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By: Montgomery County Delegation

Introduced and read first time: February 3, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning 2 Montgomery County - Public Campaign Financing - Board of Education 3 MC 8-20 4 FOR the purpose of authorizing the governing body of Montgomery County to establish, by law, a system of public campaign financing for the elected members of the county 5 6 board of education; making a conforming change; making a technical correction; 7 providing for a delayed effective date; and generally relating to public campaign 8 financing in Montgomery County. 9 BY repealing and reenacting, with amendments, 10 Article – Election Law Section 13-505 11 12 Annotated Code of Maryland (2017 Replacement Volume and 2019 Supplement) 13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, 14 15 That the Laws of Maryland read as follows: Article – Election Law 16 13-505.17 18 Subject to the provisions of this section, the governing body of a (1) 19 county may establish, by law, a system of public campaign financing for elective offices in 20 the executive or legislative branches of county government. 21 SUBJECT TO THE PROVISIONS OF THIS SECTION, THE (II)

GOVERNING BODY OF MONTGOMERY COUNTY MAY ESTABLISH, BY LAW, A SYSTEM

OF PUBLIC CAMPAIGN FINANCING FOR THE ELECTED MEMBERS OF THE COUNTY

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1 BOARD OF EDUCATION.

- 2 (2)When establishing a system of public campaign financing for [elective 3 offices in the executive or legislative branches of county government] AN OFFICE UNDER 4 **PARAGRAPH (1) OF THIS SUBSECTION**, the governing body of a county shall: 5 specify the criteria that [is] ARE to be used to determine whether 6 an individual is eligible for public campaign financing; and 7 provide the funding and staff necessary for the operation, (ii) administration, and auditing of the system of public campaign financing. 8 9 (b) A system of public campaign financing enacted under subsection (a) of this 10 section: shall provide for participation of candidates in public campaign 11 (1)12 financing on a strictly voluntary basis; 13 (2)may not regulate candidates who choose not to participate in public 14 campaign financing; 15 shall prohibit the use of public campaign financing for any campaign (3)16 except a campaign for county elective office; 17 **(4)** shall require a candidate who accepts public campaign financing to: 18 establish a campaign finance entity solely for the campaign for 19 county elective office; and 20 use funds from that campaign finance entity only for the (ii) campaign for county elective office; 2122shall prohibit a candidate who accepts public campaign financing from 23transferring funds: 24to the campaign finance entity established to finance the 25campaign for county elective office from any other campaign finance entity established for the candidate: and 26
- (ii) from the campaign finance entity established to finance the campaign for county elective office to any other campaign finance entity;
- shall provide for a public election fund for county elective offices that is administered by the chief financial officer of the county; and
- 31 (7) shall be subject to regulation and oversight by the State Board to ensure 32 conformity with State law and policy to the extent practicable.

- 1 (c) A system of public campaign financing enacted under subsection (a) of this 2 section may:
- 3 (1) provide for more stringent regulation of campaign finance activity by 4 candidates who choose to accept public campaign financing, including contributions, 5 expenditures, reporting, and campaign material, than is provided for by State law; and
- 6 (2) provide for administrative penalties for violations, in accordance with 7 10–202 of the Local Government Article.
- 8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 9 January 1, 2021.