

HOUSE BILL 769

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HB 176/23 – W&M

4lr3095

By: **Delegates Feldmark, Guzzone, Hill, Lehman, McCaskill, Pena–Melnik, Shetty, Solomon, Terrasa, Wu, and Ziegler**

Introduced and read first time: January 31, 2024

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; and generally relating to the expansion of local public campaign
8 financing.

9 BY repealing and reenacting, with amendments,
10 Article – Election Law
11 Section 13–505
12 Annotated Code of Maryland
13 (2022 Replacement Volume and 2023 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) In this section, “contested election committee” means a contested election
19 committee established under Title 12, Subtitle 3 of this article.

20 (b) (1) **(I)** Subject to the provisions of this section, the governing body of a
21 county may establish, by law, a system of public campaign financing for elective offices in
22 the executive or legislative branches of county government.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(II) SUBJECT TO THE PROVISIONS OF THIS SECTION, AFTER THE GOVERNING BODY OF A COUNTY HAS IMPLEMENTED A SYSTEM OF PUBLIC CAMPAIGN FINANCING ESTABLISHED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH FOR AT LEAST ONE COMPLETE ELECTION CYCLE, THE GOVERNING BODY OF THE COUNTY MAY ESTABLISH, BY LAW, A SYSTEM OF PUBLIC CAMPAIGN FINANCING FOR ONE OR MORE OF 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) A system of public financing established under paragraph (1) of this subsection may include public financing of a contested election committee.

(3) 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 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.

(c) A system of public campaign financing enacted under subsection (b) 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

1 except a campaign for [county] **LOCAL** elective office;

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

3 (i) establish a campaign finance entity solely for the campaign for
4 [county] **LOCAL** elective office; and

5 (ii) use funds from that campaign finance entity only for the
6 campaign for [county] **LOCAL** elective office;

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

9 (i) to the campaign finance entity established to finance the
10 campaign for [county] **LOCAL** elective office from any other campaign finance entity
11 established for the candidate; and

12 (ii) from the campaign finance entity established to finance the
13 campaign for [county] **LOCAL** elective office to any other campaign finance entity;

14 (6) shall provide for a public election fund for [county] **LOCAL** elective
15 offices that is administered by the chief financial officer of the county; and

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

18 (d) A system of public campaign financing enacted under subsection (b) of this
19 section may:

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

23 (2) provide for administrative penalties for violations, in accordance with §
24 10–202 of the Local Government Article; and

25 (3) allow a publicly financed candidate to transfer any amount of funds
26 from the candidate's campaign finance entity to the candidate's contested election
27 committee.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 January 1, 2025.