

# HOUSE BILL 227

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By: **Delegates Korman, Gutierrez, Luedtke, Moon, Mosby, Platt, Queen, Robinson, Waldstreicher, and Wilkins**

Introduced and read first time: January 18, 2018

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Legislature Local Public Campaign Financing Act**

3 FOR the purpose of expanding the authority of the governing body of a county to establish,  
4 by law, a system of public campaign financing to include the office of a member of  
5 the General Assembly from certain legislative districts; requiring the governing body  
6 of a certain county to adopt certain provisions when establishing a system of public  
7 campaign financing for the office of a member of the General Assembly from a  
8 multicounty legislative district; requiring a public campaign financing system  
9 established by a county to allow a candidate for the General Assembly who accepts  
10 public campaign financing to transfer funds to the State or local central committee  
11 of the political party with which the candidate is affiliated; making conforming  
12 changes; and generally relating to local campaign financing for General Assembly  
13 candidates.

14 BY repealing and reenacting, with amendments,  
15 Article – Election Law  
16 Section 13–505  
17 Annotated Code of Maryland  
18 (2017 Replacement Volume and 2017 Supplement)

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

21 **Article – Election Law**

22 13–505.

23 (a) (1) Subject to the provisions of this section, the governing body of a county  
24 may establish, by law, a system of public campaign financing for [elective] **ANY OF THE**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **FOLLOWING ELECTIVE OFFICES:**

2 (I) offices in the executive or legislative branches of county  
3 government;

4 (II) A MEMBER OF THE GENERAL ASSEMBLY FROM A  
5 LEGISLATIVE DISTRICT ENTIRELY WITHIN THE COUNTY; AND

6 (III) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A  
7 MEMBER OF THE GENERAL ASSEMBLY FROM A MULTICOUNTY LEGISLATIVE  
8 DISTRICT LOCATED WITHIN THE COUNTY AND IN AT LEAST ONE OTHER COUNTY.

9 (2) When establishing a system of public campaign financing for elective  
10 offices [in the executive or legislative branches of county government] UNDER  
11 PARAGRAPH (1) OF THIS SUBSECTION, the governing body of a county shall specify the  
12 criteria that is to be used to determine whether an individual is eligible for public campaign  
13 financing.

14 (3) WHEN ESTABLISHING A SYSTEM OF PUBLIC CAMPAIGN  
15 FINANCING FOR THE OFFICE OF A MEMBER OF THE GENERAL ASSEMBLY FROM A  
16 MULTICOUNTY LEGISLATIVE DISTRICT, THE GOVERNING BODY OF EACH COUNTY  
17 WITHIN THE MULTICOUNTY LEGISLATIVE DISTRICT SHALL:

18 (I) STATE WHICH MULTICOUNTY LEGISLATIVE DISTRICTS ARE  
19 INCLUDED IN THE PUBLIC CAMPAIGN FINANCING SYSTEM FOR THE COUNTY; AND

20 (II) MAKE EFFECTIVENESS OF THE PUBLIC CAMPAIGN  
21 FINANCING SYSTEM FOR CANDIDATES FROM MULTICOUNTY LEGISLATIVE  
22 DISTRICTS CONTINGENT ON THE ADOPTION OF A SUBSTANTIVELY SIMILAR LAW, AS  
23 DETERMINED BY THE STATE BOARD, BY EACH COUNTY IN THE MULTICOUNTY  
24 LEGISLATIVE DISTRICT.

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

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

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

31 (3) shall prohibit the use of public campaign financing for any campaign  
32 except a campaign for [county] THE elective office FOR WHICH THE PUBLIC CAMPAIGN  
33 FINANCING SYSTEM WAS ESTABLISHED;

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

2 (i) establish a campaign finance entity solely for [the] AN ELIGIBLE  
3 campaign [for county elective office]; and

4 (ii) use funds from that campaign finance entity only for [the] AN  
5 ELIGIBLE campaign [for county elective office];

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

8 (i) to the campaign finance entity established to finance the  
9 campaign for [county] THE ELIGIBLE elective office from any other campaign finance  
10 entity established for the candidate; and

11 (ii) EXCEPT AS PROVIDED IN ITEM (6) OF THIS SUBSECTION,  
12 from the campaign finance entity established to finance the campaign for [county] AN  
13 ELIGIBLE elective office to any other campaign finance entity;

14 (6) SHALL ALLOW A CANDIDATE FOR THE GENERAL ASSEMBLY WHO  
15 ACCEPTS PUBLIC CAMPAIGN FINANCING TO TRANSFER FUNDS TO A STATE OR LOCAL  
16 CENTRAL COMMITTEE OF THE POLITICAL PARTY WITH WHICH THE CANDIDATE IS  
17 AFFILIATED;

18 [(6)] (7) shall provide for a public election fund for county elective offices  
19 that is administered by the chief financial officer of the county; and

20 [(7)] (8) shall be subject to regulation and oversight by the State Board to  
21 ensure conformity with State law and policy to the extent practicable.

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

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

27 (2) provide for administrative penalties for violations, in accordance with  
28 [Article 25A, § 5 of the Code] § 10-202 OF THE LOCAL GOVERNMENT ARTICLE.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
30 October 1, 2018.