

Introduced 07.01.2024
Public hearing 07.15.2024
Council action 10.07.2024
Executive action 10.10.2024
Effective date 12.10.2024

County Council of Howard County, Maryland

2024 Legislative Session

Legislative day # 8

BILL NO. 46 – 2024

Introduced by:

The Chair at the Request of the Citizens' Election Fund Commission

Co-sponsored by:

Deb Jung
Christiana Rigby
Liz Walsh

SHORT TITLE: Citizens' Election Fund, Certified Candidates
AN ACT amending the Citizens' Election Fund provision of the Code to clarify the role of certified candidates for County Executive or County Council in the Citizens' Election Fund system; and generally related to the Citizens' Election Fund system.

Introduced and read first time July 1, 2024. Ordered posted and hearing scheduled.

By order Michelle Harrod
Michelle Harrod, 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 July 15, 2024.

By order Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on Oct 7, 2024 and Passed , Passed with amendments , Failed .

By order Michelle Harrod
Michelle Harrod, Administrator

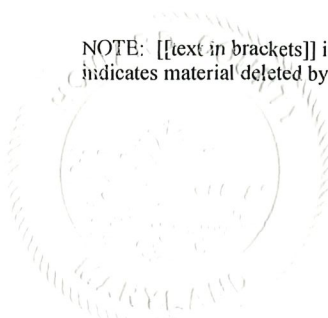
Sealed with the County Seal and presented to the County Executive for approval this 8 day of October, 2024 at 2⁰⁰ a.m./p.m.

By order Michelle Harrod
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive Oct 10, 2024

Calvin Ball, 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 **Section 1. Be it enacted by the County Council of Howard County, Maryland, that the Howard**
2 **County Code is hereby amended as follows:**

3
4 *By Amending:*

5 *Title 10 – “Elections and Election Districts”*

6 *Subtitle 3. “Elections and Election Districts”*

7 *Sec. 10.300. “Definitions.”*

8 *Sec. 10.304. “State Board determination.”*

9 *Sec. 10.305. “Citizens' Election Fund established.”*

10 *Sec. 10.306. “Distribution of public contribution.”; and*

11 *Sec. 10.309. “Applicant, certified, and participating candidate restrictions.”*

12
13
14 **HOWARD COUNTY CODE**

15 **Title 10 - Elections and Election Districts**

16
17 **Subtitle 3. Citizens' Election Fund**

18 **Sec. 10.300. Definitions.**

19 (a) In this subtitle, the following words have the meanings indicated.

20 (b) *Applicant candidate* means a candidate who is seeking to be a certified candidate in a
21 primary or general election.

22 (c) *Campaign finance entity* has the meaning stated in Title 1, subtitle 1 of the Election Law
23 article of the Maryland Code.

24 (D) *CANDIDATE* HAS THE MEANING STATED IN TITLE 1, SUBTITLE 1 OF THE *ELECTION LAW* ARTICLE
25 OF THE MARYLAND CODE.

26 ~~[[d]]~~ (E) *Certified candidate* means a candidate who is certified as eligible for public campaign
27 financing from the fund.

28 ~~[[e]]~~ (F) *Citizen Funded Campaign account* means a campaign finance account into which
29 eligible contributions will be received and from which money may be spent in accordance
30 with this subtitle.

31 ~~[[f]]~~ (G) *Commission* means the Citizens' Election Fund Commission.

1 [[g]] (H) *CPI* means the Consumer Price Index for all urban consumers: all items in Baltimore-
2 Columbia-Towson, MD as published by the United States Department of Labor, Bureau of
3 Labor Statistics.

4 [[h]] (I) *Contested election* means any election, including a special election, in which there are
5 more candidates for office than the number who can be elected to that office.

6 [[i]] (J) *Contribution* has the meaning stated in Title 1, subtitle 1 of the Election Law article of
7 the Maryland Code.

8 [[j]] (K) *County Board* means the Howard County Board of Elections.

9 [[k]] (L) *County resident* means a natural person who resides in Howard County.

10 [[l]] (M) *Director* means the Director of the Department of Finance or the Director's designee.

11 [[m]] (N) *Election cycle* has the meaning stated in Title 1, subtitle 1 of the Election Law article
12 of the Maryland Code.

13 [[n]] (O) *Eligible contribution* means an aggregate donation in a four-year election cycle from
14 an individual, including an individual who does not reside in the County, that does not
15 exceed the contribution limit set in this subtitle.

16 [[o]] (P) *Fund* means the Citizens' Election Fund.

17 [[p]] (Q) *Participating candidate* means a certified candidate who has received a public
18 contribution from the Fund during the current election cycle.

19 [[q]] (R) *Public contribution* means money disbursed from the fund to a certified candidate.

20 [[r]] (S) *Qualifying contribution* means an eligible contribution in support of an applicant
21 candidate that is:

22 (1) Made by a County resident;

23 (2) Made after the beginning of the qualifying period, but no later than the next general
24 election; and

25 (3) Acknowledged by a receipt.

26 [[s]] (T) *Qualifying period* means:

1 (1) The time beginning on January 1 following the last election for the office the
2 candidate seeks and ~~[[45 days]]~~ 44 DAYS before the date of the primary election; or

3 (2) For a special election, the time that the County Council sets by Resolution.

4 ~~[[t]]~~ (u) *Slate* has the meaning stated in Title 1, subtitle 1 of the Election Law article of the
5 Maryland Code.

6 ~~[[u]]~~ (v) State Board means the Maryland State Board of Elections.

7
8 **Sec. 10.301. Scope.**

9 (a) *Covered Offices.* This subtitle applies to elections for County Executive and County
10 Council.

11 (b) *In General.* A candidate who wishes to receive public contributions may apply for
12 certification in accordance with this subtitle.

13
14 **Sec. 10.302. Collecting qualifying contributions.**

15 (a) *Preliminary Steps.* Before raising a contribution governed by this subtitle, an applicant
16 candidate shall:

- 17 (1) File notice of intent with the State Board in the manner that the State Board requires; and
18 (2) Establish a Citizen Funded Campaign account.

19 (b) *Contribution Limits.*

20 (1) Except as otherwise provided in paragraph (2) of this subsection, an applicant candidate
21 shall not accept:

22 (i) Eligible contributions of more than ~~\$250.00~~ \$300.00 in the aggregate during an
23 election cycle; or

24 (ii) A loan.

