

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 584 (Delegate Stewart)
Government, Labor, and Elections

Clean Maryland Democracy Amendment

This proposed constitutional amendment, if approved by the voters at the next general election, adds to the Declaration of Rights (1) equal voting rights for all eligible voters and (2) the right to elections free from improper foreign influence, undisclosed funding, and undue domination by large corporate interests. The constitutional amendment establishes prohibitions and requirements related to protecting those rights, including (1) the required establishment of a Maryland Voting Rights Act; (2) prohibition of specified foreign influence on elections; and (3) the required establishment of a Maryland Fair Elections Program to provide public campaign financing for candidates for the General Assembly.

Fiscal Summary

State Effect: If the proposed constitutional amendment is approved by the voters, State finances are expected to be affected beginning in FY 2028, as discussed below.

Local Effect: If the proposed constitutional amendment is approved by the voters, local government finances may be affected, as discussed below.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary:

Declaration of Rights

The proposed constitutional amendment establishes that (1) equal voting rights are guaranteed to all eligible voters and (2) the people of Maryland have the right to elections that are free from improper foreign influence, undisclosed funding, and undue domination by large corporate interests.

Protection of Voting Rights

The proposed constitutional amendment prohibits the State, a county, or a municipality from enacting or employing a law, policy, or practice that denies, dilutes, or abridges the right to vote on account of race, color, or language minority status, or disability.

The proposed constitutional amendment requires the General Assembly to provide by law for a Maryland Voting Rights Act to protect the right to vote that includes (1) protections against vote dilution; (2) provisions for access to voting for disabled individuals; (3) provisions for providing language assistance; (4) safeguards against voter intimidation and deception; and (5) appropriate enforcement mechanisms, including a private right of action.

Prohibition on Foreign Influence and Disclosure of Sources of Political Spending

The proposed constitutional amendment prohibits a foreign government, foreign national, or foreign-influenced corporation from, directly or indirectly, making a contribution, a donation, an independent expenditure, or any electioneering communication in connection with an election including State, county, municipality, and ballot issue elections.

The General Assembly must provide by law (1) a definition of a foreign-influenced corporation; (2) a requirement of the disclosure of the true, ultimate sources of significant funds used for political spending, consistent with the Constitution of the United States; and (3) appropriate enforcement provisions.

Maryland Fair Elections Program

The proposed constitutional amendment establishes the Maryland Fair Elections Program to provide public campaign financing for candidates for the General Assembly. Participation in the program must be voluntary for candidates for the General Assembly. The General Assembly must provide by law (that must be in effect for the 2030 elections)

for the governance of the program, including (1) criteria for candidates for the General Assembly to demonstrate small donor support to qualify to participate in the program; (2) limits on private fundraising for candidates for the General Assembly who participate in the program; (3) a Maryland Fair Elections Fund to provide public campaign financing under the program; and (4) a stable and sustainable source of revenue for the Maryland Fair Elections Fund.

Question Submitted to the Voters

The bill establishes that the ballot question submitted to the voters – to vote for or against the constitutional amendment – must be substantially similar to the following:

“Do you favor amending the Maryland Constitution to:

- (1) require a Maryland Voting Rights Act that protects voters from discrimination and makes sure eligible voters can cast a ballot;
- (2) ban foreign governments, foreign nationals, and foreign-influenced corporations from spending money in Maryland elections and require public disclosure of major political donors; and
- (3) set up a voluntary “Fair Elections” program that gives public matching funds to candidates for the Maryland General Assembly who rely on small donations from Maryland residents?”

Current Law:

State – Declaration of Rights

Article 7 of the Declaration of Rights in the Maryland Constitution declares that elections ought to be free and frequent, and every citizen having the qualifications prescribed by the Maryland Constitution, ought to have the right of suffrage.

Federal – Voting Rights Act

Under [Section 2](#) of the federal Voting Rights Act of 1965, no voting qualification or prerequisite to voting or standard, practice, or procedure may be imposed or applied by any State or political subdivision in a manner that results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or status as a member of a language minority group.

Under [Section 203](#) of the federal Voting Rights Act of 1965, states and political subdivisions that meet specified thresholds of numbers of citizens of voting age who are members of a specified single language minority and are limited-English proficient must

provide any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, in the language of the applicable minority group as well as in the English language.

