

SENATE BILL 414

G1
SB 374/18 – EHE

9lr1326

By: **Senators Pinsky, Elfreth, Guzzone, Kelley, Lam, Nathan–Pulliam, Rosapepe, Smith, and Young**

Introduced and read first time: February 1, 2019

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Funding and Small Donor Act for General Assembly Elections**

3 FOR the purpose of establishing a system of public financing of campaigns for certain
4 General Assembly candidates; requiring the State Board of Elections to administer
5 the system of public financing for General Assembly candidates; specifying certain
6 powers and duties of the State Board; requiring the Comptroller to credit to the Fair
7 Campaign Financing Fund money collected under certain provisions of this Act and
8 to distribute public contributions to the campaign finance entities of certain
9 candidates for election to the General Assembly; repealing a certain provision of law
10 regarding distributions from the Fund; requiring the State Board to transfer to the
11 Comptroller for the purposes of the Fund certain money, contributions, fines, and
12 donations; defining certain terms; specifying certain procedures, requirements, and
13 conditions participating candidates must meet to receive a distribution from the
14 Fund; requiring that participating candidates adhere to certain campaign
15 expenditure limits; authorizing participating candidates to raise certain
16 supplemental private contributions under certain circumstances; prohibiting a
17 participating candidate from being a member of a slate; prohibiting a participating
18 candidate from accepting a contribution from a political party; requiring a
19 participating candidate who opts out of public financing to repay the full amount of
20 the public contribution received by the candidate and pay a certain penalty;
21 providing for judicial review of certain actions by the State Board, subject to a certain
22 exception; providing for certain penalties; providing that certain catchlines are not
23 law and may not be considered to have been enacted as part of this Act; requiring
24 the State Board to adopt certain regulations; making the provisions of this Act
25 severable; creating a Commission to Study Public Financing of Elections in
26 Maryland; providing for the membership, duties, and staffing of the Commission;
27 requiring the Commission to report its findings and recommendations to the
28 Governor and the General Assembly on or before a certain date; requiring the State
29 Board to provide certain reports to certain persons on or before certain dates on
30 certain matters; providing for the termination of certain provisions of this Act; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 generally relating to the Public Funding and Small Donor Act for General Assembly
2 Elections.

3 BY repealing

4 Article – Election Law

5 Section 15–106

6 Annotated Code of Maryland

7 (2017 Replacement Volume and 2018 Supplement)

8 BY repealing and reenacting, with amendments,

9 Article – Election Law

10 Section 13–235 and 15–103

11 Annotated Code of Maryland

12 (2017 Replacement Volume and 2018 Supplement)

13 BY adding to

14 Article – Election Law

15 Section 15.5–101 through 15.5–118 to be under the new title “Title 15.5. Public
16 Funding and Small Donor Act for General Assembly Elections”

17 Annotated Code of Maryland

18 (2017 Replacement Volume and 2018 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That Section(s) 15–106 of Article – Election Law of the Annotated Code of Maryland be
21 repealed.

22 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
23 as follows:

24 **Article – Election Law**

25 13–235.

26 (a) This section applies to the following officials:

27 (1) the Governor;

28 (2) the Lieutenant Governor;

29 (3) the Attorney General;

30 (4) the Comptroller; and

31 (5) a member of the General Assembly.

32 (b) Except as provided in subsection (c), (d), [or] (e), **OR (F)** of this section, during
33 a regular session of the General Assembly an official described in subsection (a) of this

1 section, or a person acting on behalf of the official, may not, as to a candidate for federal,
2 State, or local office, or a campaign finance entity of the candidate or any other campaign
3 finance entity organized under this title and operated in coordination with a candidate:

4 (1) receive a contribution;

5 (2) conduct a fund-raising event;

6 (3) solicit a contribution; or

7 (4) deposit or use any contribution of money that was not deposited prior
8 to the session.

9 (c) An official described in subsection (a) of this section, or a person acting on
10 behalf of the official, is not subject to this section when engaged in activities solely related
11 to the official's election to an elective federal or local office for which the official is a filed
12 candidate.

13 (d) Under the Public Financing Act, a gubernatorial ticket, during the year of the
14 election only, may accept eligible private contributions and any disbursement of funds by
15 the State Board that is based on the eligible private contributions.

16 **(E) UNDER TITLE 15.5 OF THIS ARTICLE, THE PUBLIC FUNDING AND**
17 **SMALL DONOR ACT FOR GENERAL ASSEMBLY ELECTIONS, A PARTICIPATING**
18 **CANDIDATE, DURING THE YEAR OF THE ELECTION ONLY, MAY ACCEPT SEED MONEY**
19 **AND QUALIFYING CONTRIBUTIONS AND ANY DISBURSEMENT OF FUNDS BY THE**
20 **STATE BOARD THAT ARE BASED ON THE QUALIFYING CONTRIBUTIONS.**

21 **[(e)] (F)** An official described in subsection (a) of this section, or a person acting
22 on behalf of the official, may deposit a contribution during the legislative session if the
23 contribution was made electronically before the start of the session.

24 **[(f)] (G)** (1) As to a violation of this section, the campaign finance entity of
25 the official in violation is liable for a civil penalty as provided in § 13-604.1 of this title.

26 (2) A civil penalty imposed under this subsection shall be distributed to the
27 Fair Campaign Financing Fund established under § 15-103 of this article.

28 15-103.

29 (a) There is a Fair Campaign Financing Fund.

30 (b) The Comptroller shall administer the Fund in accordance with this section.

31 (c) In accordance with this title, the Comptroller shall:

1 (1) credit to the Fund:

2 (i) all money collected under this title **AND TITLE 15.5 OF THIS**
3 **ARTICLE;**

4 (ii) voluntary contributions to the Fund made electronically through
5 the State Board's website;

6 (iii) fees, fines, and penalties assessed under this article or the
7 General Provisions Article that are expressly allocated to the Fund by law;

8 (iv) an anonymous contribution paid to the Fund under § 13–239 of
9 this article;

10 (v) an illegal contribution paid to the Fund under § 13–239.1 of this
11 article;

12 (vi) surplus campaign funds paid to the Fund under § 13–247 of this
13 article; and

14 (vii) contributions to the Fund made through the checkoff on the
15 individual income tax return established under § 2–113.1 of the Tax – General Article;

16 (2) subject to the usual investing procedures for State funds, invest the
17 money in the Fund; and

18 (3) make distributions from the Fund promptly on authorization by the
19 State Board.

