

HOUSE BILL 1066

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By: **Delegate Feldmark**

Introduced and read first time: February 5, 2021

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Local Public Campaign Financing – Expansion to Additional Offices**

3 FOR the purpose of authorizing the governing body of a county to establish a system of
4 public campaign financing for certain offices after the governing body of the county
5 has implemented a system of public campaign financing for elective offices in the
6 executive or legislative branches of county government for at least one complete
7 election cycle; making a conforming change; making a technical correction; and
8 generally relating to the expansion of local public campaign financing.

9 BY repealing and reenacting, with amendments,
10 Article – Election Law
11 Section 13–505
12 Annotated Code of Maryland
13 (2017 Replacement Volume and 2020 Supplement)

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

16 **Article – Election Law**

17 13–505.

18 (a) (1) **(I)** Subject to the provisions of this section, the governing body of a
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 **(II) SUBJECT TO THE PROVISIONS OF THIS SECTION, AFTER THE**
22 **GOVERNING BODY OF A COUNTY HAS IMPLEMENTED A SYSTEM OF PUBLIC CAMPAIGN**
23 **FINANCING ESTABLISHED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH FOR AT**
24 **LEAST ONE COMPLETE ELECTION CYCLE, THE GOVERNING BODY OF THE COUNTY**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



MAY ESTABLISH, BY LAW, A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR THE FOLLOWING OFFICES:

1. STATE'S ATTORNEY;
2. SHERIFF;
3. REGISTER OF WILLS;
4. JUDGE OF THE CIRCUIT COURT;
5. CLERK OF THE CIRCUIT COURT;
6. JUDGE OF THE ORPHANS' COURT; OR
7. AN ELECTED MEMBER OF THE COUNTY BOARD OF EDUCATION.

(2) When establishing a system of public campaign financing for [elective offices in the executive or legislative branches of county government] **AN OFFICE UNDER PARAGRAPH (1) OF THIS SUBSECTION**, the governing body of a county shall:

(i) specify the criteria that [is] **ARE** to be used to determine whether an individual is eligible for public campaign financing; and

(ii) provide the funding and staff necessary for the operation, administration, and auditing of the system of public campaign financing.

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

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

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

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

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

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

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

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

5 (i) to the campaign finance entity established to finance the
6 campaign for county elective office from any other campaign finance entity established for
7 the candidate; and

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

10 (6) shall provide for a public election fund for county elective offices that is
11 administered by the chief financial officer of the county; and

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

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

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

19 (2) provide for administrative penalties for violations, in accordance with §
20 10–202 of the Local Government Article.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
22 1, 2021.