25 (2) An applicant candidate may accept up to ~~\$12,000.00 in contributions or loans~~ \$15,000 IN
26 CONTRIBUTIONS AND LOANS FOR A COUNTY COUNCIL CANDIDATE OR UP TO \$30,000 IN
27 CONTRIBUTIONS AND LOANS FOR A COUNTY EXECUTIVE CANDIDATE consisting of a

1 combined total of not more than \$6,000.00 from each of the following family members:

- 2 (i) The applicant candidate;
- 3 (ii) A child who is at least 18 years old;
- 4 (iii) A spouse;
- 5 (iv) A parent; or
- 6 (v) A sibling.

7 (c) *CPI Adjustment.*

8 (1) The contribution limit specified in subsection (b)(1) of this section shall be adjusted for
9 the next election cycle on July 1, 2022, and July 1 of each subsequent fourth year by the
10 increase in the CPI for the previous four calendar years, rounded up to the next \$10.00.

11 (2) The Director shall publish this amount not later than the January 1 after an adjustment is
12 made.

13
14 **Sec. 10.303. Requirements for certification.**

15 (a) *Application for Certification.*

16 (1) An applicant candidate shall apply to the State Board for certification.

17 (2) The State Board may only accept an application during the qualifying period.

18 (3) An application shall be submitted on the form that the State Board requires.

19 (4) Subject to paragraph (6) of this subsection, an applicant candidate may submit only one
20 application for certification for any election.

21 (5) An applicant candidate shall include with the application all documentation required by
22 the State or, in the absence of State requirements, the following:

23 (i) A declaration from the applicant candidate agreeing to follow the requirements
24 governing the use of a public contribution;

25 (ii) A campaign finance report that contains the information that the State Board requires
26 for a campaign finance report and that includes, but is not limited to:

27 a. A list of each qualifying contribution received;

28 b. A list of each expenditure made by the candidate during the qualifying
29 period;

1 c. A copy of the receipt associated with each contribution that identifies the
2 contributor's name and residential address; and

3 d. A copy of the receipt associated with each expenditure; and

4 (iii) A certificate of candidacy for County Executive or County Council.

5 (6) If an application is denied, the applicant may revise the application once if done before
6 the deadline.

7 (b) *Qualifications.* To qualify as a certified candidate:

8 (1) A candidate for County Executive must have collected from County residents at least:

9 (i) Five hundred qualifying contributions; and

10 (ii) An aggregate total of \$40,000.00; and

11 (2) A candidate for County Council must have collected from County residents at least:

12 (i) One hundred twenty-five qualifying contributions; and

13 (ii) An aggregate total of \$10,000.00.

14 (c) *Contributions.*

15 (1) An applicant candidate shall deposit all contributions received into the candidate's Citizen
16 Funded Campaign account.

17 (2) An applicant candidate shall deliver to the State Board a copy of the receipt for each
18 qualifying contribution that identifies the contributor's name and residential address and
19 that is signed by the contributor directly or by a digital signature using a method
20 approved by the State Board.
21

22 **Sec. 10.304. State Board determination.**

23 (a) *In General.* Within ten BUSINESS days after the State Board receives a complete
24 application for certification, the State Board shall certify an applicant candidate who
25 qualifies for certification.

26 (b) *Decision.* The decision by the State Board whether to certify a candidate is final.

27 (c) *Authorization to Disburse Money.* If the State Board certifies a candidate, the State
28 Board shall so notify the Director. ~~[[After]]~~ WITHIN THREE BUSINESS DAYS AFTER SUCH
29 notification FROM THE STATE BOARD, the Director shall disburse a public contribution to

1 the candidate's Citizen Funded Campaign account.

2 **Sec. 10.305. Citizens' Election Fund established.**

3 (a) *In General.* The Director shall establish a Citizen's Election Fund as a special non-lapsing
4 fund in accordance with section 611 of the Howard County Charter.

5 (b) *Components of the Fund.* The fund consists of:

6 (1) Money appropriated to the fund;

7 (2) ~~[[Any]]~~ SUBJECT TO SECTION 10.306(H)(3), ANY unspent money remaining in a certified
8 candidate's Citizen Funded Campaign account after the candidate is no longer a
9 candidate;

10 (3) Any public contribution returned to the fund;

11 (4) Any donations made to the fund;

12 (5) Any fines collected under section 10.311 of this subtitle; and

13 (6) Any earnings on money in the fund.

14 (c) *Budget Allocation.* Each year, the County Executive shall include in the current expense
15 budget the amount required under section 907 of the Howard County Charter.

16 **Sec. 10.306. Distribution of public contribution.**

17 (a) *In General.*

18 (1) The Director shall distribute a public contribution for an election only during:

19 (i) The time beginning 365 days before the primary election for the office the candidate
20 seeks and ending 15 days after the general election; or

21 (ii) The time that the County Council sets by Resolution for a special election.

22 (2) A certified candidate may continue to collect qualifying contributions and receive a
23 matching public contribution ~~[[up to a]]~~ THROUGH THE DATE OF THE primary or general
24 election.

25 (3) (1) The Director shall not disburse a public contribution to a certified candidate in
26 ~~[[an]]~~ A GENERAL election in which the candidate is the sole individual who has filed a
27 certificate of candidacy for that office~~[[; however, a]]~~.

1 (II) A CERTIFIED CANDIDATE IN AN UNCONTESTED PRIMARY ELECTION SHALL RECEIVE
2 A PUBLIC CONTRIBUTION AS SPECIFIED IN PARAGRAPH (D).

3 (III) A certified candidate may collect contributions during an uncontested election.

4 (b) *Receipts; Deposits.*

5 (1) To receive a public contribution, a participating candidate shall submit a receipt to the
6 State Board for each qualifying contribution.

7 (2) The receipt shall identify the contributor's name and residential address.

8 (3) The Director shall deposit the appropriate public contribution into a participating
9 candidate's Citizen Funded Campaign account within three business days after the State
10 Board authorizes the public contribution.

11 (c) *Contributions of Less Than \$5.00.* An individual contribution of less than \$5.00 may be
12 considered under section 10.303 of this subtitle but shall not be considered when calculating
13 the public contribution under this section.

14 (d) *Amount of Distribution.*

15 (1) ~~[[For]]~~ EXCEPT AS PROVIDED IN SUBPARAGRAPH (4), FOR a certified candidate for County
16 Executive, the public contribution shall equal:

17 (i) Seven dollars for each dollar of a qualifying contribution received for the first \$50.00
18 of each qualifying contribution;

19 (ii) Four dollars for each dollar of a qualifying contribution received for the second
20 \$50.00 of each qualifying contribution; and

21 (iii) One dollar for each dollar of a qualifying contribution received for the third \$50.00 of
22 each qualifying contribution; and

23 (iv) Zero dollars for each dollar of a qualifying contribution received beyond the third
24 \$50.00 of each qualifying contribution.

