDEPOSIT IN THE FUND NO LATER THAN 60
20 DAYS FOLLOWING THE ELECTION FOR WHICH THE PUBLIC CONTRIBUTION WAS
21 GRANTED.

22 (2) IN COMPUTING WHETHER THERE IS AN UNSPENT PART OF A PUBLIC
23 CONTRIBUTION, ALL PRIVATE CONTRIBUTIONS TO THE CANDIDATE SHALL BE
24 PRESUMED AS SPENT PRIOR TO ANY EXPENDITURE OF THE PUBLIC CONTRIBUTION.

25 (D) A CANDIDATE AND THE CANDIDATE'S TREASURER ARE JOINTLY AND
26 SEVERALLY PERSONALLY LIABLE FOR REPAYING TO THE COMPTROLLER ANY PART
27 OF A PUBLIC CONTRIBUTION THAT WAS UNSPENT OR THAT WAS SPENT IN
28 VIOLATION OF THIS SECTION.

29 15A-108.

30 AN ELIGIBLE CANDIDATE MAY BE DESIGNATED ON THE BALLOT AS A
31 PARTICIPANT IN THE CLEAN CAMPAIGN PUBLIC FINANCING ACT FOR CANDIDATES
32 FOR THE GENERAL ASSEMBLY.

33 15A-109.

34 A PERSON WHO VIOLATES ANY PROVISION OF THIS TITLE IS GUILTY OF A
35 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$5,000
36 OR IMPRISONMENT NOT EXCEEDING 1 YEAR OR BOTH.

1 15A-110.

2 ANY MONEY REMAINING IN THE FUND AFTER DISBURSEMENTS TO ELIGIBLE
3 CANDIDATES SHALL BE RECREDITED TO THE FUND FOR THE PURPOSES PROVIDED
4 IN THIS TITLE.

5 15A-111.

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

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

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

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

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

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

19 (3) IN ACCORDANCE WITH THE PROVISIONS OF THIS TITLE, THE
20 COMPTROLLER SHALL:

21 (I) CREDIT TO THE FUND ALL MONEY COLLECTED PURSUANT TO
22 THESE PROVISIONS; AND

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

25 (B) THE COMPTROLLER SHALL ADMINISTER THE FUND AND INVEST THE
26 MONEY IN THE FUND, SUBJECT TO THE USUAL INVESTING PROCEDURES FOR STATE
27 FUNDS.

28 15A-112.

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

1

Article - Tax - General

2 10-208.

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

6 (Q) THE SUBTRACTION UNDER SUBSECTION (A) OF THIS SECTION INCLUDES:

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

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

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2001.