

Department of Legislative Services
 Maryland General Assembly
 2023 Session

FISCAL AND POLICY NOTE
 First Reader

House Bill 1093 (Howard County Delegation)
 Ways and Means

Howard County - Board of Education - Terms and Public Campaign Financing
 Ho. Co. 14-23

This bill alters the terms of the members of the Howard County Board of Education so that the terms of office of the five members elected from a councilmanic district are staggered and the terms of office of the two members elected at large are staggered, as specified. The bill also authorizes the governing body of Howard County to establish, by law, a system of public campaign financing for members of the county board of education, however, the system may not be implemented until the 2026 election.

Fiscal Summary

State Effect: General fund expenditures increase by \$78,100 in FY 2026 and by ongoing amounts in future years. Revenues are not affected.

(in dollars)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	0	0	78,100	74,700	78,700
Net Effect	\$0	\$0	(\$78,100)	(\$74,700)	(\$78,700)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: To the extent Howard County uses the authority under the bill to establish a system of public campaign financing for members of the county board of education, county expenditures increase by a significant amount beginning as early as FY 2026.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: The terms of office of the members elected from a councilmanic district at the 2024 election are (1) for the two elected members who receive the highest percentage of votes, six years, and (2) for the three elected members who receive the lowest percentage of votes, four years.

The terms of office of the two members elected at large at the 2026 election are (1) for the individual who receives the highest number of votes, six years, and (2) for the individual who receives the second highest number of votes, four years.

The successors to (1) the offices of the three members elected at the 2024 election who received the lowest percentage of votes must be elected at the 2028 election and every four years thereafter and must serve for a term of four years; (2) the offices of the two members elected at the 2024 election who received the highest percentage of votes must be elected at the 2030 election and every four years thereafter and must serve for a term of four years; (3) the office of the member elected at large at the 2026 election who received the highest number of votes in that election must be elected at the 2032 election and every four years thereafter and must serve a term of four years; and (4) the office of the member elected at large at the 2026 election who received the second highest number of votes in that election must be elected at the 2030 election and every four years thereafter and must serve a term of four years.

In the event of a tie between elected members at the 2024 or 2026 elections, the local board of elections must administer a random drawing to determine the term of office for each elected member involved in the tie.

The bill requires that the terms of the members of the board in office when the bill takes effect expire on December 2, 2024, for the members elected from councilmanic districts, and on December 7, 2026, for the members elected at large.

Current Law:

Howard County Board of Education

The Howard County Board of Education consists of seven elected members and one student member. Of the seven elected members, (1) one member is elected from each of the five councilmanic districts in the county, elected by the voters of that district and (2) two members are elected at large by the voters of the county. The terms of the elected members are staggered, and each term of office begins on the first Monday in December after the election of a member and until a successor is elected and qualifies. The term of office of each member elected from a councilmanic district, beginning at the 2020 election,

is four years. The term of office of each member elected at large, beginning at the 2022 election, is four years. The successors to the offices elected at the 2020 and 2022 elections, respectively, serve for a term of four years.

Public Campaign Financing

The governing body of a county may establish, by law, a system of public campaign financing for elective offices in the executive and legislative branches of county government. When establishing such a system, the governing body of a county must (1) specify the criteria for determining whether an individual is eligible for public campaign financing and (2) provide the funding and staff necessary for the operation, administration, and auditing of the system of public campaign financing.

Various requirements apply to a system established by a governing body of a county, including that it must (1) be strictly voluntary; (2) not regulate candidates who choose not to participate in public campaign financing; and (3) be subject to regulation and oversight by the State Board of Elections (SBE) to ensure conformity with State law and policy to the extent practicable.

The following jurisdictions have enacted local laws establishing public campaign financing systems for executive and legislative offices:

- Baltimore City – beginning with the 2024 elections;
- Baltimore County – beginning with the 2026 general election;
- Howard County – beginning with the 2022 elections;
- Montgomery County – beginning with the 2018 elections; and
- Prince George’s County – beginning with the 2026 elections.

State Expenditures: General fund expenditures increase by \$78,067 in fiscal 2026. This estimate (1) reflects the cost for SBE to hire one administrative aide, beginning July 1, 2025, to assist the director of candidacy and campaign finance with reviewing board of education candidates’ requests for certification to participate in Howard County’s public campaign financing program and (2) assumes a system of public campaign financing for members of the board of education is established beginning with the 2026 election and that there is more than minimal use of the system by candidates. It includes a salary, fringe benefits, one-time startup costs, and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$70,372
Operating Expenses	<u>7,695</u>
Total FY 2026 State Expenditures	\$78,067

Future year expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

Local Fiscal Effect: To the extent Howard County uses the authority in the bill, county expenditures increase by a significant amount, beginning as early as fiscal 2026, to provide the public funding distributed to participating candidates for the board of education and for any increased administrative costs (*e.g.*, contractual personnel) associated with administering the program for those candidates.

Small Business Effect: To the extent the bill results in additional campaign spending that otherwise would not occur, small businesses providing campaign consulting services and materials may meaningfully benefit.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 951 (Howard County Senators) - Rules.

Information Source(s): Howard County; Maryland State Board of Elections; Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2023
km/sdk

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