25 (2) ~~[[For]]~~ EXCEPT AS PROVIDED IN SUBPARAGRAPH (4), FOR a certified candidate for County
26 Council, the public contribution shall equal:

27 (i) Five dollars for each dollar of a qualifying contribution received for the first \$50.00
28 of each qualifying contribution;

29 (ii) Three dollars for each dollar of a qualifying contribution received for the second
30 \$50.00 of each qualifying contribution;

- 1 (iii) One dollar for each dollar of a qualifying contribution received for the third \$50.00 of
2 each qualifying contribution; and
- 3 (iv) Zero dollars for each dollar of a qualifying contribution received beyond the third
4 \$50.00 of each qualifying contribution.
- 5 (3) FOR A CERTIFIED CANDIDATE FOR COUNTY EXECUTIVE OR COUNTY COUNCIL IN AN
6 UNCONTESTED PRIMARY ELECTION FOR WHICH THERE IS A GENERAL ELECTION
7 CANDIDATE, THE PUBLIC CONTRIBUTION SHALL EQUAL THE AMOUNTS IN PARAGRAPHS
8 (1) OR (2) AS APPLICABLE.
- 9 (4) FOR A CERTIFIED CANDIDATE FOR COUNTY EXECUTIVE OR COUNTY COUNCIL IN AN
10 UNCONTESTED PRIMARY ELECTION FOR WHICH THERE IS NOT A GENERAL ELECTION
11 CANDIDATE, THE PUBLIC CONTRIBUTION SHALL EQUAL ONE ~~THIRD~~ HALF OF THE
12 AMOUNTS IN PARAGRAPHS (1) OR (2) AS APPLICABLE.
- 13 (5) The total public contribution payable to a certified candidate for the election cycle,
14 including the primary or a general election, shall not exceed:
- 15 (i) Seven hundred thousand dollars for a candidate for County executive; and
16 (ii) Eighty-five thousand dollars for a candidate for County Council.
- 17 (e) *Limitation.* The Director shall not distribute a public contribution based on:
- 18 (1) A contribution from the candidate or the candidate's spouse; or
19 (2) An in-kind contribution of property, goods, or services.
- 20 (f) *Fund Insufficiency.* If the Director determines that the total amount available for distribution
21 in the fund is insufficient to meet the allocations required by this section, the Director shall
22 reduce each public contribution by the same percentage.
- 23 (g) *Disbursements After Primary Election.* Within three business days after the County Board
24 certifies the results of the primary election, the State Board shall authorize the Director to
25 continue to disburse the appropriate public contribution for the general election to each
26 participating candidate who is certified to be on the ballot for the general election.
- 27 (h) *Return of Unspent Funds.*
- 28 (1) ~~[[Within]]~~ EXCEPT AS PROVIDED IN PARAGRAPH (H)(3), WITHIN ~~[[IN]]~~ 30 days after the
29 County Board certifies the results of the primary election, a participating candidate who
30 is not certified to be on the ballot for the general election shall return to the fund any

1 unspent money in the candidate's Citizen Funded Campaign account.

2 (2) ~~[[On]]~~ EXCEPT AS PROVIDED IN PARAGRAPH (H)(3), ON or before ~~December~~ JANUARY 31
3 after the general election, a participating candidate shall return to the fund any unspent
4 money in the candidate's Citizen Funded Campaign account.

5 (3) A CERTIFIED CANDIDATE MAY RETAIN FUNDS TO PAY FOR POST-ELECTION EXPENSES IF:

6 (I) THE RETAINED FUNDS DO NOT EXCEED \$5,000;

7 (II) THE CANDIDATE FILED A NEW DECLARATION OF INTENT TO PARTICIPATE IN
8 THE PUBLIC CAMPAIGN FINANCING SYSTEM FOR THE 4 YEAR NEXT ELECTION
9 CYCLE BY JANUARY 31ST, THE YEAR AFTER THE ELECTION; AND

10 (III) THE CANDIDATE KEEPS THE SAME CAMPAIGN FINANCE ENTITY.

11 (i) *Candidates Nominated by Petition or by Non-Principal Political Parties.*

12 (1) "Principal political parties" has the meaning stated in section 1-101 of the Election Law
13 article of the Maryland Code.

14 (2) A certified candidate nominated by petition or by a party that is not a principal political
15 party may receive a public contribution for the general election if the candidate's
16 nomination is certified by the County Board.

17 (3) A certified candidate under this subsection must qualify 45 days before the date of the
18 general election.

19 (j) *CPI Adjustment.*

20 (1) The total public contribution limits established in this section shall be adjusted for the
21 next election cycle on July 1, 2022, and July 1 of each subsequent fourth year by the
22 increase in the CPI for the previous four calendar years, rounded up to the next \$10.00.

23 (2) The Director shall publish these amounts not later than the January 1 after an adjustment
24 is made.

25
26 **Sec. 10.307. Use of public contribution.**

27 (a) *In General.*

28 (1) A participating candidate may only make expenditures from the Citizen Funded
29 Campaign account registered with the State Board for expenses incurred for the election.

1 (2) A participating candidate shall not pay in advance for property, goods, or services to be
2 used after certification with non-qualifying contributions received before applying for
3 certification.

4 (3) (i) Except as provided in paragraph (3)(ii) of this subsection, the Director shall reduce the
5 public contribution to a participating candidate's Citizen Funded Campaign account by
6 the total amount of all expenditures made after the end of the previous election cycle
7 from the candidate's non-participating campaign account.

8 (ii) Expenditures made with contributions received prior to the end of the previous
9 election cycle towards debts accrued before the end of the previous election cycle
10 shall not reduce the public contribution to a participating candidate's Citizen Funded
11 Campaign account.

12 (b) *Allegation of Impermissible Act.* A complaint alleging an impermissible receipt or use of
13 funds by a participating candidate shall be filed with the Commission.

14 (c) *Access to Records.* On request of the Commission, a participating candidate shall provide
15 the Commission with reasonable access to the financial records of the candidate's Citizen
16 Funded Campaign account.

17 **Sec. 10.308. Withdrawal.**

18 (a) *In General.* A participating candidate may withdraw from participation if the candidate files
19 a statement of withdrawal with the State Board and the Commission in the form that the
20 State Board requires and:

21 (1) Terminates candidacy to withdraw from the election completely; or

22 (2) Withdraws prior to receiving any public contribution.

