

Introduced	<u>4/3/17</u>
Public Hearing	<u>4/19/17</u>
Council Action	<u>6/5/17</u>
Executive Action	<u>6/13/17</u>
Effective Date	<u>9/2/17</u>

## County Council of Howard County, Maryland

2017 Legislative Session

Legislative Day No. 6

### Bill No. 30-2017

Introduced by Jennifer Terrasa and Jon Weinstein

AN ACT establishing a voluntary Citizens' Election Fund system for candidates for County Executive or County Council; regulating specified campaign finance activities of a candidate who accepts public funding; providing for the administration and enforcement of specified aspects of the Citizens' Election Fund system; providing certain penalties for violations of the Citizens' Election Fund system; creating a Citizens' Election Fund Commission and specifying its composition and duties; requiring the Director of Finance to take specified actions; providing for a certain voluntary contribution to the Fund; and generally related to elections for County offices.

---

Introduced and read first time April 3, 2017. Ordered posted and hearing scheduled.  
 By order Jessica Feldmark  
 Jessica Feldmark, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on April 19, 2017.  
Tabled 5/1/17  
 By order Jessica Feldmark  
 Jessica Feldmark, Administrator

This Bill was read the third time on June 5, 2017 and Passed   , Passed with amendments    , Failed   .  
 By order Jessica Feldmark  
 Jessica Feldmark, Administrator

Scaled with the County Seal and presented to the County Executive for approval this 6<sup>th</sup> day of June, 2017 at 4 a.m./p.m.  
 By order Jessica Feldmark  
 Jessica Feldmark, Administrator

Approved/Vetoed by the County Executive June 13, 2017  
Allan H. Kittleman  
 Allan H. Kittleman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN SMALL CAPITALS indicates additions to existing law; ~~Strike-out~~ indicates material deleted by amendment; Underlining indicates material added by amendment.

1           **WHEREAS**, in November 2016, the voters of Howard County approved a charter  
2 amendment to require the County Council to create a Citizens' Election Fund system; and  
3

4           **WHEREAS**, the Citizens' Election Fund system is intended to promote and encourage  
5 broader access to elected office in Howard County and to prevent large donations from having  
6 undue influence in government; and  
7

8           **WHEREAS**, the Citizens' Election Fund system is intended to enable citizens of Howard  
9 County to run for office on the strength of their ideas, supported by small donations from  
10 ordinary people and matching funds from the Citizens' Election Fund;  
11

12           **NOW, THEREFORE,**  
13

14 ***Section 1. Be It Enacted*** by the County Council of Howard County, Maryland, that the Howard  
15 *County Code is amended as follows:*

16           *By adding:*

17                   *Title 10 - Elections and election districts.*

18                           *Subtitle 3. – Citizens' Election Fund.*

19           *By amending:*

20                   *Title 20 – Taxes, charges and fees.*

21                           *Subtitle 6 - Utility charges and assessments.*

22                                   *Section 20.605(d) – Billing.*

23           *By adding:*

24                   *Title 22 - General Provisions.*

25                           *Subtitle 8. - Governmental Transparency and Accessible Data.*

26                                   *Section 22.807 - Citizens' Election Fund System – Donations.*

27  
28  
29                   **Title 10 - Elections and election districts.**

30                           **SUBTITLE 3. CITIZENS' ELECTION FUND**  
31

1 SEC. 10.300. - DEFINITIONS

2 (A) IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

3 (B) "APPLICANT CANDIDATE" MEANS A CANDIDATE WHO IS SEEKING TO BE A CERTIFIED  
4 CANDIDATE IN A PRIMARY OR GENERAL ELECTION.

5 (C) "CAMPAIGN FINANCE ENTITY" HAS THE MEANING STATED IN TITLE 1, SUBTITLE 1 OF THE  
6 ELECTION LAW ARTICLE OF THE MARYLAND CODE.

7 (D) "CERTIFIED CANDIDATE" MEANS A CANDIDATE WHO IS CERTIFIED AS ELIGIBLE FOR PUBLIC  
8 CAMPAIGN FINANCING FROM THE FUND.

9 (E) "CITIZEN FUNDED CAMPAIGN ACCOUNT" MEANS A CAMPAIGN FINANCE ACCOUNT INTO WHICH  
10 ELIGIBLE CONTRIBUTIONS WILL BE RECEIVED AND FROM WHICH MONEY MAY BE SPENT IN  
11 ACCORDANCE WITH THIS SUBTITLE.

12 (F) "COMMISSION" MEANS THE CITIZENS' ELECTION FUND COMMISSION.

13 (G) "CPI" MEANS THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS: ALL ITEMS IN  
14 WASHINGTON-BALTIMORE, DC-MD-VA-WV (CMSA) AS PUBLISHED BY THE UNITED STATES  
15 DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS.

16 (H) "CONTESTED ELECTION" MEANS ANY ELECTION, INCLUDING A SPECIAL ELECTION, IN WHICH  
17 THERE ARE MORE CANDIDATES FOR OFFICE THAN THE NUMBER WHO CAN BE ELECTED TO THAT  
18 OFFICE.