20 (d) The Comptroller shall distribute public contributions:

21 (1) only on authorization of the State Board; [and]

22 (2) as to each eligible gubernatorial ticket, to the same campaign account
23 of a single campaign finance entity established under Title 13, Subtitle 2 of this article;
24 **AND**

25 **(3) AS TO EACH PARTICIPATING CANDIDATE RECEIVING PUBLIC**
26 **CONTRIBUTIONS UNDER TITLE 15.5 OF THIS ARTICLE, TO THE PUBLICLY FUNDED**
27 **CAMPAIGN ACCOUNT OF THE CAMPAIGN FINANCE ENTITY ESTABLISHED UNDER**
28 **TITLE 13, SUBTITLE 2 OF THIS ARTICLE FOR THE CANDIDATE.**

29 (e) The Comptroller shall submit a statement of the Fund's balance to the State
30 Board at the State Board's request and on May 15 of each year.

31 (f) To pay costs directly related to the administration of this title, the State Board

1 may expend in each fiscal year an amount of money in the Fund that does not exceed the
2 lesser of:

3 (1) 3% of the Fund's balance, as calculated on the last day of the
4 immediately preceding fiscal year; or

5 (2) \$100,000.

6 (G) THE STATE BOARD SHALL ADOPT REGULATIONS REGARDING THE
7 DISTRIBUTION OF PUBLIC CONTRIBUTIONS FROM THE FUND TO ELIGIBLE
8 GUBERNATORIAL TICKETS UNDER THIS TITLE AND TO PARTICIPATING CANDIDATES
9 FOR ELECTION TO THE GENERAL ASSEMBLY UNDER TITLE 15.5 OF THIS ARTICLE
10 ON A FIRST-COME, FIRST-SERVED BASIS.

11 TITLE 15.5. PUBLIC FUNDING AND SMALL DONOR ACT FOR GENERAL ASSEMBLY
12 ELECTIONS.

13 15.5-101. DEFINITIONS.

14 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS
15 INDICATED UNLESS OTHERWISE PROVIDED.

16 (B) "COMPTROLLER" MEANS THE STATE COMPTROLLER OF THE
17 TREASURY.

18 (C) "FUND" MEANS THE FAIR CAMPAIGN FINANCING FUND ESTABLISHED
19 UNDER § 15-103 OF THIS ARTICLE.

20 (D) "PARTICIPATING CANDIDATE" MEANS A CANDIDATE FOR ELECTION AS
21 A MEMBER OF THE GENERAL ASSEMBLY WHO IS DETERMINED BY THE STATE BOARD
22 AS ELIGIBLE TO RECEIVE A PUBLIC CONTRIBUTION UNDER THIS TITLE.

23 (E) "PUBLIC CONTRIBUTION" MEANS A SUM DISBURSED FROM THE FUND
24 TO A PARTICIPATING CANDIDATE IN ACCORDANCE WITH THE PROVISIONS OF THIS
25 TITLE.

26 (F) "QUALIFYING CONTRIBUTION" MEANS A CONTRIBUTION THAT:

27 (1) IS FROM A REGISTERED VOTER WHO RESIDES IN THE LEGISLATIVE
28 DISTRICT OR SUBDISTRICT OF THE CANDIDATE FOR ELECTION TO THE GENERAL
29 ASSEMBLY; AND

30 (2) IS AT LEAST \$5.

1 (G) "SEED MONEY" MEANS LAWFUL CONTRIBUTIONS THAT:

2 (1) ARE RAISED BY A CANDIDATE FOR ELECTION TO THE GENERAL
3 ASSEMBLY AS A FIRST STEP TO SEEK QUALIFICATION FOR PUBLIC FINANCING
4 UNDER THIS TITLE;

5 (2) INCLUDE NO CONTRIBUTION OF MORE THAN \$250 FOR EACH
6 DONOR; AND

7 (3) ARE RECEIVED NOT EARLIER THAN THE COMMENCEMENT OF THE
8 ELECTION CYCLE FOR THE ELECTION IN WHICH THE INDIVIDUAL PROPOSES TO BE
9 A CANDIDATE AND NOT LATER THAN THE MARCH 1 IMMEDIATELY PRECEDING THE
10 PRIMARY ELECTION FOR THAT OFFICE.

11 15.5-102. DUTIES.

12 (A) THE STATE BOARD SHALL MANAGE AND SUPERVISE THE SYSTEM OF
13 PUBLIC FINANCING OF ELECTIONS ESTABLISHED UNDER THIS TITLE.

14 (B) THE STATE BOARD SHALL ADOPT REGULATIONS AS NECESSARY TO
15 EFFECT THE PURPOSES OF THIS TITLE.

16 (C) THE STATE BOARD SHALL:

17 (1) ENSURE THAT THE SYSTEM OF PUBLIC FINANCING OF ELECTIONS:

18 (I) ACCOMMODATES QUALIFYING CANDIDATES ON A
19 FIRST-COME, FIRST-SERVED BASIS; AND

20 (II) ALLOWS FOR AN INCREASE OR A DECREASE IN THE NUMBER
21 OF PARTICIPATING CANDIDATES DURING THE ELECTION CYCLE IN CORRELATION TO
22 THE AMOUNT OF MONEY IN THE FUND;

23 (2) ESTABLISH AN INITIAL LIMIT ON THE NUMBER OF PARTICIPATING
24 CANDIDATES DURING AN ELECTION CYCLE;

25 (3) DEVELOP AN ELECTRONIC DATABASE THAT IS ACCESSIBLE TO
26 THE PUBLIC ON THE INTERNET AND THAT CONTAINS THE INFORMATION NECESSARY
27 FOR THE PROPER ADMINISTRATION OF THIS TITLE, INCLUDING:

28 (I) CONTRIBUTIONS TO AND EXPENDITURES BY
29 PARTICIPATING CANDIDATES AND OTHER CANDIDATES AND AUTHORIZED
30 CAMPAIGN FINANCE ENTITIES; AND

1 **(II) PUBLIC CONTRIBUTIONS FROM THE FUND THAT ARE**
2 **DISBURSED TO PARTICIPATING CANDIDATES;**

3 **(4) PROVIDE FORMS AND ELECTRONIC SOFTWARE AS NECESSARY TO**
4 **ENSURE COMPLIANCE WITH THIS TITLE;**

5 **(5) DEVELOP AN EDUCATIONAL PROGRAM THAT INCLUDES**
6 **MATERIALS AND COMPLIANCE MANUALS TO INFORM CANDIDATES AND THE PUBLIC**
7 **ABOUT THE PURPOSE AND EFFECT OF THIS TITLE; AND**

8 **(6) PROVIDE A WRITTEN REPORT TO THE GENERAL ASSEMBLY, IN**
9 **ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, AFTER EACH**
10 **ELECTION CYCLE THAT INCLUDES:**