23 (b) *Termination of Candidacy.* A participating candidate who withdraws under subsection
24 (a)(1) of this section shall repay to the fund the full amount of any public contribution
25 received, plus interest accruing from the date of withdrawal at the same rate as the current
26 bank prime loan rate as reported by the Board of Governors of the Federal Reserve System.

27 (c) *Personal Loans.* A candidate who withdraws under this section shall repay the fund under
28 subsection (b) of this section before repaying any personal loans to the candidate's
29 campaign.

1 (d) *Personal Liability.* If the funds remaining in the candidate's Citizen Funded Campaign
2 account at the time of withdrawal are insufficient to repay the Fund under subsection (b) of
3 this section, the candidate shall be personally liable for repayment.

4 (e) *Reduced Repayment.* The Commission may reduce any repayment under subsection (b) of
5 this section for a participating candidate who must withdraw for health reasons or other
6 cause not within the candidate's control and may consider personal financial hardship.

7
8 **Sec. 10.309. Applicant, CERTIFIED, and participating candidate restrictions.**

9 (A) An applicant candidate, CERTIFIED CANDIDATE, or participating candidate shall not:

10
11 (1) Accept a private contribution from any group or organization, including a political action
12 committee, a corporation, a labor organization, or a State or local central committee of a
13 political party;

14 (2) Accept private contributions from an individual in an aggregate amount greater than
15 ~~\$250.00~~ \$300.00 during an election cycle, or the maximum amount of an eligible
16 contribution, as adjusted by section 10.302(c) of this subtitle;

17 (3) After filing a notice of intent with the State Board to seek public financing, pay for any
18 campaign expense with any campaign finance account other than the candidate's Citizen
19 Funded Campaign account;

20 (4) Be a member of a slate in any election in which the candidate receives a public
21 contribution;

22 (5) Accept a loan from anyone other than the candidate, CANDIDATE'S CHILD WHO IS AT
23 LEAST OVER 18 YEARS OLD, or the candidate's spouse, parent, or sibling;

24 (6) Transfer money:

25 (i) To the candidate's Citizen Funded Campaign account from any other campaign
26 finance entity established for the candidate; or

27 (ii) From the candidate's Citizen Funded Campaign account to any other campaign
28 finance entity; or

29 (7) Coordinate expenses except with another ~~participating candidate~~ CANDIDATE WHO IS AN
30 APPLICANT, CERTIFIED, OR PARTICIPATING CANDIDATE if the expenses are shared equally

1 among the coordinating candidates.

2 (B) AN APPLICANT CANDIDATE OR PARTICIPATING CANDIDATE MAY ACCEPT IN-KIND
3 CONTRIBUTIONS FROM A STATE OR LOCAL CENTRAL COMMITTEE OF A POLITICAL PARTY, UP TO
4 \$10,000, IF THE FUNDS USED BY THE CENTRAL COMMITTEE TO MAKE AN IN-KIND
5 CONTRIBUTION DERIVE FROM INDIVIDUAL CONTRIBUTIONS THAT DO NOT EXCEED THE PUBLIC
6 CONTRIBUTION LIMITS ESTABLISHED UNDER SECTION 10.306.

7 **Sec. 10.310. Citizens' Election Fund Commission.**

8 (a) *In General.* In accordance with section 907 of the Howard County Charter, there is a
9 Citizens' Election Fund Commission.

10 (b) *Membership.*

11 (1) The Commission consists of seven members.

12 (2) Each member of the County Council shall nominate one member of the Commission.

13 (3) The County Executive shall nominate two members of the Commission.

14 (4) Each nominee shall be confirmed by a separate Resolution of the County Council.

15 (c) *Qualifications.*

16 (1) Each member of the Commission shall be a resident of the County.

17 (2) A member of the Commission shall not be a candidate for public office during the
18 previous, current, or next election cycle.

19 (3) A member shall not be a lobbyist registered with the County.

20 (4) A member shall not be the chair or treasurer for an open campaign account.

21 (5) A member shall be a registered voter.

22 (d) *Term, Vacancies.*

23 (1) The term of a member of the Commission is four years and begins on May 1. The term of
24 a member of the Commission nominated by the County Executive begins during the first
25 year of a County Council term. The term of a member of the Commission nominated by a
26 member of the County Council begins during the third year of a County Council term.

27 (2) A vacancy shall be filled in the same manner as the original appointment and for the
28 unexpired term.

29 (3) Notwithstanding paragraph (1) of this subsection, to create staggered terms, the terms of

1 the initial members of the Commission who are nominated by a member of the County
2 Council shall be six years and shall begin on the May 1, 2019.

3 (e) *Officers.* The Commission shall elect a chairperson and vice-chairperson from among its
4 members.

5 (f) *Compensation; Expenses.* A member of the Commission shall not receive compensation for
6 service on the Commission except reasonable and necessary expenses as may be provided in
7 the budget.

8 (g) *Duties.*

9 (1) The Commission shall calculate the amounts as required by section 907 of the County
10 Charter.

11 (2) Except as otherwise specified, the Commission shall administer this subtitle.

12 (3) The Commission shall meet:

13 (i) At least once every 90 days during the 12 months preceding a primary election; and

14 (ii) At least twice a year otherwise.

15 (h) *Staff.* The Department of Finance shall provide staff support for the Commission to:

16 (1) Work with the State Board of Elections to administer the system; and

17 (2) Provide information about the system to candidates and the public.

18
19 **Sec. 10.311. Violations.**

20 (a) *In General.* A violation of this subtitle is a Class A civil violation under Title 24 of the
21 County Code.

22 (b) *Payment.* A fine may be paid by the campaign but only if all public contributions have
23 been repaid to the fund. Otherwise, the candidate or officer found to be responsible for
24 the violation is personally liable for the fine.

25
26
27 ***Section 2. Be it further enacted by the County Council of Howard County, Maryland,***
28 ***that this Act shall become effective 61 days after its enactment.***

Amendment 1 to Council Bill No. 46-2024

BY: Deb Jung

Legislative Day # 9

Date: July 29, 2024

Amendment No. 1

(This Amendment:

1. Changes the percentage of the public contribution from a third to a half; and
2. Clarifies who can coordinate expenses.)