19 (I) "CONTRIBUTION" HAS THE MEANING STATED IN TITLE 1, SUBTITLE 1 OF THE ELECTION LAW  
20 ARTICLE OF THE MARYLAND CODE

21 (J) "COUNTY BOARD" MEANS THE HOWARD COUNTY BOARD OF ELECTIONS.

22 (K) "COUNTY RESIDENT" MEANS A NATURAL PERSON WHO RESIDES IN HOWARD COUNTY.

23 (L) "DIRECTOR" MEANS THE DIRECTOR OF THE DEPARTMENT OF FINANCE OR THE DIRECTOR'S  
24 DESIGNEE.

25 (M) "ELECTION CYCLE" HAS THE MEANING STATED IN TITLE 1, SUBTITLE 1 OF THE ELECTION LAW  
26 ARTICLE OF THE MARYLAND CODE.

27 (N) "ELIGIBLE CONTRIBUTION" MEANS AN AGGREGATE DONATION IN A 4-YEAR ELECTION CYCLE  
28 FROM AN INDIVIDUAL, INCLUDING AN INDIVIDUAL WHO DOES NOT RESIDE IN THE COUNTY, THAT  
29 DOES NOT EXCEED THE CONTRIBUTION LIMIT SET IN THIS SUBTITLE.

30 (O) "FUND" MEANS THE CITIZENS' ELECTION FUND.

31 (P) "PARTICIPATING CANDIDATE" MEANS A CERTIFIED CANDIDATE WHO HAS RECEIVED A PUBLIC

1 CONTRIBUTION FROM THE FUND DURING THE CURRENT ELECTION CYCLE.

2 (Q) "PUBLIC CONTRIBUTION" MEANS MONEY DISBURSED FROM THE FUND TO A CERTIFIED  
3 CANDIDATE.

4 (R) "QUALIFYING CONTRIBUTION" MEANS AN ELIGIBLE CONTRIBUTION IN SUPPORT OF AN  
5 APPLICANT CANDIDATE THAT IS:

6 (1) MADE BY A COUNTY RESIDENT;

7 (2) MADE AFTER THE BEGINNING OF THE QUALIFYING PERIOD, BUT NO LATER THAN THE NEXT  
8 GENERAL ELECTION; AND

9 (3) ACKNOWLEDGED BY A RECEIPT.

10 (S) "QUALIFYING PERIOD" MEANS:

11 (1) THE TIME BEGINNING ON JANUARY 1 FOLLOWING THE LAST ELECTION FOR THE OFFICE THE  
12 CANDIDATE SEEKS AND ENDING 45 DAYS BEFORE THE DATE OF THE PRIMARY ELECTION; OR

13 (2) FOR A SPECIAL ELECTION, THE TIME THAT THE COUNTY COUNCIL SETS BY RESOLUTION.

14 (T) "SLATE" HAS THE MEANING STATED IN TITLE 1, SUBTITLE 1 OF THE ELECTION LAW ARTICLE OF  
15 THE MARYLAND CODE.

16 (U) "STATE BOARD" MEANS THE MARYLAND STATE BOARD OF ELECTIONS.

17

18

19 10.301. SCOPE

20 (A) *COVERED OFFICES.*

21 THIS SUBTITLE APPLIES TO ELECTIONS FOR COUNTY EXECUTIVE AND COUNTY COUNCIL.

22 (B) *IN GENERAL.*

23 A CANDIDATE WHO WISHES TO RECEIVE PUBLIC CONTRIBUTIONS MAY APPLY FOR  
24 CERTIFICATION IN ACCORDANCE WITH THIS SUBTITLE.

25

26 10.302. COLLECTING QUALIFYING CONTRIBUTIONS.

27 (A) *PRELIMINARY STEPS.*

28 BEFORE RAISING A CONTRIBUTION GOVERNED BY THIS SUBTITLE, AN APPLICANT  
29 CANDIDATE SHALL:

30 (1) FILE NOTICE OF INTENT WITH THE STATE BOARD IN THE MANNER THAT THE STATE  
31 BOARD REQUIRES; AND

1 (2) ESTABLISH A CITIZEN FUNDED CAMPAIGN ACCOUNT.

2 (B) *CONTRIBUTION LIMITS.*

3 (1) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN  
4 APPLICANT CANDIDATE SHALL NOT ACCEPT:

5 (I) ELIGIBLE CONTRIBUTIONS FROM AN INDIVIDUAL OF MORE THAN \$250 IN THE  
6 AGGREGATE DURING AN ELECTION CYCLE; OR

7 (II) A LOAN.

8 (2) AN APPLICANT CANDIDATE MAY ACCEPT UP TO \$12,000 IN CONTRIBUTIONS OR LOANS  
9 CONSISTING OF A COMBINED TOTAL OF NOT MORE THAN \$6,000 FROM EACH OF THE FOLLOWING  
10 FAMILY MEMBERS:

11 (I) THE APPLICANT CANDIDATE;

12 (II) A CHILD WHO IS AT LEAST 18 YEARS OLD;

13 (III) A SPOUSE;

14 (IV) A PARENT; OR

15 (V) A SIBLING.