11 **(I) AN EVALUATION OF THIS TITLE AND THE TITLE'S EFFECT ON**
12 **PARTICIPATING CANDIDATES;**

13 **(II) ANY RECOMMENDATIONS TO IMPROVE THIS TITLE;**

14 **(III) A DETAILED SUMMARY REGARDING QUALIFYING**
15 **CONTRIBUTIONS AND ANY BENEFITS RECEIVED OR EXPERIENCED BY**
16 **PARTICIPATING CANDIDATES;**

17 **(IV) EXPENDITURES MADE BY PARTICIPATING AND**
18 **NONPARTICIPATING CANDIDATES; AND**

19 **(V) ANY OTHER INFORMATION THE STATE BOARD DETERMINES**
20 **TO BE APPROPRIATE.**

21 **15.5-103. DISCRETIONARY POWERS.**

22 **THE STATE BOARD MAY:**

23 **(1) EMPLOY STAFF, INCLUDING LEGAL COUNSEL, SUFFICIENT TO**
24 **PERFORM THE FUNCTIONS OF THE STATE BOARD UNDER THIS TITLE;**

25 **(2) INVESTIGATE MATTERS GOVERNED BY THIS TITLE;**

26 **(3) PUBLICIZE THE NAMES OF CANDIDATES FOR NOMINATION OR**
27 **ELECTION TO A LEGISLATIVE OFFICE WHO VIOLATE THIS TITLE;**

28 **(4) ON WRITTEN REQUEST OF A CANDIDATE, CAMPAIGN FINANCE**

1 ENTITY, OR MEMBER OF THE PUBLIC, RENDER A WRITTEN PUBLIC ADVISORY
2 OPINION REGARDING QUESTIONS THAT ARISE UNDER THIS TITLE;

3 (5) CONDUCT RANDOM AUDITS OF PARTICIPATING CANDIDATES TO
4 ENSURE COMPLIANCE WITH THIS TITLE;

5 (6) SUBPOENA DOCUMENTS FROM ANY CANDIDATE OR CAMPAIGN
6 FINANCE ENTITY SUBJECT TO THIS ARTICLE;

7 (7) LEVY FINES FOR CIVIL INFRACTIONS IN ACCORDANCE WITH THIS
8 TITLE;

9 (8) BE A PARTY TO OR OTHERWISE PARTICIPATE IN ANY CIVIL OR
10 CRIMINAL ACTION FILED FOR A VIOLATION OF THIS TITLE; AND

11 (9) SEEK AN INJUNCTION IN AN APPROPRIATE COURT IF:

12 (I) THERE IS A SUBSTANTIAL LIKELIHOOD THAT A VIOLATION
13 OF THIS TITLE IS OCCURRING OR IS ABOUT TO OCCUR;

14 (II) FAILURE TO ACT IN AN EXPEDITIOUS MANNER WILL RESULT
15 IN IRREPARABLE HARM TO A PARTY AFFECTED BY THE POTENTIAL VIOLATION;

16 (III) EXPEDITIOUS ACTION WILL NOT CAUSE UNDUE HARM OR
17 PREJUDICE TO THE INTEREST OF ANY OTHER PERSON; AND

18 (IV) THE PUBLIC INTEREST WILL BE BEST SERVED BY THE
19 ISSUANCE OF THE INJUNCTION.

20 **15.5–104. TRANSFER OF FUNDS TO THE FAIR CAMPAIGN FINANCING FUND.**

21 THE STATE BOARD SHALL TRANSFER TO THE COMPTROLLER FOR THE
22 PURPOSES OF THE FUND UNDER § 15–103 OF THIS ARTICLE:

23 (1) UNSPENT SEED MONEY COLLECTED BY CANDIDATES WHO FAIL TO
24 QUALIFY FOR PUBLIC FINANCING UNDER THIS TITLE;

25 (2) EXCESS SEED MONEY COLLECTED BY ANY CANDIDATE WHO SEEKS
26 TO BECOME CERTIFIED AS A PARTICIPATING CANDIDATE, REGARDLESS OF
27 WHETHER THE CANDIDATE BECOMES CERTIFIED;

28 (3) QUALIFYING CONTRIBUTIONS REQUIRED OF A CANDIDATE WHO
29 SEEKS TO BECOME CERTIFIED AS A PARTICIPATING CANDIDATE, INCLUDING

1 QUALIFYING CONTRIBUTIONS IN EXCESS OF THE AMOUNT PRESCRIBED UNDER §
2 15.5–106 OF THIS TITLE THAT ARE RAISED BY THE CANDIDATE;

3 (4) UNSPENT MONEY THAT:

4 (I) IS DISTRIBUTED TO A PARTICIPATING CANDIDATE WHO
5 DOES NOT REMAIN A CANDIDATE UNTIL THE PRIMARY OR GENERAL ELECTION FOR
6 WHICH THE MONEY WAS DISBURSED; OR

7 (II) IS RETAINED BY A PARTICIPATING CANDIDATE AFTER THE
8 PRIMARY OR GENERAL ELECTION FOR WHICH THE MONEY WAS DISBURSED;

9 (5) FINES LEVIED BY THE STATE BOARD AGAINST CANDIDATES FOR
10 VIOLATIONS OF THE ELECTION LAW;

11 (6) VOLUNTARY DONATIONS MADE DIRECTLY TO THE FUND; AND

12 (7) ANY MONEY PROVIDED IN THE ANNUAL STATE BUDGET FOR THE
13 PURPOSES OF THIS TITLE.

14 15.5–105. SEED MONEY; PUBLICLY FUNDED CAMPAIGN ACCOUNT REQUIRED.

15 (A) A CANDIDATE WHO SEEKS TO QUALIFY FOR PUBLIC FINANCING UNDER
16 THIS TITLE SHALL:

17 (1) FILE NOTICE OF THE CANDIDATE’S INTENT WITH THE STATE
18 BOARD NOT LATER THAN FEBRUARY 15 OF THE YEAR OF THE ELECTION ON THE
19 FORM PRESCRIBED BY THE STATE BOARD; AND

20 (2) IN CONJUNCTION WITH THE STATE BOARD AND BEFORE RAISING
21 SEED MONEY OR ANY OTHER CONTRIBUTION GOVERNED BY THIS TITLE, ESTABLISH
22 A PUBLICLY FUNDED CAMPAIGN ACCOUNT FOR THE CANDIDATE FOR THE PURPOSE
23 OF RECEIVING CONTRIBUTIONS AND MAKING EXPENDITURES IN ACCORDANCE WITH
24 THE REQUIREMENTS OF THIS ARTICLE.