1 On page 8, in line 11, strike "THIRD" and substitute "HALF".

2

3 On page 11, in line 29, strike "participating candidate" and substitute "CANDIDATE WHO IS

4 NOT AN APPLICANT, CERTIFIED, OR PARTICIPATING CANDIDATE".

5

I certify that this a true copy of

Am 1 CB46-2024

passed on

Michelle Hoersted

Council Administrator

not introduced

Amendment 2 to Council Bill No. 46-2024

BY: Christiana Rigby

Legislative Day # 9

Date: July 29, 2024

Amendment No. 2

1 *(This amendment changes the return date for unspent funds from December 31 to January 31st.)*

2

3 On page 9, in line 2, strike “December” and substitute “JANUARY”.

4

5

6

7

I certify that this a true copy of

Am 2 CB46-2024

passed on October 7, 2024

Michelle Anderson

Council Administrator

Amendment 3 to Council Bill No. 46-2024

BY: Christiana Rigby

Legislative Day # 9

Date: July 29, 2024

Amendment No. 3

1 *(This amendment would only allow candidates to accept loans from themselves.)*

2

3

On page 11, in lines 22 and 23, strike “, CANDIDATE’S CHILD WHO IS AT LEAST OVER 18 YEARS
4 OLD, or the candidate’s spouse, parent, or sibling”.

5

6

7

8

I certify that this a true copy of

Am 3 CB46-2024

~~passed on~~

Michelle Durrant

Council Administrator

Not Introduced

Amendment 4 to Council Bill No. 46-2024

BY: Deb Jung

Legislative Day # 11
Date: October 7, 2024

Amendment No. 4

(This Amendment:

1. Changes the maximum eligible contribution from \$250 to \$300;
2. Changes the maximum contribution and loan maximum for County Council and County Executive candidates
3. Changes the percentage of the public contribution from a third to a half; and
4. Clarifies who can coordinate expenses.)

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On page 3, in line 22, strike “\$250.00” and substitute “\$300.00”.

On page 3, in line 25, strike “\$12,000 in contributions or loans” and substitute “\$15,000 IN CONTRIBUTIONS AND LOANS FOR A COUNTY COUNCIL CANDIDATE OR UP TO \$30,000 IN CONTRIBUTIONS AND LOANS FOR A COUNTY EXECUTIVE CANDIDATE”.

On page 8, in line 11, strike “THIRD” and substitute “HALF”.

On page 11 in line 15, strike “\$250.00” and substitute “\$300.00”.

On page 11, in line 29, strike “participating candidate” and substitute “CANDIDATE WHO IS AN APPLICANT, CERTIFIED, OR PARTICIPATING CANDIDATE”.

I certify that this a true copy of
Am 4 CB 46-2024
passed on October 7, 2024
Mahulu Dargu
Council Administrator

Introduced 07.01.2024
Public hearing 07.15.2024
Council action _____
Executive action _____
Effective date _____

County Council of Howard County, Maryland

2024 Legislative Session

Legislative day # 8

BILL NO. 46 – 2024

Introduced by:

The Chair at the Request of the Citizens' Election Fund Commission

Co-sponsored by:

Deb Jung
Christiana Rigby
Liz Walsh

SHORT TITLE: Citizens' Election Fund, Certified Candidates
AN ACT amending the Citizens' Election Fund provision of the Code to clarify the role of certified candidates for County Executive or County Council in the Citizens' Election Fund system; and generally related to the Citizens' Election Fund system.

Introduced and read first time July 1, 2024. Ordered posted and hearing scheduled.

By order Michelle Harrod
Michelle Harrod, 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 July 15, 2024.

By order Michelle Harrod
Michelle Harrod, Administrator

This Bill was read the third time on _____, 2024 and Passed _____, Passed with amendments _____, Failed _____.

By order _____
Michelle Harrod, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2024 at ___ a.m./p.m.

By order _____
Michelle Harrod, Administrator

Approved/Vetoed by the County Executive _____, 2024

Calvin Ball, 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.

Extend life to 10/15/2025 - 7/29/24 Michelle Harrod
Table - 7/29/24 Michelle Harrod

1 **Section 1.** *Be it enacted by the County Council of Howard County, Maryland, that the Howard*
2 *County Code is hereby amended as follows:*

3
4 *By Amending:*

5 *Title 10 – “Elections and Election Districts”*

6 *Subtitle 3. “Elections and Election Districts”*

7 *Sec. 10.300. “Definitions.”*

8 *Sec. 10.304. “State Board determination.”*

9 *Sec. 10.305. “Citizens' Election Fund established.”*

10 *Sec. 10.306. “Distribution of public contribution.”; and*

11 *Sec. 10.309. “Applicant, certified, and participating candidate restrictions.”*
12
13

14 **HOWARD COUNTY CODE**

15 **Title 10 - Elections and Election Districts**

16
17 **Subtitle 3. Citizens' Election Fund**

18 **Sec. 10.300. Definitions.**

19 (a) In this subtitle, the following words have the meanings indicated.

20 (b) *Applicant candidate* means a candidate who is seeking to be a certified candidate in a
21 primary or general election.

22 (c) *Campaign finance entity* has the meaning stated in Title 1, subtitle 1 of the Election Law
23 article of the Maryland Code.

24 (D) *CANDIDATE* HAS THE MEANING STATED IN TITLE 1, SUBTITLE 1 OF THE *ELECTION LAW* ARTICLE
25 OF THE MARYLAND CODE.

26 ~~[[d]]~~ (E) *Certified candidate* means a candidate who is certified as eligible for public campaign
27 financing from the fund.

28 ~~[[e]]~~ (F) *Citizen Funded Campaign account* means a campaign finance account into which
29 eligible contributions will be received and from which money may be spent in accordance
30 with this subtitle.

31 ~~[[f]]~~ (G) *Commission* means the Citizens' Election Fund Commission.

1 [[g]] (H) *CPI* means the Consumer Price Index for all urban consumers: all items in Baltimore-
2 Columbia-Towson, MD as published by the United States Department of Labor, Bureau of
3 Labor Statistics.

4 [[h]] (I) *Contested election* means any election, including a special election, in which there are
5 more candidates for office than the number who can be elected to that office.

6 [[i]] (J) *Contribution* has the meaning stated in Title 1, subtitle 1 of the Election Law article of
7 the Maryland Code.

8 [[j]] (K) *County Board* means the Howard County Board of Elections.

9 [[k]] (L) *County resident* means a natural person who resides in Howard County.

10 [[l]] (M) *Director* means the Director of the Department of Finance or the Director's designee.

11 [[m]] (N) *Election cycle* has the meaning stated in Title 1, subtitle 1 of the Election Law article
12 of the Maryland Code.

13 [[n]] (O) *Eligible contribution* means an aggregate donation in a four-year election cycle from
14 an individual, including an individual who does not reside in the County, that does not
15 exceed the contribution limit set in this subtitle.

16 [[o]] (P) *Fund* means the Citizens' Election Fund.