16 (C) *CPI ADJUSTMENT.*

17 (1) THE CONTRIBUTION LIMIT SPECIFIED IN SUBSECTION (B)(1) OF THIS SECTION SHALL BE  
18 ADJUSTED FOR THE NEXT ELECTION CYCLE ON JULY 1, 2022, AND JULY 1 OF EACH SUBSEQUENT  
19 FOURTH YEAR BY THE INCREASE IN THE CPI FOR THE PREVIOUS 4 CALENDAR YEARS, ROUNDED UP  
20 TO THE NEXT \$10.

21 (2) THE DIRECTOR SHALL PUBLISH THIS AMOUNT NOT LATER THAN THE JANUARY 1 AFTER  
22 AN ADJUSTMENT IS MADE.

23  
24 10.303. REQUIREMENTS FOR CERTIFICATION.

25 (A) *APPLICATION FOR CERTIFICATION.*

26 (1) AN APPLICANT CANDIDATE SHALL APPLY TO THE STATE BOARD FOR CERTIFICATION.

27 (2) THE STATE BOARD MAY ONLY ACCEPT AN APPLICATION DURING THE QUALIFYING  
28 PERIOD.

29 (3) AN APPLICATION SHALL BE SUBMITTED ON THE FORM THAT THE STATE BOARD  
30 REQUIRES.

1 (4) SUBJECT TO PARAGRAPH (6) OF THIS SUBSECTION, AN APPLICANT CANDIDATE MAY  
2 SUBMIT ONLY ONE APPLICATION FOR CERTIFICATION FOR ANY ELECTION.

3 (5) AN APPLICANT CANDIDATE SHALL INCLUDE WITH THE APPLICATION ALL  
4 DOCUMENTATION REQUIRED BY THE STATE OR, IN THE ABSENCE OF STATE REQUIREMENTS, THE  
5 FOLLOWING:

6 (I) A DECLARATION FROM THE APPLICANT CANDIDATE AGREEING TO FOLLOW THE  
7 REQUIREMENTS GOVERNING THE USE OF A PUBLIC CONTRIBUTION;

8 ~~(II) A CAMPAIGN FINANCE REPORT THAT INCLUDES:~~ (II) A CAMPAIGN FINANCE  
9 REPORT THAT CONTAINS THE INFORMATION THAT THE STATE BOARD REQUIRES FOR A  
10 CAMPAIGN FINANCE REPORT AND THAT INCLUDES, BUT IS NOT LIMITED TO:

11 1. A LIST OF EACH QUALIFYING CONTRIBUTION RECEIVED;

12 2. A LIST OF EACH EXPENDITURE MADE BY THE CANDIDATE DURING THE  
13 QUALIFYING PERIOD;

14 3. A COPY OF THE RECEIPT ASSOCIATED WITH EACH CONTRIBUTION THAT  
15 IDENTIFIES THE CONTRIBUTOR'S NAME AND RESIDENTIAL ADDRESS; AND

16 4. A COPY OF THE RECEIPT ASSOCIATED WITH EACH EXPENDITURE; AND

17 (III) A CERTIFICATE OF CANDIDACY FOR COUNTY EXECUTIVE OR COUNTY COUNCIL.

18 (6) IF AN APPLICATION IS DENIED, THE APPLICANT MAY REVISE THE APPLICATION ONCE IF  
19 DONE BEFORE THE DEADLINE.

20 (B) *QUALIFICATIONS.*

21 TO QUALIFY AS A CERTIFIED CANDIDATE:

22 (1) A CANDIDATE FOR COUNTY EXECUTIVE MUST HAVE COLLECTED FROM COUNTY  
23 RESIDENTS AT LEAST:

24 (i) 500 QUALIFYING CONTRIBUTIONS; AND

25 (ii) AN AGGREGATE TOTAL OF \$40,000; AND

26 (2) A CANDIDATE FOR COUNTY COUNCIL MUST HAVE COLLECTED FROM COUNTY  
27 RESIDENTS AT LEAST:

28 (i) 125 QUALIFYING CONTRIBUTIONS; AND

29 (ii) AN AGGREGATE TOTAL OF \$10,000.

30 (C) *CONTRIBUTIONS.*

1 (1) AN APPLICANT CANDIDATE SHALL DEPOSIT ALL CONTRIBUTIONS RECEIVED INTO THE  
2 CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT.

3 (2) AN APPLICANT CANDIDATE SHALL DELIVER TO THE STATE BOARD A COPY OF THE  
4 RECEIPT FOR EACH QUALIFYING CONTRIBUTION THAT IDENTIFIES THE CONTRIBUTOR'S NAME AND  
5 RESIDENTIAL ADDRESS AND THAT IS SIGNED BY THE CONTRIBUTOR DIRECTLY OR BY A DIGITAL  
6 SIGNATURE USING A METHOD APPROVED BY THE STATE BOARD.

