



# Maryland State Board of Elections

## HB 424 - Delegate Feldmark

### Public Financing Act – Matching Fund Revisions (Maryland Fair Elections Act)

#### Comments:

The State Board of Elections supports the provisions of this legislation to increase the enforcement authority on enumerated offenses in the Gubernatorial public financing program. It expands the authority of the State Board to issue a civil citation to a political committee established under Title 15 of the Election Law Article. The State Board of Elections takes no position on the other aspects of the legislation.

While gubernatorial public financing remained dormant from 1994-2014, public financing has seen a renewed interest in the State for candidates. The past two gubernatorial elections have had candidates qualified to receive public financing. Moreover, inquiries have already been made for participation in the program for the 2022 election.

The expansion of the civil enforcement is an appropriate extension of the duties already performed by the State Board of Elections' Candidacy and Campaign Finance Division. After each election, the division performs an in-depth audit of the gubernatorial ticket's account books and records to validate all expenditures made and contributions received. In general, audit findings usually uncover technical violations which require amending previous filings.

Without this authority, these technical violations would be referred to the Office of the State Prosecutor as a criminal offense. A more reasonable and appropriate outcome for technical violations would be the issuance of a civil penalty. This is similar to the approach the General Assembly required in 2013 for technical violations by non-public financed political committees established under Title 13 of the Election Law Article.

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