17 [[p]] (Q) *Participating candidate* means a certified candidate who has received a public
18 contribution from the Fund during the current election cycle.

19 [[q]] (R) *Public contribution* means money disbursed from the fund to a certified candidate.

20 [[r]] (S) *Qualifying contribution* means an eligible contribution in support of an applicant
21 candidate that is:

22 (1) Made by a County resident;
23 (2) Made after the beginning of the qualifying period, but no later than the next general
24 election; and
25 (3) Acknowledged by a receipt.

26 [[s]] (T) *Qualifying period* means:

1 (1) The time beginning on January 1 following the last election for the office the
2 candidate seeks and ~~[[45 days]]~~ 44 DAYS before the date of the primary election; or

3 (2) For a special election, the time that the County Council sets by Resolution.

4 ~~[[t]]~~ (U) *Slate* has the meaning stated in Title 1, subtitle 1 of the Election Law article of the
5 Maryland Code.

6 ~~[[u]]~~ (v) State Board means the Maryland State Board of Elections.

7
8 **Sec. 10.301. Scope.**

9 (a) *Covered Offices.* This subtitle applies to elections for County Executive and County
10 Council.

11 (b) *In General.* A candidate who wishes to receive public contributions may apply for
12 certification in accordance with this subtitle.

13
14 **Sec. 10.302. Collecting qualifying contributions.**

15 (a) *Preliminary Steps.* Before raising a contribution governed by this subtitle, an applicant
16 candidate shall:

17 (1) File notice of intent with the State Board in the manner that the State Board requires; and

18 (2) Establish a Citizen Funded Campaign account.

19 (b) *Contribution Limits.*

20 (1) Except as otherwise provided in paragraph (2) of this subsection, an applicant candidate
21 shall not accept:

22 (i) Eligible contributions of more than \$250.00 in the aggregate during an election cycle;

23 or

24 (ii) A loan.

25 (2) An applicant candidate may accept up to \$12,000.00 in contributions or loans consisting
26 of a combined total of not more than \$6,000.00 from each of the following family
27 members:

- 1 (i) The applicant candidate;
- 2 (ii) A child who is at least 18 years old;
- 3 (iii) A spouse;
- 4 (iv) A parent; or
- 5 (v) A sibling.

6 (c) *CPI Adjustment.*

- 7 (1) The contribution limit specified in subsection (b)(1) of this section shall be adjusted for
- 8 the next election cycle on July 1, 2022, and July 1 of each subsequent fourth year by the
- 9 increase in the CPI for the previous four calendar years, rounded up to the next \$10.00.
- 10 (2) The Director shall publish this amount not later than the January 1 after an adjustment is
- 11 made.

12

13 **Sec. 10.303. Requirements for certification.**

14 (a) *Application for Certification.*

- 15 (1) An applicant candidate shall apply to the State Board for certification.
- 16 (2) The State Board may only accept an application during the qualifying period.
- 17 (3) An application shall be submitted on the form that the State Board requires.
- 18 (4) Subject to paragraph (6) of this subsection, an applicant candidate may submit only one
- 19 application for certification for any election.
- 20 (5) An applicant candidate shall include with the application all documentation required by
- 21 the State or, in the absence of State requirements, the following:
 - 22 (i) A declaration from the applicant candidate agreeing to follow the requirements
 - 23 governing the use of a public contribution;
 - 24 (ii) A campaign finance report that contains the information that the State Board requires
 - 25 for a campaign finance report and that includes, but is not limited to:
 - 26 a. A list of each qualifying contribution received;
 - 27 b. A list of each expenditure made by the candidate during the qualifying
 - 28 period;

- 1 c. A copy of the receipt associated with each contribution that identifies the
2 contributor's name and residential address; and
- 3 d. A copy of the receipt associated with each expenditure; and
- 4 (iii) A certificate of candidacy for County Executive or County Council.
- 5 (6) If an application is denied, the applicant may revise the application once if done before
6 the deadline.

7 (b) *Qualifications.* To qualify as a certified candidate:

- 8 (1) A candidate for County Executive must have collected from County residents at least:
- 9 (i) Five hundred qualifying contributions; and
- 10 (ii) An aggregate total of \$40,000.00; and
- 11 (2) A candidate for County Council must have collected from County residents at least:
- 12 (i) One hundred twenty-five qualifying contributions; and
- 13 (ii) An aggregate total of \$10,000.00.

14 (c) *Contributions.*

- 15 (1) An applicant candidate shall deposit all contributions received into the candidate's Citizen
16 Funded Campaign account.
- 17 (2) An applicant candidate shall deliver to the State Board a copy of the receipt for each
18 qualifying contribution that identifies the contributor's name and residential address and
19 that is signed by the contributor directly or by a digital signature using a method
20 approved by the State Board.

21

22 **Sec. 10.304. State Board determination.**

23 (a) *In General.* Within ten BUSINESS days after the State Board receives a complete
24 application for certification, the State Board shall certify an applicant candidate who
25 qualifies for certification.

26 (b) *Decision.* The decision by the State Board whether to certify a candidate is final.

27 (c) *Authorization to Disburse Money.* If the State Board certifies a candidate, the State
28 Board shall so notify the Director. [[After]] WITHIN THREE BUSINESS DAYS AFTER SUCH
29 notification FROM THE STATE BOARD, the Director shall disburse a public contribution to

1 the candidate's Citizen Funded Campaign account.

2 **Sec. 10.305. Citizens' Election Fund established.**

3 (a) *In General.* The Director shall establish a Citizen's Election Fund as a special non-lapsing
4 fund in accordance with section 611 of the Howard County Charter.

5 (b) *Components of the Fund.* The fund consists of:

6 (1) Money appropriated to the fund;

7 (2) ~~[[Any]]~~ SUBJECT TO SECTION 10.306(H)(3), ANY unspent money remaining in a certified
8 candidate's Citizen Funded Campaign account after the candidate is no longer a
9 candidate;

10 (3) Any public contribution returned to the fund;

11 (4) Any donations made to the fund;

12 (5) Any fines collected under section 10.311 of this subtitle; and

13 (6) Any earnings on money in the fund.

14 (c) *Budget Allocation.* Each year, the County Executive shall include in the current expense
15 budget the amount required under section 907 of the Howard County Charter.

16 **Sec. 10.306. Distribution of public contribution.**

17 (a) *In General.*

18 (1) The Director shall distribute a public contribution for an election only during:

19 (i) The time beginning 365 days before the primary election for the office the candidate
20 seeks and ending 15 days after the general election; or

21 (ii) The time that the County Council sets by Resolution for a special election.