7  
8 10.304. STATE BOARD DETERMINATION.

9 (A) *IN GENERAL.*

10 WITHIN 10 DAYS AFTER THE STATE BOARD RECEIVES A COMPLETE APPLICATION FOR  
11 CERTIFICATION, THE STATE BOARD SHALL CERTIFY AN APPLICANT CANDIDATE WHO QUALIFIES FOR  
12 CERTIFICATION.

13 (B) *DECISION.*

14 THE DECISION BY THE STATE BOARD WHETHER TO CERTIFY A CANDIDATE IS FINAL.

15 (C) *AUTHORIZATION TO DISBURSE MONEY.*

16 IF THE STATE BOARD CERTIFIES A CANDIDATE, THE STATE BOARD SHALL SO NOTIFY THE  
17 DIRECTOR. AFTER NOTIFICATION, THE DIRECTOR SHALL DISBURSE A PUBLIC CONTRIBUTION TO THE  
18 CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT.

19  
20 10.305. CITIZENS' ELECTION FUND ESTABLISHED.

21 (A) *IN GENERAL.*

22 THE DIRECTOR SHALL ESTABLISH A CITIZEN'S ELECTION FUND AS A SPECIAL NON-LAPSING  
23 FUND IN ACCORDANCE WITH SECTION 611 OF THE HOWARD COUNTY CHARTER.

24 (B) *COMPONENTS OF THE FUND.*

25 THE FUND CONSISTS OF:

26 (1) MONEY APPROPRIATED TO THE FUND;

27 (2) ANY UNSPENT MONEY REMAINING IN A CERTIFIED CANDIDATE'S CITIZEN FUNDED  
28 CAMPAIGN ACCOUNT AFTER THE CANDIDATE IS NO LONGER A CANDIDATE;

29 (3) ANY PUBLIC CONTRIBUTION RETURNED TO THE FUND;

30 (4) ANY DONATIONS MADE TO THE FUND;

31 (5) ANY FINES COLLECTED UNDER SECTION 10.311 OF THIS SUBTITLE; AND

1           ~~(5)~~ (6) ANY EARNINGS ON MONEY IN THE FUND.

2           (C) *BUDGET ALLOCATION.*

3           EACH YEAR, THE COUNTY EXECUTIVE SHALL INCLUDE IN THE CURRENT EXPENSE BUDGET  
4 THE AMOUNT REQUIRED UNDER SECTION 907 OF THE HOWARD COUNTY CHARTER.

5  
6           10.306. DISTRIBUTION OF PUBLIC CONTRIBUTION.

7           (A) *IN GENERAL.*

8           (1) THE DIRECTOR SHALL DISTRIBUTE A PUBLIC CONTRIBUTION FOR AN ELECTION ONLY  
9 DURING:

10                   (I) THE TIME BEGINNING 365 DAYS BEFORE THE PRIMARY ELECTION FOR THE OFFICE  
11 THE CANDIDATE SEEKS AND ENDING 15 DAYS AFTER THE GENERAL ELECTION; OR

12                   (II) THE TIME THAT THE COUNTY COUNCIL SETS BY RESOLUTION FOR A SPECIAL  
13 ELECTION.

14           (2) A CERTIFIED CANDIDATE MAY CONTINUE TO COLLECT QUALIFYING CONTRIBUTIONS  
15 AND RECEIVE A MATCHING PUBLIC CONTRIBUTION UP TO A PRIMARY OR GENERAL ELECTION.

16           (3)     (I) FOR PURPOSES OF THIS PARAGRAPH, WHETHER AN ELECTION IS CONTESTED  
17 SHALL BE DETERMINED ON THE FIRST TUESDAY IN AUGUST PRECEDING THE ELECTION.

18                   (II) THE DIRECTOR SHALL NOT DISBURSE A PUBLIC CONTRIBUTION TO A CERTIFIED  
19 CANDIDATE IN AN ~~UNCONTESTED~~ ELECTION IN WHICH THE CANDIDATE IS THE SOLE  
20 INDIVIDUAL WHO HAS FILED A CERTIFICATE OF CANDIDACY FOR THAT OFFICE; HOWEVER, A  
21 CERTIFIED CANDIDATE MAY COLLECT CONTRIBUTIONS DURING AN UNCONTESTED  
22 ELECTION.

23           (B) *RECEIPTS; DEPOSITS.*

24           (1) TO RECEIVE A PUBLIC CONTRIBUTION, A PARTICIPATING CANDIDATE SHALL SUBMIT A  
25 RECEIPT TO THE STATE BOARD FOR EACH QUALIFYING CONTRIBUTION.

26           (2) THE RECEIPT SHALL IDENTIFY THE CONTRIBUTOR'S NAME AND RESIDENTIAL ADDRESS.

27           (3) THE DIRECTOR SHALL DEPOSIT THE APPROPRIATE PUBLIC CONTRIBUTION INTO A  
28 PARTICIPATING CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT WITHIN 3 BUSINESS DAYS  
29 AFTER THE STATE BOARD AUTHORIZES THE PUBLIC CONTRIBUTION.

