

HOUSE BILL 826

G1

8lr0644

By: **Montgomery County Delegation**

Introduced and read first time: February 6, 2008

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2008

CHAPTER _____

1 AN ACT concerning

2 **Montgomery County – Regulation of Local Campaign Finance Activity**

3 **MC 803–08**

4 FOR the purpose of authorizing the governing body of Montgomery County to enact
5 laws to regulate public campaign finance activity for certain Montgomery
6 County elective officers and certain candidates for election to those offices;
7 specifying certain provisions and limitations applicable to any laws enacted to
8 regulate public campaign finance activity; and generally relating to the
9 regulation of public campaign finance activity of Montgomery County elective
10 officers and candidates for election to those offices.

11 BY adding to

12 Article – Election Law

13 Section 13–502.1

14 Annotated Code of Maryland

15 (2003 Volume and 2007 Supplement)

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

18 **Article – Election Law**

19 **13–502.1.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



~~(A) SUBJECT TO SUBSECTIONS (B) AND (C) OF THIS SECTION, THE GOVERNING BODY OF MONTGOMERY COUNTY MAY ENACT LAWS TO REGULATE CAMPAIGN FINANCE ACTIVITY FOR MONTGOMERY COUNTY ELECTIVE OFFICERS AND CANDIDATES FOR ELECTION TO THOSE OFFICES.~~

~~(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION MAY:~~

~~(1) ESTABLISH A SYSTEM OF PUBLIC CAMPAIGN FINANCING;~~

~~(2) INCLUDE PROVISIONS RELATING TO CONTRIBUTIONS AND EXPENDITURES, REPORTING, CAMPAIGN MATERIAL, AND, AS PROVIDED UNDER ARTICLE 25A, § 5 OF THE CODE, ADMINISTRATIVE PENALTIES; AND~~

~~(3) BE MORE STRINGENT THAN ANY APPLICABLE LAW OF THE STATE AND MODIFIED TO THE EXTENT NECESSARY TO MAKE THE PROVISIONS RELEVANT TO THE COUNTY.~~

~~(C) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION MAY NOT CONFLICT WITH ANY APPLICABLE LAW OF THE STATE OR THE UNITED STATES.~~

(A) SUBJECT TO THE PROVISIONS OF THIS SECTION, THE GOVERNING BODY OF MONTGOMERY COUNTY MAY ENACT LAWS TO REGULATE PUBLIC CAMPAIGN FINANCE ACTIVITY FOR MONTGOMERY COUNTY ELECTIVE OFFICERS AND CANDIDATES FOR ELECTION TO THOSE OFFICES WHO CHOOSE TO ACCEPT PUBLIC CAMPAIGN FINANCING.

(B) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION MAY NOT REGULATE MONTGOMERY COUNTY ELECTIVE OFFICERS OR CANDIDATES FOR ELECTION TO THOSE OFFICES WHO DO NOT RECEIVE ANY PUBLIC CAMPAIGN FINANCING.

(C) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION SHALL:

(1) PROHIBIT THE USE OF PUBLIC CAMPAIGN FINANCING FOR ANY ELECTION OTHER THAN THAT OF A MONTGOMERY COUNTY ELECTIVE OFFICE;

(2) REQUIRE A CANDIDATE WHO ACCEPTS PUBLIC CAMPAIGN FINANCING TO:

(I) ESTABLISH A CAMPAIGN FINANCE ENTITY SOLELY FOR THE CAMPAIGN FOR THAT MONTGOMERY COUNTY ELECTIVE OFFICE; AND

1 (II) ONLY USE FUNDS FROM THAT CAMPAIGN FINANCE
2 ENTITY FOR THAT CAMPAIGN FOR MONTGOMERY COUNTY ELECTIVE OFFICE;
3 AND

4 (3) PROHIBIT THE TRANSFER OF FUNDS INTO THE CAMPAIGN
5 FINANCE ENTITY ESTABLISHED FOR THE MONTGOMERY COUNTY ELECTIVE
6 OFFICE BY A CANDIDATE WHO ACCEPTS PUBLIC CAMPAIGN FINANCING FROM
7 ANY OTHER CAMPAIGN FINANCE ENTITY PREVIOUSLY ESTABLISHED FOR THE
8 CANDIDATE.

9 (D) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION SHALL
10 BE ADMINISTERED BY THE LOCAL BOARD OF ELECTIONS FOR MONTGOMERY
11 COUNTY.

12 (E) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION MAY:

13 (1) ESTABLISH A SYSTEM OF PUBLIC CAMPAIGN FINANCING; AND

14 (2) INCLUDE PROVISIONS RELATING TO CONTRIBUTIONS,
15 EXPENDITURES, REPORTING, CAMPAIGN MATERIAL, AND, AS PROVIDED UNDER
16 ARTICLE 25A, § 5 OF THE CODE, ADMINISTRATIVE PENALTIES.

17 (F) A LAW ENACTED UNDER SUBSECTION (A) OF THIS SECTION:

18 (1) MAY BE MORE STRINGENT THAN ANY APPLICABLE LAW OF
19 THE STATE AND MODIFIED TO THE EXTENT NECESSARY TO MAKE THE
20 PROVISIONS RELEVANT TO MONTGOMERY COUNTY; BUT

21 (2) MAY NOT CONFLICT WITH ANY APPLICABLE LAW OF THE
22 STATE OR THE UNITED STATES.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2008.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.