25 (B) A CANDIDATE WHO SEEKS TO QUALIFY FOR PUBLIC FINANCING UNDER
26 THIS TITLE MAY ACCEPT SEED MONEY ONLY AS SPECIFIED IN THIS SECTION,
27 INCLUDING:

28 (1) AGGREGATE SEED MONEY OF NOT MORE THAN:

29 (I) \$3,500 FOR A CANDIDATE FOR ELECTION TO THE SENATE
30 OF MARYLAND; OR

1 (II) \$3,500 FOR A CANDIDATE FOR ELECTION TO THE HOUSE OF
2 DELEGATES; AND

3 (2) PERSONAL CONTRIBUTIONS FROM THE CANDIDATE AND FROM
4 THE CANDIDATE'S SPOUSE OF NOT MORE THAN \$500 EACH, WHETHER
5 CONTRIBUTED AS SEED MONEY OR AS A QUALIFYING CONTRIBUTION.

6 (C) A CANDIDATE SHALL REMIT TO THE FUND ANY SEED MONEY RAISED BY
7 THE CANDIDATE IN EXCESS OF:

8 (1) \$3,500, FOR A CANDIDATE FOR THE SENATE OF MARYLAND; OR

9 (2) \$3,500, FOR A CANDIDATE FOR THE HOUSE OF DELEGATES.

10 (D) A CANDIDATE WHO SEEKS TO BECOME A PARTICIPATING CANDIDATE
11 FOR ELECTION TO THE GENERAL ASSEMBLY MAY SPEND SEED MONEY, TO THE LIMIT
12 ALLOWED UNDER THIS SECTION, DURING THE QUALIFYING CONTRIBUTIONS
13 PERIOD.

14 **15.5–106. QUALIFYING CONTRIBUTIONS FOR GENERAL ASSEMBLY CANDIDATES.**

15 (A) TO QUALIFY AS A PARTICIPATING CANDIDATE AND BE ELIGIBLE FOR A
16 PUBLIC CONTRIBUTION FROM THE FUND:

17 (1) A CANDIDATE FOR ELECTION TO THE SENATE OF MARYLAND
18 SHALL COLLECT AT LEAST 350 QUALIFYING CONTRIBUTIONS; OR

19 (2) A CANDIDATE FOR ELECTION TO THE HOUSE OF DELEGATES
20 SHALL COLLECT AT LEAST 350 QUALIFYING CONTRIBUTIONS.

21 (B) THE STATE BOARD SHALL ADOPT REGULATIONS THAT:

22 (1) SPECIFY HOW AND WHEN QUALIFYING CONTRIBUTIONS MUST BE
23 SUBMITTED TO THE STATE BOARD; AND

24 (2) ALLOW FOR ANY CONTRIBUTION OR QUALIFYING CONTRIBUTION
25 UNDER THIS SECTION TO BE MADE THROUGH THE INTERNET.

26 (C) A CANDIDATE WHO SEEKS TO BECOME A PARTICIPATING CANDIDATE
27 SHALL DEPOSIT ALL QUALIFYING CONTRIBUTIONS RECEIVED IN THE CANDIDATE'S
28 PUBLICLY FUNDED CAMPAIGN ACCOUNT AND THEREAFTER DELIVER THE AMOUNT
29 RECEIVED TO THE STATE BOARD FOR DEPOSIT IN THE FUND.

1 **(D) A CONTRIBUTOR MAY MAKE A QUALIFYING CONTRIBUTION FOR A**
2 **CANDIDATE BY CASH, CHECK, OR MONEY ORDER MADE PAYABLE TO THE FUND OR**
3 **THROUGH THE INTERNET IN ACCORDANCE WITH THE REGULATIONS OF THE STATE**
4 **BOARD.**

5 **(E) A CANDIDATE SHALL INCLUDE WITH EACH QUALIFYING CONTRIBUTION**
6 **THAT THE CANDIDATE SUBMITS TO THE STATE BOARD FOR DEPOSIT IN THE FUND**
7 **A RECEIPT THAT INCLUDES:**

8 **(1) THE PRINTED NAME OF THE CONTRIBUTOR;**

9 **(2) THE ADDRESS OF THE CONTRIBUTOR; AND**

10 **(3) A SIGNED STATEMENT BY WHICH THE CONTRIBUTOR ATTESTS**
11 **THAT THE CONTRIBUTOR UNDERSTANDS THE PURPOSE OF THE CONTRIBUTION AND**
12 **THAT THE CONTRIBUTION WAS MADE WITHOUT COERCION OR REIMBURSEMENT.**

13 **(F) A CANDIDATE MAY COLLECT QUALIFYING CONTRIBUTIONS ONLY**
14 **DURING THE PERIOD THAT:**

15 **(1) BEGINS SEPTEMBER 1 OF THE YEAR PRECEDING THE PRIMARY**
16 **ELECTION FOR THE OFFICE THE CANDIDATE SEEKS; AND**

17 **(2) ENDS ON THE DAY THAT IS 45 DAYS BEFORE THE DATE OF THE**
18 **PRIMARY ELECTION FOR THE OFFICE THAT THE CANDIDATE SEEKS.**

19 **(G) A CANDIDATE MAY NOT ACCEPT A CONTRIBUTION FROM:**

20 **(1) A BUSINESS ENTITY;**

21 **(2) A POLITICAL PARTY;**

22 **(3) A REGULATED LOBBYIST;**

23 **(4) THE CAMPAIGN FINANCE ENTITY OF A CANDIDATE;**

24 **(5) A POLITICAL ACTION COMMITTEE; OR**

25 **(6) ANY OTHER POLITICAL COMMITTEE.**

26 **(H) A CANDIDATE WHO IS AN INCUMBENT MEMBER OF THE GENERAL**
27 **ASSEMBLY WHO SEEKS TO QUALIFY FOR PUBLIC FINANCING UNDER THIS TITLE IS**

1 BOUND BY THE FUND-RAISING RESTRICTIONS SPECIFIED UNDER § 13-235 OF THIS
2 ARTICLE.

3 (I) A CANDIDATE SHALL SATISFY ANY OTHER CONDITIONS GOVERNING
4 QUALIFYING CONTRIBUTIONS PRESCRIBED UNDER REGULATIONS ADOPTED BY THE
5 STATE BOARD.