30           (C) *CONTRIBUTIONS OF LESS THAN \$5.*



1 AN INDIVIDUAL CONTRIBUTION OF LESS THAN \$5 MAY BE CONSIDERED UNDER SECTION  
2 10.303 OF THIS SUBTITLE BUT SHALL NOT BE CONSIDERED WHEN CALCULATING THE PUBLIC  
3 CONTRIBUTION UNDER THIS SECTION.

4 (D) *AMOUNT OF DISTRIBUTION.*

5 (1) FOR A CERTIFIED CANDIDATE FOR COUNTY EXECUTIVE, THE PUBLIC CONTRIBUTION  
6 SHALL EQUAL:

7 (i) \$7 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE FIRST  
8 \$50 OF EACH QUALIFYING CONTRIBUTION;

9 (ii) \$4 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE  
10 SECOND \$50 OF EACH QUALIFYING CONTRIBUTION; AND

11 (iii) \$1 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE  
12 THIRD \$50 OF EACH QUALIFYING CONTRIBUTION; AND

13 (iv) \$0 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED BEYOND THE  
14 THIRD \$50 OF EACH QUALIFYING CONTRIBUTION.

15 (2) FOR A CERTIFIED CANDIDATE FOR COUNTY COUNCIL, THE PUBLIC CONTRIBUTION SHALL  
16 EQUAL:

17 (i) \$5 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE FIRST  
18 \$50 OF EACH QUALIFYING CONTRIBUTION;

19 (ii) \$3 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE  
20 SECOND \$50 OF EACH QUALIFYING CONTRIBUTION;

21 (iii) \$1 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE  
22 THIRD \$50 OF EACH QUALIFYING CONTRIBUTION; AND

23 (iv) \$0 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED BEYOND THE  
24 THIRD \$50 OF EACH QUALIFYING CONTRIBUTION.

25 (3) THE TOTAL PUBLIC CONTRIBUTION PAYABLE TO A CERTIFIED CANDIDATE FOR THE  
26 ELECTION CYCLE, INCLUDING THE PRIMARY OR A GENERAL ELECTION, SHALL NOT EXCEED:

27 (i) ~~\$750,000~~ \$700,000 FOR A CANDIDATE FOR COUNTY EXECUTIVE; AND

28 (ii) ~~\$95,000~~ \$85,000 FOR A CANDIDATE FOR COUNTY COUNCIL.

29 (E) *LIMITATION.*

30 THE DIRECTOR SHALL NOT DISTRIBUTE A PUBLIC CONTRIBUTION BASED ON:

31 (1) A CONTRIBUTION FROM THE CANDIDATE OR THE CANDIDATE'S SPOUSE; OR

1 (2) AN IN-KIND CONTRIBUTION OF PROPERTY, GOODS, OR SERVICES.

2 (F) *FUND INSUFFICIENCY.*

3 IF THE DIRECTOR DETERMINES THAT THE TOTAL AMOUNT AVAILABLE FOR DISTRIBUTION IN  
4 THE FUND IS INSUFFICIENT TO MEET THE ALLOCATIONS REQUIRED BY THIS SECTION, THE DIRECTOR  
5 SHALL REDUCE EACH PUBLIC CONTRIBUTION BY THE SAME PERCENTAGE.

6 (G) *DISBURSEMENTS AFTER PRIMARY ELECTION.*

7 WITHIN 3 BUSINESS DAYS AFTER THE COUNTY BOARD CERTIFIES THE RESULTS OF THE  
8 PRIMARY ELECTION, THE STATE BOARD SHALL AUTHORIZE THE DIRECTOR TO CONTINUE TO  
9 DISBURSE THE APPROPRIATE PUBLIC CONTRIBUTION FOR THE GENERAL ELECTION TO EACH  
10 PARTICIPATING CANDIDATE WHO IS CERTIFIED TO BE ON THE BALLOT FOR THE GENERAL ELECTION.

11 (H) *RETURN OF UNSPENT FUNDS.*

12 (1) WITHIN 30 DAYS AFTER THE COUNTY BOARD CERTIFIES THE RESULTS OF THE PRIMARY  
13 ELECTION, A PARTICIPATING CANDIDATE WHO IS NOT CERTIFIED TO BE ON THE BALLOT FOR THE  
14 GENERAL ELECTION SHALL RETURN TO THE FUND ANY UNSPENT MONEY IN THE CANDIDATE'S  
15 CITIZEN FUNDED CAMPAIGN ACCOUNT.

16 (2) ON OR BEFORE DECEMBER 31 AFTER THE GENERAL ELECTION, A PARTICIPATING  
17 CANDIDATE SHALL RETURN TO THE FUND ANY UNSPENT MONEY IN THE CANDIDATE'S CITIZEN  
18 FUNDED CAMPAIGN ACCOUNT.

