

HOUSE BILL 174

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8lr0419
CF 8lr1983

By: **Delegates Moon, Barkley, Carr, Ebersole, Gutierrez, Luedtke, Turner, and Wilkins**

Introduced and read first time: January 18, 2018

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Local Public Campaign Financing – Expansion**

3 FOR the purpose of altering a certain provision of law to authorize the governing body of a
4 county to establish, by law, a system of public campaign financing for certain
5 additional elective offices; making conforming changes; making a technical
6 correction; and generally relating to local public campaign financing.

7 BY repealing and reenacting, with amendments,

8 Article – Election Law

9 Section 13–505

10 Annotated Code of Maryland

11 (2017 Replacement Volume and 2017 Supplement)

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

14 **Article – Election Law**

15 13–505.

16 (a) (1) Subject to the provisions of this section, the governing body of a county
17 may establish, by law, a system of public campaign financing for [elective] **THE**
18 **FOLLOWING** offices:

19 **(I) AN ELECTIVE OFFICE** in the executive or legislative branches of
20 county government;

21 **(II) AN ELECTED MEMBER OF THE COUNTY BOARD OF**
22 **EDUCATION;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (III) CLERK OF THE CIRCUIT COURT;

2 (IV) REGISTER OF WILLS;

3 (V) SHERIFF; OR

4 (VI) STATE'S ATTORNEY.

5 (2) When establishing a system of public campaign financing for [elective
6 offices in the executive or legislative branches of county government] **AN OFFICE UNDER**
7 **PARAGRAPH (1) OF THIS SUBSECTION**, the governing body of a county shall specify the
8 criteria that is to be used to determine whether an individual is eligible for public campaign
9 financing.

10 (b) A system of public campaign financing enacted under subsection (a) of this
11 section:

12 (1) shall provide for participation of candidates in public campaign
13 financing on a strictly voluntary basis;

14 (2) may not regulate candidates who choose not to participate in public
15 campaign financing;

16 (3) shall prohibit the use of public campaign financing for any campaign
17 except a campaign for county elective office;

18 (4) shall require a candidate who accepts public campaign financing to:

19 (i) establish a campaign finance entity solely for the campaign for
20 county elective office; and

21 (ii) use funds from that campaign finance entity only for the
22 campaign for county elective office;

23 (5) shall prohibit a candidate who accepts public campaign financing from
24 transferring funds:

25 (i) to the campaign finance entity established to finance the
26 campaign for county elective office from any other campaign finance entity established for
27 the candidate; and

28 (ii) from the campaign finance entity established to finance the
29 campaign for county elective office to any other campaign finance entity;

30 (6) shall provide for a public election fund for county elective offices that is

1 administered by the chief financial officer of the county; and

2 (7) shall be subject to regulation and oversight by the State Board to ensure
3 conformity with State law and policy to the extent practicable.

4 (c) A system of public campaign financing enacted under subsection (a) of this
5 section may:

6 (1) provide for more stringent regulation of campaign finance activity by
7 candidates who choose to accept public campaign financing, including contributions,
8 expenditures, reporting, and campaign material, than is provided for by State law; and

9 (2) provide for administrative penalties for violations, in accordance with
10 [Article 25A, § 5 of the Code] **§ 10-202 OF THE LOCAL GOVERNMENT ARTICLE.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2018.