6 **15.5-107. QUALIFICATION OF CANDIDATE — DETERMINATION BY STATE BOARD.**

7 (A) THE STATE BOARD SHALL REVIEW AND MAKE A DETERMINATION
8 WHETHER TO CERTIFY A CANDIDATE AS A PARTICIPATING CANDIDATE NOT LATER
9 THAN 15 DAYS AFTER RECEIPT OF THE FOLLOWING INFORMATION FROM THE
10 CANDIDATE:

11 (1) A DECLARATION THAT THE CANDIDATE WILL ABIDE BY THE
12 REGULATIONS AND POLICIES PRESCRIBED BY THE STATE BOARD; AND

13 (2) A CAMPAIGN FINANCE REPORT THAT STATES, IN ADDITION TO THE
14 LIST OF QUALIFYING CONTRIBUTIONS REQUIRED UNDER § 15.5-106 OF THIS TITLE:

15 (I) ALL EXPENDITURES MADE BY THE CANDIDATE DURING THE
16 CAMPAIGN; AND

17 (II) ALL RECEIPTS ASSOCIATED WITH THOSE CONTRIBUTIONS
18 AND EXPENDITURES.

19 (B) A CANDIDATE CERTIFIED BY THE STATE BOARD AS A PARTICIPATING
20 CANDIDATE SHALL RECEIVE THE PUBLIC CONTRIBUTION SPECIFIED UNDER THIS
21 TITLE FOR THAT LEGISLATIVE OFFICE.

22 (C) FOR ANY ELECTION, A CANDIDATE MAY SUBMIT AN APPLICATION TO
23 THE STATE BOARD TO QUALIFY FOR PUBLIC FINANCING UNDER THIS TITLE ONLY
24 ONCE.

25 (D) A DETERMINATION BY THE STATE BOARD WHETHER A CANDIDATE IS
26 ELIGIBLE FOR PUBLIC FINANCING:

27 (1) IS FINAL; AND

28 (2) IS NOT SUBJECT TO JUDICIAL REVIEW.

29 **15.5-108. DISTRIBUTION TO PARTICIPATING CANDIDATE'S PUBLICLY FUNDED**
30 **CAMPAIGN ACCOUNT.**

1 (A) SUBJECT TO THE REGULATIONS ADOPTED BY THE STATE BOARD
2 UNDER § 15-103(G) OF THIS ARTICLE, AFTER THE STATE BOARD DETERMINES THAT
3 A CANDIDATE HAS SATISFIED THE REQUIREMENTS TO BECOME A PARTICIPATING
4 CANDIDATE, THE STATE BOARD SHALL AUTHORIZE THE DISBURSEMENT OF A
5 PUBLIC CONTRIBUTION FROM THE FUND TO THE PUBLICLY FUNDED CAMPAIGN
6 ACCOUNT FOR THAT PARTICIPATING CANDIDATE IN ACCORDANCE WITH THE
7 REQUIREMENTS OF THIS TITLE.

8 (B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A
9 PARTICIPATING CANDIDATE OR A PERSON ACTING ON BEHALF OF THE
10 PARTICIPATING CANDIDATE MAY NOT MAKE A CAMPAIGN EXPENDITURE FOR THE
11 CANDIDATE OTHER THAN FROM THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN
12 ACCOUNT.

13 (C) A PARTICIPATING CANDIDATE MAY MAINTAIN A PETTY CASH FUND IN
14 ACCORDANCE WITH § 13-220(C) OF THIS ARTICLE.

15 (D) (1) A PARTICIPATING CANDIDATE AND THE CAMPAIGN FINANCE
16 ENTITY FOR THE PARTICIPATING CANDIDATE MAY USE THE PUBLICLY FUNDED
17 CAMPAIGN ACCOUNT ONLY IN ACCORDANCE WITH THIS ARTICLE.

18 (2) THE STATE BOARD MAY GAIN ACCESS AT ANY TIME TO THE
19 RECORDS AND TRANSACTIONS OF A PARTICIPATING CANDIDATE'S PUBLICLY
20 FUNDED CAMPAIGN ACCOUNT.

21 (3) IN ACCORDANCE WITH THE STATE BOARD REGULATIONS AND
22 GUIDELINES, THE STATE BOARD MAY TERMINATE A PARTICIPATING CANDIDATE'S
23 PUBLICLY FUNDED CAMPAIGN ACCOUNT.

24 **15.5-109. PARTICIPATING CANDIDATE — JOINING A SLATE PROHIBITED.**

25 A PARTICIPATING CANDIDATE MAY NOT BE A MEMBER OF A SLATE IN ANY
26 ELECTION IN WHICH THE CANDIDATE IS GOVERNED BY THIS TITLE.

27 **15.5-110. EXPENDITURE LIMITS FOR PARTICIPATING CANDIDATES TO THE**
28 **GENERAL ASSEMBLY.**

29 (A) IN THIS SECTION, AN "UNCONTESTED" ELECTION MEANS AN ELECTION
30 IN WHICH:

31 (1) ONLY ONE CANDIDATE QUALIFIES TO RUN FOR NOMINATION FOR
32 OR ELECTION TO AN OFFICE; OR

1 **(2) THE NUMBER OF CANDIDATES WHO QUALIFY TO RUN FOR**
 2 **NOMINATION FOR OR ELECTION TO AN OFFICE OR MULTIPLE OFFICES OF THE SAME**
 3 **CATEGORY EQUALS THE NUMBER OF OFFICES.**

4 **(B) A PARTICIPATING CANDIDATE FOR ELECTION TO THE SENATE OF**
 5 **MARYLAND MAY NOT EXPEND FOR CAMPAIGN PURPOSES AN AMOUNT IN EXCESS OF**
 6 **THE LIMITS SPECIFIED IN THIS SUBSECTION.**

	PRIMARY	GENERAL	TOTAL
7 CONTESTED SENATE	\$50,000	\$50,000	\$100,000
8 UNCONTESTED SENATE	8,000	4,000	12,000

10 **(C) A PARTICIPATING CANDIDATE FOR ELECTION TO THE HOUSE OF**
 11 **DELEGATES MAY NOT EXPEND FOR CAMPAIGN PURPOSES AN AMOUNT IN EXCESS OF**
 12 **THE LIMITS SPECIFIED IN THIS SUBSECTION.**

	PRIMARY	GENERAL	TOTAL
13 CONTESTED HOUSE			
14 (THREE MEMBER)	\$50,000	\$50,000	\$100,000
15 (TWO MEMBER)	35,000	35,000	70,000
16 (SINGLE MEMBER)	20,000	20,000	40,000
17 UNCONTESTED HOUSE			
18 (THREE MEMBER)	\$8,000	\$4,000	\$12,000
19 (TWO MEMBER)	6,000	3,500	9,500
20 (SINGLE MEMBER)	5,000	3,000	8,000

22 **(D) (1) THIS SUBSECTION APPLIES TO A PARTICIPATING CANDIDATE FOR**
 23 **ELECTION TO THE SENATE OF MARYLAND OR TO THE HOUSE OF DELEGATES WHO**
 24 **IS ENGAGED IN:**