19 (I) *CANDIDATES NOMINATED BY PETITION OR BY NON-PRINCIPAL POLITICAL PARTIES.*

20 (1) "PRINCIPAL POLITICAL PARTIES" HAS THE MEANING STATED IN SECTION 1-101 OF THE  
21 ELECTION LAW ARTICLE OF THE MARYLAND CODE.

22 (2) A CERTIFIED CANDIDATE NOMINATED BY PETITION OR BY A PARTY THAT IS NOT A  
23 PRINCIPAL POLITICAL PARTY MAY RECEIVE A PUBLIC CONTRIBUTION FOR THE GENERAL ELECTION  
24 IF THE CANDIDATE'S NOMINATION IS CERTIFIED BY THE COUNTY BOARD.

25 (3) A CERTIFIED CANDIDATE UNDER THIS SUBSECTION MUST QUALIFY 45 DAYS BEFORE THE  
26 DATE OF THE GENERAL ELECTION.

27 (J) *CPI ADJUSTMENT.*

28 (1) THE TOTAL PUBLIC CONTRIBUTION LIMITS ESTABLISHED IN THIS SECTION SHALL BE  
29 ADJUSTED FOR THE NEXT ELECTION CYCLE ON JULY 1, 2022, AND JULY 1 OF EACH SUBSEQUENT  
30 FOURTH YEAR BY THE INCREASE IN THE CPI FOR THE PREVIOUS 4 CALENDAR YEARS, ROUNDED UP  
31 TO THE NEXT \$10.

1 (2) THE DIRECTOR SHALL PUBLISH THESE AMOUNTS NOT LATER THAN THE JANUARY 1  
2 AFTER AN ADJUSTMENT IS MADE.

3  
4 10.307. USE OF PUBLIC CONTRIBUTION.

5 (A) *IN GENERAL.*

6 (1) A PARTICIPATING CANDIDATE MAY ONLY MAKE EXPENDITURES FROM THE CITIZEN  
7 FUNDED CAMPAIGN ACCOUNT REGISTERED WITH THE STATE BOARD FOR EXPENSES INCURRED FOR  
8 THE ELECTION.

9 (2) A PARTICIPATING CANDIDATE SHALL NOT PAY IN ADVANCE FOR PROPERTY, GOODS, OR  
10 SERVICES TO BE USED AFTER CERTIFICATION WITH NON-QUALIFYING CONTRIBUTIONS RECEIVED  
11 BEFORE APPLYING FOR CERTIFICATION.

12 (3)(I) EXCEPT AS PROVIDED IN PARAGRAPH (3)(II) OF THIS SUBSECTION, THE DIRECTOR  
13 SHALL REDUCE THE PUBLIC CONTRIBUTION TO A PARTICIPATING CANDIDATE'S CITIZEN FUNDED  
14 CAMPAIGN ACCOUNT BY THE TOTAL AMOUNT OF ALL EXPENDITURES MADE AFTER THE END OF THE  
15 PREVIOUS ELECTION CYCLE FROM THE CANDIDATE'S NON-PARTICIPATING CAMPAIGN ACCOUNT.

16 (II) EXPENDITURES MADE WITH CONTRIBUTIONS RECEIVED PRIOR TO THE END OF THE  
17 PREVIOUS ELECTION CYCLE TOWARDS DEBTS ACCRUED BEFORE THE END OF THE PREVIOUS  
18 ELECTION CYCLE SHALL NOT REDUCE THE PUBLIC CONTRIBUTION TO A PARTICIPATING  
19 CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT.

20 (B) *ALLEGATION OF IMPERMISSIBLE ACT.*

21 A COMPLAINT ALLEGING AN IMPERMISSIBLE RECEIPT OR USE OF FUNDS BY A PARTICIPATING  
22 CANDIDATE SHALL BE FILED WITH THE COMMISSION.

23 (C) *ACCESS TO RECORDS.*

24 ON REQUEST OF THE COMMISSION, A PARTICIPATING CANDIDATE SHALL PROVIDE THE  
25 COMMISSION WITH REASONABLE ACCESS TO THE FINANCIAL RECORDS OF THE CANDIDATE'S  
26 CITIZEN FUNDED CAMPAIGN ACCOUNT.

27  
28 10.308. WITHDRAWAL.

29 (A) *IN GENERAL.*

1 A PARTICIPATING CANDIDATE MAY WITHDRAW FROM PARTICIPATION IF THE CANDIDATE  
2 FILES A STATEMENT OF WITHDRAWAL WITH THE STATE BOARD AND THE COMMISSION IN THE FORM  
3 THAT THE STATE BOARD REQUIRES AND:

- 4 (1) TERMINATES CANDIDACY TO WITHDRAW FROM THE ELECTION COMPLETELY; OR
- 5 (2) WITHDRAWS PRIOR TO RECEIVING ANY PUBLIC CONTRIBUTION.