22 (2) A certified candidate may continue to collect qualifying contributions and receive a
23 matching public contribution ~~[[up to a]]~~ THROUGH THE DATE OF THE primary or general
24 election.

25 (3) (i) The Director shall not disburse a public contribution to a certified candidate in
26 ~~[[an]]~~ A GENERAL election in which the candidate is the sole individual who has filed a
27 certificate of candidacy for that office~~[[; however, a]]~~.

1 (II) A CERTIFIED CANDIDATE IN AN UNCONTESTED PRIMARY ELECTION SHALL RECEIVE
2 A PUBLIC CONTRIBUTION AS SPECIFIED IN PARAGRAPH (D).

3 (III) A certified candidate may collect contributions during an uncontested election.

4 (b) *Receipts; Deposits.*

5 (1) To receive a public contribution, a participating candidate shall submit a receipt to the
6 State Board for each qualifying contribution.

7 (2) The receipt shall identify the contributor's name and residential address.

8 (3) The Director shall deposit the appropriate public contribution into a participating
9 candidate's Citizen Funded Campaign account within three business days after the State
10 Board authorizes the public contribution.

11 (c) *Contributions of Less Than \$5.00.* An individual contribution of less than \$5.00 may be
12 considered under section 10.303 of this subtitle but shall not be considered when calculating
13 the public contribution under this section.

14 (d) *Amount of Distribution.*

15 (1) ~~[[For]]~~ EXCEPT AS PROVIDED IN SUBPARAGRAPH (4), FOR a certified candidate for County
16 Executive, the public contribution shall equal:

17 (i) Seven dollars for each dollar of a qualifying contribution received for the first \$50.00
18 of each qualifying contribution;

19 (ii) Four dollars for each dollar of a qualifying contribution received for the second
20 \$50.00 of each qualifying contribution; and

21 (iii) One dollar for each dollar of a qualifying contribution received for the third \$50.00 of
22 each qualifying contribution; and

23 (iv) Zero dollars for each dollar of a qualifying contribution received beyond the third
24 \$50.00 of each qualifying contribution.

25 (2) ~~[[For]]~~ EXCEPT AS PROVIDED IN SUBPARAGRAPH (4), FOR a certified candidate for County
26 Council, the public contribution shall equal:

27 (i) Five dollars for each dollar of a qualifying contribution received for the first \$50.00
28 of each qualifying contribution;

29 (ii) Three dollars for each dollar of a qualifying contribution received for the second
30 \$50.00 of each qualifying contribution;

1 (iii) One dollar for each dollar of a qualifying contribution received for the third \$50.00 of
2 each qualifying contribution; and

3 (iv) Zero dollars for each dollar of a qualifying contribution received beyond the third
4 \$50.00 of each qualifying contribution.

5 (3) FOR A CERTIFIED CANDIDATE FOR COUNTY EXECUTIVE OR COUNTY COUNCIL IN AN
6 UNCONTESTED PRIMARY ELECTION FOR WHICH THERE IS A GENERAL ELECTION
7 CANDIDATE, THE PUBLIC CONTRIBUTION SHALL EQUAL THE AMOUNTS IN PARAGRAPHS
8 (1) OR (2) AS APPLICABLE.

9 (4) FOR A CERTIFIED CANDIDATE FOR COUNTY EXECUTIVE OR COUNTY COUNCIL IN AN
10 UNCONTESTED PRIMARY ELECTION FOR WHICH THERE IS NOT A GENERAL ELECTION
11 CANDIDATE, THE PUBLIC CONTRIBUTION SHALL EQUAL ONE THIRD OF THE AMOUNTS IN
12 PARAGRAPHS (1) OR (2) AS APPLICABLE.

13 (5) The total public contribution payable to a certified candidate for the election cycle,
14 including the primary or a general election, shall not exceed:

15 (i) Seven hundred thousand dollars for a candidate for County executive; and

16 (ii) Eighty-five thousand dollars for a candidate for County Council.

17 (e) *Limitation.* The Director shall not distribute a public contribution based on:

18 (1) A contribution from the candidate or the candidate's spouse; or

19 (2) An in-kind contribution of property, goods, or services.

20 (f) *Fund Insufficiency.* If the Director determines that the total amount available for distribution
21 in the fund is insufficient to meet the allocations required by this section, the Director shall
22 reduce each public contribution by the same percentage.

23 (g) *Disbursements After Primary Election.* Within three business days after the County Board
24 certifies the results of the primary election, the State Board shall authorize the Director to
25 continue to disburse the appropriate public contribution for the general election to each
26 participating candidate who is certified to be on the ballot for the general election.

27 (h) *Return of Unspent Funds.*

28 (1) ~~[[Within]]~~ EXCEPT AS PROVIDED IN PARAGRAPH (H)(3), WITHIN ~~[[IN]]~~ 30 days after the
29 County Board certifies the results of the primary election, a participating candidate who
30 is not certified to be on the ballot for the general election shall return to the fund any

1 unspent money in the candidate's Citizen Funded Campaign account.

2 (2) [[On]] EXCEPT AS PROVIDED IN PARAGRAPH (H)(3), ON or before December 31 after the
3 general election, a participating candidate shall return to the fund any unspent money in
4 the candidate's Citizen Funded Campaign account.

5 (3) A CERTIFIED CANDIDATE MAY RETAIN FUNDS TO PAY FOR POST-ELECTION EXPENSES IF:

6 (I) THE RETAINED FUNDS DO NOT EXCEED \$5,000;

7 (II) THE CANDIDATE FILED A NEW DECLARATION OF INTENT TO PARTICIPATE IN
8 THE PUBLIC CAMPAIGN FINANCING SYSTEM FOR THE 4 YEAR NEXT ELECTION
9 CYCLE BY JANUARY 31ST, THE YEAR AFTER THE ELECTION; AND

10 (III) THE CANDIDATE KEEPS THE SAME CAMPAIGN FINANCE ENTITY.

11 (i) *Candidates Nominated by Petition or by Non-Principal Political Parties.*

12 (1) "Principal political parties" has the meaning stated in section 1-101 of the Election Law
13 article of the Maryland Code.

14 (2) A certified candidate nominated by petition or by a party that is not a principal political
15 party may receive a public contribution for the general election if the candidate's
16 nomination is certified by the County Board.

17 (3) A certified candidate under this subsection must qualify 45 days before the date of the
18 general election.