25 **(I) A CONTESTED PRIMARY ELECTION AND A CONTESTED**
 26 **GENERAL ELECTION; OR**

27 **(II) AN UNCONTESTED PRIMARY ELECTION.**

28 **(2) A PARTICIPATING CANDIDATE WHO IS INVOLVED IN A CONTESTED**
 29 **PRIMARY ELECTION AND IN A CONTESTED GENERAL ELECTION MAY CHOOSE AN**
 30 **ALTERNATIVE APPORTIONMENT OF THE EXPENDITURE LIMIT ESTABLISHED FOR**
 31 **THAT CANDIDATE UNDER THIS SECTION SO THAT:**

32 **(I) FOR THE PRIMARY ELECTION, THE CANDIDATE MAY**

1 RECEIVE A PUBLIC CONTRIBUTION OF AND EXPEND AN AMOUNT THAT DOES NOT
2 EXCEED 70% OF THE COMBINED EXPENDITURE LIMIT ESTABLISHED FOR THAT
3 CANDIDATE FOR THE PRIMARY ELECTION AND FOR THE GENERAL ELECTION; AND

4 (II) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, FOR THE
5 GENERAL ELECTION, THE CANDIDATE MAY RECEIVE A PUBLIC CONTRIBUTION OF
6 AND EXPEND THE BALANCE OF THE COMBINED EXPENDITURE LIMIT AUTHORIZED
7 FOR THAT CANDIDATE FOR THE PRIMARY ELECTION AND FOR THE GENERAL
8 ELECTION.

9 (3) A PARTICIPATING CANDIDATE INVOLVED IN AN UNCONTESTED
10 PRIMARY ELECTION MAY CHOOSE AN ALTERNATIVE APPORTIONMENT OF THE
11 EXPENDITURE LIMIT ESTABLISHED FOR THAT CANDIDATE UNDER THIS SECTION SO
12 THAT, FOR THE GENERAL ELECTION, THE CANDIDATE MAY RECEIVE NOT MORE
13 THAN 70% OF THE COMBINED EXPENDITURE LIMIT ESTABLISHED FOR THAT
14 CANDIDATE FOR THE PRIMARY ELECTION AND FOR THE GENERAL ELECTION.

15 (4) A PARTICIPATING CANDIDATE INVOLVED IN A CONTESTED
16 PRIMARY ELECTION WHO CHOOSES AN ALTERNATIVE APPORTIONMENT OF THE
17 EXPENDITURE LIMIT ESTABLISHED FOR THAT CANDIDATE SO THAT, FOR THE
18 PRIMARY ELECTION, THE CANDIDATE RECEIVES MORE THAN 50% OF THE COMBINED
19 EXPENDITURE LIMIT ESTABLISHED FOR THE CANDIDATE FOR THE PRIMARY
20 ELECTION AND FOR THE GENERAL ELECTION IS NOT ELIGIBLE TO RECEIVE ANY
21 FURTHER PUBLIC CONTRIBUTION UNDER THIS SECTION IF THE CANDIDATE
22 THEREAFTER IS ENGAGED IN AN UNCONTESTED GENERAL ELECTION.

23 15.5-111. DISBURSEMENTS BY THE COMPTROLLER.

24 (A) (1) (I) BEGINNING MARCH 1 OF THE YEAR OF THE ELECTION, THE
25 STATE BOARD SHALL AUTHORIZE THE COMPTROLLER TO MAKE A DISBURSEMENT
26 FROM THE FUND TO EACH PARTICIPATING CANDIDATE WHOM THE STATE BOARD AS
27 OF THAT DATE HAS CERTIFIED TO RECEIVE A PUBLIC CONTRIBUTION FOR THE
28 PRIMARY ELECTION.

29 (II) BEFORE THE FILING DEADLINE FOR THE PRIMARY
30 ELECTION FOR CANDIDATES FOR THE GENERAL ASSEMBLY, THE COMPTROLLER
31 MAY NOT MAKE AGGREGATE DISBURSEMENTS TO A PARTICIPATING CANDIDATE
32 THAT EXCEED 15% OF THE EXPENDITURE LIMIT SPECIFIED FOR THAT CANDIDATE
33 FOR THE PRIMARY ELECTION.

34 (2) DURING THE PERIOD FROM MARCH 1 OF THE YEAR OF THE
35 ELECTION UNTIL THE FILING DEADLINE FOR CANDIDATES FOR ELECTION TO THE
36 GENERAL ASSEMBLY, IF A PARTICIPATING CANDIDATE WHO WAS UNOPPOSED IS

1 LATER OPPOSED, IN ACCORDANCE WITH § 15.5-110 OF THIS TITLE, THE STATE
2 BOARD PROMPTLY SHALL AUTHORIZE THE COMPTROLLER TO MAKE A
3 DISTRIBUTION FROM THE FUND TO THE NOW OPPOSED PARTICIPATING CANDIDATE.

4 (3) A PARTICIPATING CANDIDATE MAY USE THE PUBLIC
5 CONTRIBUTION DISBURSED UNDER THIS SUBSECTION ONLY FOR EXPENSES
6 INCURRED FOR THE PRIMARY ELECTION.

7 (4) THE STATE BOARD MAY DIRECT THE COMPTROLLER TO
8 DISBURSE A PUBLIC CONTRIBUTION TO A PARTICIPATING CANDIDATE FOR THE
9 PRIMARY ELECTION UNTIL 45 DAYS BEFORE THE DATE OF THE PRIMARY ELECTION.

10 (5) WITHIN 15 DAYS AFTER THE PRIMARY ELECTION, A
11 PARTICIPATING CANDIDATE SHALL RETURN TO THE STATE BOARD ANY PART OF
12 THE PUBLIC CONTRIBUTION THAT THE CANDIDATE DID NOT SPEND FOR THE
13 PRIMARY ELECTION.

14 (B) (1) WITHIN 72 HOURS AFTER THE STATE BOARD CERTIFIES THE
15 RESULTS OF THE PRIMARY ELECTION, THE STATE BOARD SHALL DIRECT THE
16 COMPTROLLER TO DISBURSE A PUBLIC CONTRIBUTION TO EACH PARTICIPATING
17 CANDIDATE WHO HAS BEEN CERTIFIED BY THE STATE BOARD TO RECEIVE A PUBLIC
18 CONTRIBUTION FOR THE GENERAL ELECTION.

19 (2) WITHIN 45 DAYS AFTER THE GENERAL ELECTION, A
20 PARTICIPATING CANDIDATE SHALL RETURN TO THE STATE BOARD ANY PART OF
21 THE PUBLIC CONTRIBUTION THAT THE CANDIDATE DID NOT SPEND FOR THE
22 GENERAL ELECTION.