6 (B) *TERMINATION OF CANDIDACY.*

7 A PARTICIPATING CANDIDATE WHO WITHDRAWS UNDER SUBSECTION (A)(1) OF THIS  
8 SECTION SHALL REPAY TO THE FUND THE FULL AMOUNT OF ANY PUBLIC CONTRIBUTION RECEIVED,  
9 PLUS INTEREST ACCRUING FROM THE DATE OF WITHDRAWAL AT THE SAME RATE AS THAT IMPOSED  
10 ON REAL PROPERTY TAXES IN ARREARS UNDER SECTION 20.102 OF THE COUNTY CODE ~~THE~~  
11 CURRENT BANK PRIME LOAN RATE AS REPORTED BY THE BOARD OF GOVERNORS OF THE FEDERAL  
12 RESERVE SYSTEM.

13 (C) *PERSONAL LOANS.*

14 A CANDIDATE WHO WITHDRAWS UNDER THIS SECTION SHALL REPAY THE FUND UNDER  
15 SUBSECTION (B) OF THIS SECTION BEFORE REPAYING ANY PERSONAL LOANS TO THE CANDIDATE'S  
16 CAMPAIGN.

17 (D) *PERSONAL LIABILITY.*

18 IF THE FUNDS REMAINING IN THE CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT AT  
19 THE TIME OF WITHDRAWAL ARE INSUFFICIENT TO REPAY THE FUND UNDER SUBSECTION (B) OF THIS  
20 SECTION, THE CANDIDATE SHALL BE PERSONALLY LIABLE FOR REPAYMENT.

21 (E) *REDUCED REPAYMENT.*

22 THE COMMISSION MAY REDUCE ANY REPAYMENT UNDER SUBSECTION (B) OF THIS SECTION  
23 FOR A PARTICIPATING CANDIDATE WHO MUST WITHDRAW FOR HEALTH REASONS OR OTHER CAUSE  
24 NOT WITHIN THE CANDIDATE'S CONTROL AND MAY CONSIDER PERSONAL FINANCIAL HARDSHIP.

25  
26 10.309. APPLICANT AND PARTICIPATING CANDIDATE RESTRICTIONS.

27 AN APPLICANT CANDIDATE OR PARTICIPATING CANDIDATE SHALL NOT:

- 28 (1) ACCEPT A PRIVATE CONTRIBUTION FROM ANY GROUP OR ORGANIZATION, INCLUDING A  
29 POLITICAL ACTION COMMITTEE, A CORPORATION, A LABOR ORGANIZATION, OR A STATE OR LOCAL  
30 CENTRAL COMMITTEE OF A POLITICAL PARTY;

1 (2) ACCEPT PRIVATE CONTRIBUTIONS FROM AN INDIVIDUAL IN AN AGGREGATE AMOUNT  
2 GREATER THAN \$250 DURING AN ELECTION CYCLE, OR THE MAXIMUM AMOUNT OF AN ELIGIBLE  
3 CONTRIBUTION, AS ADJUSTED BY SECTION 10.302(C) OF THIS SUBTITLE;

4 (3) AFTER FILING A NOTICE OF INTENT WITH THE STATE BOARD TO SEEK PUBLIC FINANCING,  
5 PAY FOR ANY CAMPAIGN EXPENSE WITH ANY CAMPAIGN FINANCE ACCOUNT OTHER THAN THE  
6 CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT;

7 (4) BE A MEMBER OF A SLATE IN ANY ELECTION IN WHICH THE CANDIDATE RECEIVES A  
8 PUBLIC CONTRIBUTION;

9 (5) ACCEPT A LOAN FROM ANYONE OTHER THAN THE CANDIDATE OR THE CANDIDATE'S  
10 SPOUSE, PARENT, OR SIBLING;

11 (6) TRANSFER MONEY:

12 (i) TO THE CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT FROM ANY OTHER  
13 CAMPAIGN FINANCE ENTITY ESTABLISHED FOR THE CANDIDATE; OR

14 (ii) FROM THE CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT TO ANY OTHER  
15 CAMPAIGN FINANCE ENTITY; OR

16 (7) COORDINATE EXPENSES EXCEPT WITH ANOTHER PARTICIPATING CANDIDATE IF THE  
17 EXPENSES ARE SHARED EQUALLY AMONG THE COORDINATING CANDIDATES.

18  
19 10.310. CITIZENS' ELECTION FUND COMMISSION.

20 (A) *IN GENERAL.*

21 IN ACCORDANCE WITH SECTION 907 OF THE HOWARD COUNTY CHARTER, THERE IS A  
22 CITIZENS' ELECTION FUND COMMISSION.

23 (B) *MEMBERSHIP.*

24 (1) THE COMMISSION CONSISTS OF 7 MEMBERS.

25 (2) EACH MEMBER OF THE COUNTY COUNCIL SHALL NOMINATE 1 MEMBER OF THE  
26 COMMISSION.

27 (3) THE COUNTY EXECUTIVE SHALL NOMINATE 2 MEMBERS OF THE COMMISSION.

28 (4) EACH NOMINEE SHALL BE CONFIRMED BY A SEPARATE RESOLUTION OF THE COUNTY  
29 COUNCIL.

30 (C) *QUALIFICATIONS.*

31 (1) EACH MEMBER OF THE COMMISSION SHALL BE A RESIDENT OF THE COUNTY.