State – Language Assistance Program

Chapters 277 and 278 of 2025 establish a Language Assistance Program, in which (1) the State Board of Elections (SBE) must identify, based on specified criteria, counties in which there is a significant need for language assistance for voters in the county in a language or languages other than English and (2) local boards of elections in counties SBE has identified must provide specified language assistance services, including the option for a voter to communicate with election judges at an early voting center or Election Day polling place through a translator.

Federal – Prohibition on Foreign National Contributions in U.S. Elections

Federal law prohibits a foreign national from making, directly or indirectly, a contribution or donation of money or other thing of value, or making an express or implied promise to make a contribution or donation, in connection with a federal, State, or local election. A foreign national also may not make, directly or indirectly, a contribution or donation to a committee of a political party, or an expenditure, independent expenditure, or disbursement for an electioneering communication.

State – Foreign Contributions

State campaign finance law prohibits a foreign principal from (1) making a contribution to a ballot issue committee or (2) making a donation to a person that makes independent expenditures or electioneering communications relating to a ballot issue. State campaign finance law also prohibits a person from making a monetary contribution to any campaign finance entity or to a person making independent expenditures or disbursements for electioneering communications using any currency other than United States currency.

State/County – Public Campaign Financing Programs

Governor and Lieutenant Governor

The Public Financing Act (PFA) established the Fair Campaign Financing Fund (FCFF) to provide voluntary public financing of elections for candidates for Governor and Lieutenant Governor. Chapter 733 of 2021 (the Maryland Fair Elections Act) modified the qualifying requirements and matching contributions under PFA, and mandated appropriations to FCFF that ensure there is enough funding available for each gubernatorial election to

provide up to \$3.0 million of public funding to each of two primary election campaigns and up to \$3.0 million for one general election campaign.

County Offices

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.

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

- Anne Arundel County – beginning with the 2026 elections;
- Baltimore City – beginning with the 2024 elections;
- Baltimore County – beginning with the 2026 elections;
- 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 Fiscal Effect:

Prohibition on Foreign or Foreign-Influenced Contributions

If the constitutional amendment is approved by the voters at the 2026 general election, general fund expenditures increase by \$127,791 in fiscal 2028, for the Office of the State Prosecutor (which handles prosecutions of State election law violations), to hire an investigator (starting July 1, 2027), to perform investigative work needed to enforce the prohibition on foreign influence in elections. Investigating violations of the bill is expected to take a relatively significant amount of time and effort, particularly determining whether corporations that are potentially in violation of the bill’s requirements are foreign-influenced. The estimate includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	1.0
Salary and Fringe Benefits	\$117,928
Operating Expenses	<u>9,863</u>
Total FY 2028 State Expenditures	\$127,791

Future year expenditures are \$126,297 in fiscal 2029, rising to \$137,732 by fiscal 2031, reflecting a salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses.

Maryland Voting Rights Act and Maryland Fair Elections Program

The fiscal impact of the provisions of the constitutional amendment requiring the General Assembly to provide by law for a Maryland Voting Rights Act, and establishing a Maryland Fair Elections Program and requiring the General Assembly to provide by law for the governance of the program, cannot be reliably estimated, prior to knowing the details of such laws. Based on other recent legislation, however, it can be said with relative confidence that (1) enactment of a Maryland Voting Rights may result in costs for the Office of the Attorney General for at least an additional assistant Attorney General, assuming the law will provide the Attorney General authority to enforce it, along with any private right of action and (2) while the magnitude of costs associated with the Maryland Fair Elections Program will depend significantly on the governance provisions enacted, there likely are administrative costs and the funding needed to provide public contributions to the publicly-funded candidates' campaigns is likely in the millions of dollars if the program is made broadly available to General Assembly candidates.

Local Fiscal Effect: If the proposed constitutional amendment is approved by the voters at the 2026 general election, local governments may be affected by a Maryland Voting Rights Act passed by the General Assembly, depending on its requirements and/or prohibitions. However, any impact cannot be reliably determined before the detail of the law (or legislation) are known.

Small Business Effect: If the proposed constitutional amendment is approved by the voters, and to the extent the Maryland Fair Elections Program results in additional campaign spending that otherwise does not occur (*e.g.*, if the program attracts candidates who do not otherwise run for office), small businesses providing campaign consulting services and materials may meaningfully benefit.

Additional Information

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

Designated Cross File: None.

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

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caw/sdk

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