23 (C) A PARTICIPATING CANDIDATE NOMINATED BY PETITION IS ELIGIBLE TO
24 RECEIVE A PUBLIC CONTRIBUTION FROM THE FUND FOR THE GENERAL ELECTION
25 AFTER MARCH 1 OF THE YEAR OF THE ELECTION IF:

26 (1) THE CANDIDATE'S NOMINATION HAS BEEN CERTIFIED BY THE
27 STATE BOARD; AND

28 (2) THE CANDIDATE DOES NOT PARTICIPATE IN A PRIMARY
29 ELECTION.

30 (D) THE COMPTROLLER SHALL DEPOSIT A PUBLIC CONTRIBUTION IN THE
31 PUBLICLY FUNDED CAMPAIGN ACCOUNT OF A PARTICIPATING CANDIDATE NOT
32 LATER THAN 5 DAYS AFTER THE STATE BOARD DIRECTS THAT THE DISBURSEMENT
33 BE MADE.

1 **15.5–112. PARTICIPATING CANDIDATE — SUPPLEMENTAL PRIVATE**
2 **CONTRIBUTIONS.**

3 (A) IN ADDITION TO THE PUBLIC CONTRIBUTION AUTHORIZED UNDER THIS
4 TITLE, A PARTICIPATING CANDIDATE MAY RAISE SUPPLEMENTAL PRIVATE
5 CONTRIBUTIONS IF THE PARTICIPATING CANDIDATE IS OPPOSED BY A
6 NONPARTICIPATING CANDIDATE IN A PRIMARY ELECTION OR IN A GENERAL
7 ELECTION.

8 (B) (1) THE AGGREGATE AMOUNT OF ALL SUPPLEMENTAL PRIVATE
9 CONTRIBUTIONS THAT A PARTICIPATING CANDIDATE MAY RAISE UNDER THIS
10 SECTION MAY NOT EXCEED \$10,000.

11 (2) THE AGGREGATE AMOUNT OF THE SUPPLEMENTAL PRIVATE
12 CONTRIBUTIONS RECEIVED FROM A CONTRIBUTOR MAY NOT EXCEED \$100.

13 **15.5–113. EXPENDITURES BY NONPARTICIPATING CANDIDATE IN EXCESS OF**
14 **EXPENDITURE LIMIT FOR PARTICIPATING CANDIDATE.**

15 (A) (1) IF A NONPARTICIPATING CANDIDATE MAKES EXPENDITURES
16 THAT EXCEED THE EXPENDITURE LIMIT ESTABLISHED FOR A PARTICIPATING
17 CANDIDATE FOR THAT OFFICE, THE NONPARTICIPATING CANDIDATE THEREAFTER
18 SHALL FILE A BIWEEKLY CAMPAIGN FINANCE REPORT OF ALL OF THE CANDIDATE'S
19 EXPENDITURES THROUGH AND INCLUDING THE WEEK AFTER THE ELECTION.

20 (2) IN ADDITION TO THE REQUIREMENTS OF PARAGRAPH (1) OF THIS
21 SUBSECTION, DURING THE 30 DAYS PRECEDING AN ELECTION, A
22 NONPARTICIPATING CANDIDATE SHALL NOTIFY THE STATE BOARD WITHIN 48
23 HOURS OF EACH EXPENDITURE OVER \$500 THAT THE CANDIDATE MAKES OR
24 BECOMES OBLIGATED TO MAKE.

25 (B) IN ACCORDANCE WITH REGULATIONS OR WRITTEN GUIDELINES THAT
26 THE STATE BOARD ADOPTS, THE STATE BOARD MAY MAKE AN INDEPENDENT
27 DETERMINATION WHETHER A NONPARTICIPATING CANDIDATE HAS MADE AN
28 EXPENDITURE THAT IS SUBJECT TO THIS SECTION.

29 **15.5–114. PARTICIPATING CANDIDATE WHO OPTS OUT — RETURN OF PUBLIC**
30 **MONEY AND PENALTY.**

31 AFTER BEING CERTIFIED AS A PARTICIPATING CANDIDATE BY THE STATE
32 BOARD, IF THE CANDIDATE ELECTS TO OPT OUT OF THE SYSTEM OF PUBLIC
33 FINANCING OF ELECTIONS ESTABLISHED UNDER THIS TITLE, THE CANDIDATE
34 SHALL:

1 **(1) FILE A STATEMENT OF WITHDRAWAL WITH THE STATE BOARD ON**
2 **THE FORM PRESCRIBED BY THE STATE BOARD; AND**

3 **(2) WITHIN 5 BUSINESS DAYS AFTER FILING THE STATEMENT OF**
4 **WITHDRAWAL, REPAY TO THE STATE BOARD FOR REDEPOSIT IN THE FUND THE**
5 **FULL AMOUNT OF THE MONEY DISBURSED TO THE CANDIDATE BY THE**
6 **COMPTROLLER, TOGETHER WITH THE INTEREST AND PENALTY PRESCRIBED BY THE**
7 **STATE BOARD BY REGULATION.**

8 **15.5–115. POLITICAL PARTY CONTRIBUTIONS AND EXPENDITURES.**

9 **(A) A PARTICIPATING CANDIDATE MAY NOT ACCEPT A CONTRIBUTION**
10 **FROM A STATE OR LOCAL CENTRAL COMMITTEE OF A POLITICAL PARTY.**

11 **(B) THIS TITLE MAY NOT BE CONSTRUED TO PREVENT A POLITICAL PARTY**
12 **FROM USING THE PARTY’S FUNDS FOR EXPENSES FOR:**

13 **(1) THE GENERAL OPERATING EXPENSES OF THE POLITICAL PARTY;**

14 **(2) A POLITICAL PARTY CONVENTION;**

15 **(3) NOMINATING AND ENDORSING CANDIDATES;**

16 **(4) IDENTIFYING, RESEARCHING, AND DEVELOPING THE PARTY’S**
17 **POSITIONS ON ISSUES;**

18 **(5) PARTY PLATFORM ACTIVITIES;**

19 **(6) VOTER REGISTRATION ACTIVITIES THAT ARE NOT**
20 **CANDIDATE–SPECIFIC;**

21 **(7) GET–OUT–THE–VOTE ACTIVITIES THAT ARE NOT**
22 **CANDIDATE–SPECIFIC;**

23 **(8) TRAVEL EXPENSES FOR LEADERS AND STAFF OF THE POLITICAL**
24 **PARTY WHO ARE NOT CANDIDATES; OR**

25 **(9) OTHER PARTY–BUILDING ACTIVITIES THAT ARE NOT**
26 **CANDIDATE–SPECIFIC.**

27 **15.5–116. JUDICIAL REVIEW.**

1 (A) EXCEPT AS PROVIDED UNDER § 15.5–107(D) OF THIS TITLE, AN ACTION
2 OF THE STATE BOARD UNDER THIS TITLE MAY BE REVIEWED BY A CIRCUIT COURT
3 IN ACCORDANCE WITH § 10–222(C) OF THE STATE GOVERNMENT ARTICLE.

