

HOUSE BILL 792

G1

0lr0357

By: **Montgomery County Delegation**

Introduced and read first time: February 3, 2020

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Public Campaign Financing – Board of Education**

3 **MC 8–20**

4 FOR the purpose of authorizing the governing body of Montgomery County to establish, by
5 law, a system of public campaign financing for the elected members of the county
6 board of education; making a conforming change; making a technical correction;
7 providing for a delayed effective date; and generally relating to public campaign
8 financing in Montgomery County.

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 2019 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, THE**
22 **GOVERNING BODY OF MONTGOMERY COUNTY MAY ESTABLISH, BY LAW, A SYSTEM**
23 **OF PUBLIC CAMPAIGN FINANCING FOR THE ELECTED MEMBERS OF THE COUNTY**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **BOARD OF EDUCATION.**

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

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

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

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

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

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

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

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

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

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

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

24 (i) to the campaign finance entity established to finance the
25 campaign for county elective office from any other campaign finance entity established for
26 the candidate; and

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

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

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

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

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

6 (2) provide for administrative penalties for violations, in accordance with §
7 10–202 of the Local Government Article.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 January 1, 2021.