1 (2) A MEMBER OF THE COMMISSION SHALL NOT BE A CANDIDATE FOR PUBLIC OFFICE  
2 DURING THE PREVIOUS, CURRENT, OR NEXT ELECTION CYCLE.

3 (3) A MEMBER SHALL NOT BE A LOBBYIST REGISTERED WITH THE COUNTY.

4 (4) A MEMBER SHALL NOT BE THE CHAIR OR TREASURER FOR AN OPEN CAMPAIGN  
5 ACCOUNT.

6 (5) A MEMBER SHALL BE A REGISTERED VOTER.

7 (D) *TERM, VACANCIES.*

8 (1) THE TERM OF A MEMBER OF THE COMMISSION IS 4 YEARS AND BEGINS ON ~~THE~~ MAY 1.  
9 THE TERM OF A MEMBER OF THE COMMISSION NOMINATED BY THE COUNTY EXECUTIVE BEGINS  
10 DURING THE FIRST YEAR OF A COUNTY COUNCIL TERM. THE TERM OF A MEMBER OF THE  
11 COMMISSION NOMINATED BY A MEMBER OF THE COUNTY COUNCIL BEGINS DURING THE THIRD  
12 YEAR OF A COUNTY COUNCIL TERM.

13 (2) A VACANCY SHALL BE FILLED IN THE SAME MANNER AS THE ORIGINAL APPOINTMENT  
14 AND FOR THE UNEXPIRED TERM.

15 (3) NOTWITHSTANDING PARAGRAPH (1) OF THIS SUBSECTION, TO CREATE STAGGERED  
16 TERMS, THE TERMS OF THE INITIAL MEMBERS OF THE COMMISSION WHO ARE NOMINATED BY A  
17 MEMBER OF THE COUNTY COUNCIL SHALL BE 6 YEARS AND SHALL BEGIN ON THE MAY 1, 2019.

18 (E) *OFFICERS.*

19 THE COMMISSION SHALL ELECT A CHAIRPERSON AND VICE-CHAIRPERSON FROM AMONG ITS  
20 MEMBERS.

21 (F) *COMPENSATION; EXPENSES.*

22 A MEMBER OF THE COMMISSION SHALL NOT RECEIVE COMPENSATION FOR SERVICE ON THE  
23 COMMISSION EXCEPT REASONABLE AND NECESSARY EXPENSES AS MAY BE PROVIDED IN THE  
24 BUDGET.

25 (G) *DUTIES.*

26 (1) THE COMMISSION SHALL CALCULATE THE AMOUNTS AS REQUIRED BY SECTION 907 OF  
27 THE COUNTY CHARTER.

28 (2) EXCEPT AS OTHERWISE SPECIFIED, THE COMMISSION SHALL ADMINISTER THIS SUBTITLE.

29 (3) THE COMMISSION SHALL MEET :

30 (I) AT LEAST ONCE EVERY 90 DAYS DURING THE 12 MONTHS PRECEDING A  
31 PRIMARY ELECTION; AND



1 OFF INTO THE CITIZENS' ELECTION FUND REQUIRED BY SECTION 907 OF THE HOWARD COUNTY  
2 CHARTER.

3  
4 **Title 22 - General Provisions.**

5 **Subtitle 8. - Governmental Transparency and Accessible Data.**

6 SECTION 22.807. - CITIZENS' ELECTION FUND SYSTEM – DONATIONS.

7 (A) THE FACILITATOR SHALL ENSURE THAT THE COUNTY WEBSITE INCLUDES A MECHANISM  
8 TO ACCEPT DONATIONS TO THE CITIZENS' ELECTION FUND.

9 (B) THE MECHANISM SHALL BE PROMINENTLY LOCATED ON EACH APPROPRIATE COUNTY  
10 WEB PAGE.

11  
12  
13 *Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that the*  
14 *Administrator of the Howard County Council shall submit this Act to the Maryland State Board of*  
15 *Elections for approval and the system established by this Act shall not be implemented until the approval*  
16 *is granted.*

17  
18 *Section 3. And Be It Further Enacted by the County Council of Howard County, Maryland, that Section*  
19 *1 of this Act shall become effective 61 days after its enactment.*

20  
21 *Section 4. And Be It Further Enacted by the County Council of Howard County, Maryland, that the*  
22 *Citizens' Election Fund System shall take effect for the 2022 election cycle.*




BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been passed by the yeas and nays of two-thirds of the members of the Council notwithstanding the objections of the Executive, stands enacted on July 3, 2017.

  
\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having received neither the approval nor the disapproval of the Executive within ten days of its presentation, stands enacted on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, not having been considered on final reading within the time required by Charter, stands failed for want of consideration on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, having been disapproved by the Executive and having failed on passage upon consideration by the Council stands failed on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council

BY THE COUNCIL

This Bill, the withdrawal of which received a vote of two-thirds (2/3) of the members of the Council, is withdrawn from further consideration on \_\_\_\_\_, 2017.

\_\_\_\_\_  
Jessica Feldmark, Administrator to the County Council