4 (B) A PETITION TO REVIEW AN ACTION OF THE STATE BOARD UNDER THIS
5 SECTION SHALL BE BROUGHT WITHIN 60 DAYS AFTER THE STATE BOARD ACTS.

6 **15.5–117. PENALTIES.**

7 (A) A PARTICIPATING CANDIDATE MAY NOT KNOWINGLY OR
8 INTENTIONALLY:

9 (1) ACCEPT A CONTRIBUTION TO WHICH THE CANDIDATE IS NOT
10 ENTITLED;

11 (2) MAKE AN EXPENDITURE IN AN AMOUNT THAT IS GREATER THAN
12 THE AMOUNT THAT THE CANDIDATE RECEIVES FROM THE FUND; OR

13 (3) MISUSE A CONTRIBUTION OR MONEY RECEIVED FROM THE FUND.

14 (B) IF THE STATE BOARD DETERMINES THAT A PARTICIPATING CANDIDATE
15 KNOWINGLY OR INTENTIONALLY RECEIVED A CONTRIBUTION OR MADE AN
16 EXPENDITURE THAT EXCEEDS CONTRIBUTION OR EXPENDITURE LIMITS SPECIFIED
17 UNDER THIS TITLE OR FAILED TO DISCLOSE THE CONTRIBUTION OR EXPENDITURE,
18 THE PARTICIPATING CANDIDATE IS GUILTY OF A MISDEMEANOR AND ON
19 CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$2,500 OR IMPRISONMENT FOR
20 NOT MORE THAN 1 YEAR OR BOTH.

21 (C) IN THE DISCRETION OF THE STATE BOARD, AN INDIVIDUAL WHO
22 VIOLATES THIS TITLE MAY BE BARRED FROM FURTHER PARTICIPATION AS A
23 PARTICIPATING CANDIDATE UNDER THIS TITLE.

24 (D) (1) A PERSON MAY NOT KNOWINGLY OR INTENTIONALLY PROVIDE
25 FALSE INFORMATION TO OR CONCEAL OR WITHHOLD INFORMATION ABOUT A
26 CONTRIBUTION OR AN EXPENDITURE FROM THE STATE BOARD.

27 (2) A PERSON THAT VIOLATES THIS SUBSECTION IS GUILTY OF A
28 MISDEMEANOR AND ON CONVICTION IS SUBJECT TO A PERSONAL FINE OF THREE
29 TIMES THE AMOUNT OF THE ILLEGAL CONTRIBUTION, EXPENDITURE, OR FALSE
30 DISCLOSURE TO A MAXIMUM OF \$5,000 FOR EACH VIOLATION OR IMPRISONMENT
31 FOR 2 YEARS OR BOTH.

32 **15.5–118. SHORT TITLE.**

1 **THIS TITLE MAY BE CITED AS THE PUBLIC FUNDING AND SMALL DONOR ACT**
2 **FOR GENERAL ASSEMBLY ELECTIONS.**

3 SECTION 3. AND BE IT FURTHER ENACTED, That:

4 (a) There is a Commission to Study Public Financing of Elections in Maryland.

5 (b) The Commission shall consist of the following 10 members:

6 (1) one member of the Senate of Maryland, appointed by the President of
7 the Senate;

8 (2) one member of the House of Delegates, appointed by the Speaker of the
9 House;

10 (3) six individuals appointed by the Governor, including:

11 (i) a member of the State Board of Elections;

12 (ii) a member of the State Ethics Commission; and

13 (iii) four representatives of statewide organizations concerned with
14 campaign finance practices, fair elections, and ethics in government;

15 (4) one representative appointed by the chair of the Maryland State
16 Democratic Party Central Committee; and

17 (5) one representative appointed by the chair of the Maryland State
18 Republican Party Central Committee.

19 (c) The Governor shall designate the chair of the Commission.

20 (d) The State Board of Elections and the State Ethics Commission shall provide
21 staff for the Commission.

22 (e) A member of the Commission:

23 (1) may not receive compensation as a member of the Commission; but

24 (2) is entitled to reimbursement for expenses under the Standard State
25 Travel Regulations, as provided in the State budget.

26 (f) The Commission shall:

27 (1) receive testimony as the Commission considers appropriate; and

1 (2) on or before December 31, 2020, report its findings and
2 recommendations, including any proposed statutory changes to the Maryland election laws,
3 to the Governor and, subject to § 2–1246 of the State Government Article, the General
4 Assembly concerning:

5 (i) information relating to the practice of public funding of election
6 campaigns in other jurisdictions in the United States;

7 (ii) the need for additional disclosure of campaign contributions or
8 expenditures under this Act;

9 (iii) the effect and role of independent expenditures under this Act;

10 (iv) the effectiveness of the regulations, guidelines, and policies
11 established by the State Board of Elections governing the disclosure and reporting of
12 contributions and expenditures by participating candidates and nonparticipating
13 candidates in accordance with this Act;

14 (v) funding sources that the General Assembly should consider for
15 the purposes of this Act; and

16 (vi) any other matter the Commission determines to be appropriate.

17 SECTION 4. AND BE IT FURTHER ENACTED, That the catchlines contained in
18 this Act are not law and may not be considered to have been enacted as part of this Act.

19 SECTION 5. AND BE IT FURTHER ENACTED, That, if any provision of this Act or
20 the application thereof to any person or circumstance is held invalid for any reason in a
21 court of competent jurisdiction, the invalidity does not affect other provisions or any other
22 application of this Act that can be given effect without the invalid provision or application,
23 and for this purpose the provisions of this Act are declared severable.

24 SECTION 6. AND BE IT FURTHER ENACTED, That the State Board of Elections
25 shall undertake actions as required to manage and supervise the system of public financing
26 of elections for General Assembly candidates established under Title 15.5 of the Election
27 Law Article, as enacted by Section 2 of this Act, to include the development and adoption
28 on or before October 1, 2019, of comprehensive regulations to implement the purposes of
29 this Act, as required under § 15.5–102 of the Election Law Article, as enacted by Section 2
30 of this Act.

31 SECTION 7. AND BE IT FURTHER ENACTED, That this Act shall take effect June
32 1, 2019. Section 3 of this Act shall remain effective for a period of 2 years and 1 month and,
33 at the end of June 30, 2021, Section 3 of this Act, with no further action required by the
34 General Assembly, shall be abrogated and of no further force and effect.