19 (j) *CPI Adjustment.*

20 (1) The total public contribution limits established in this section shall be adjusted for the
21 next election cycle on July 1, 2022, and July 1 of each subsequent fourth year by the
22 increase in the CPI for the previous four calendar years, rounded up to the next \$10.00.

23 (2) The Director shall publish these amounts not later than the January 1 after an adjustment
24 is made.

25
26 **Sec. 10.307. Use of public contribution.**

27 (a) *In General.*

28 (1) A participating candidate may only make expenditures from the Citizen Funded
29 Campaign account registered with the State Board for expenses incurred for the election.

1 (2) A participating candidate shall not pay in advance for property, goods, or services to be
2 used after certification with non-qualifying contributions received before applying for
3 certification.

4 (3) (i) Except as provided in paragraph (3)(ii) of this subsection, the Director shall reduce the
5 public contribution to a participating candidate's Citizen Funded Campaign account by
6 the total amount of all expenditures made after the end of the previous election cycle
7 from the candidate's non-participating campaign account.

8 (ii) Expenditures made with contributions received prior to the end of the previous
9 election cycle towards debts accrued before the end of the previous election cycle
10 shall not reduce the public contribution to a participating candidate's Citizen Funded
11 Campaign account.

12 (b) *Allegation of Impermissible Act.* A complaint alleging an impermissible receipt or use of
13 funds by a participating candidate shall be filed with the Commission.

14 (c) *Access to Records.* On request of the Commission, a participating candidate shall provide
15 the Commission with reasonable access to the financial records of the candidate's Citizen
16 Funded Campaign account.

17 **Sec. 10.308. Withdrawal.**

18 (a) *In General.* A participating candidate may withdraw from participation if the candidate files
19 a statement of withdrawal with the State Board and the Commission in the form that the
20 State Board requires and:

21 (1) Terminates candidacy to withdraw from the election completely; or

22 (2) Withdraws prior to receiving any public contribution.

23 (b) *Termination of Candidacy.* A participating candidate who withdraws under subsection
24 (a)(1) of this section shall repay to the fund the full amount of any public contribution
25 received, plus interest accruing from the date of withdrawal at the same rate as the current
26 bank prime loan rate as reported by the Board of Governors of the Federal Reserve System.

27 (c) *Personal Loans.* A candidate who withdraws under this section shall repay the fund under
28 subsection (b) of this section before repaying any personal loans to the candidate's
29 campaign.

1 (d) *Personal Liability.* If the funds remaining in the candidate's Citizen Funded Campaign
2 account at the time of withdrawal are insufficient to repay the Fund under subsection (b) of
3 this section, the candidate shall be personally liable for repayment.

4 (e) *Reduced Repayment.* The Commission may reduce any repayment under subsection (b) of
5 this section for a participating candidate who must withdraw for health reasons or other
6 cause not within the candidate's control and may consider personal financial hardship.

7
8 **Sec. 10.309. Applicant, CERTIFIED, and participating candidate restrictions.**

9 (A) An applicant candidate, CERTIFIED CANDIDATE, or participating candidate shall not:

10
11 (1) Accept a private contribution from any group or organization, including a political action
12 committee, a corporation, a labor organization, or a State or local central committee of a
13 political party;

14 (2) Accept private contributions from an individual in an aggregate amount greater than
15 \$250.00 during an election cycle, or the maximum amount of an eligible contribution, as
16 adjusted by section 10.302(c) of this subtitle;

17 (3) After filing a notice of intent with the State Board to seek public financing, pay for any
18 campaign expense with any campaign finance account other than the candidate's Citizen
19 Funded Campaign account;

20 (4) Be a member of a slate in any election in which the candidate receives a public
21 contribution;

22 (5) Accept a loan from anyone other than the candidate, CANDIDATE'S CHILD WHO IS AT
23 LEAST OVER 18 YEARS OLD, or the candidate's spouse, parent, or sibling;

24 (6) Transfer money:

25 (i) To the candidate's Citizen Funded Campaign account from any other campaign
26 finance entity established for the candidate; or

27 (ii) From the candidate's Citizen Funded Campaign account to any other campaign
28 finance entity; or

29 (7) Coordinate expenses except with another participating candidate if the expenses are
30 shared equally among the coordinating candidates.

1 (B) AN APPLICANT CANDIDATE OR PARTICIPATING CANDIDATE MAY ACCEPT IN-KIND
2 CONTRIBUTIONS FROM A STATE OR LOCAL CENTRAL COMMITTEE OF A POLITICAL PARTY, UP TO
3 \$10,000, IF THE FUNDS USED BY THE CENTRAL COMMITTEE TO MAKE AN IN-KIND
4 CONTRIBUTION DERIVE FROM INDIVIDUAL CONTRIBUTIONS THAT DO NOT EXCEED THE PUBLIC
5 CONTRIBUTION LIMITS ESTABLISHED UNDER SECTION 10.306.

6 **Sec. 10.310. Citizens' Election Fund Commission.**

7 (a) *In General.* In accordance with section 907 of the Howard County Charter, there is a
8 Citizens' Election Fund Commission.

9 (b) *Membership.*

10 (1) The Commission consists of seven members.

11 (2) Each member of the County Council shall nominate one member of the Commission.

12 (3) The County Executive shall nominate two members of the Commission.

13 (4) Each nominee shall be confirmed by a separate Resolution of the County Council.

14 (c) *Qualifications.*

15 (1) Each member of the Commission shall be a resident of the County.

16 (2) A member of the Commission shall not be a candidate for public office during the
17 previous, current, or next election cycle.

18 (3) A member shall not be a lobbyist registered with the County.

19 (4) A member shall not be the chair or treasurer for an open campaign account.

20 (5) A member shall be a registered voter.

21 (d) *Term, Vacancies.*

22 (1) The term of a member of the Commission is four years and begins on May 1. The term of
23 a member of the Commission nominated by the County Executive begins during the first
24 year of a County Council term. The term of a member of the Commission nominated by a
25 member of the County Council begins during the third year of a County Council term.

26 (2) A vacancy shall be filled in the same manner as the original appointment and for the
27 unexpired term.

28 (3) Notwithstanding paragraph (1) of this subsection, to create staggered terms, the terms of
29 the initial members of the Commission who are nominated by a member of the County

1 Council shall be six years and shall begin on the May 1, 2019.

2 (e) *Officers.* The Commission shall elect a chairperson and vice-chairperson from among its
3 members.

4 (f) *Compensation; Expenses.* A member of the Commission shall not receive compensation for
5 service on the Commission except reasonable and necessary expenses as may be provided in
6 the budget.

7 (g) *Duties.*

8 (1) The Commission shall calculate the amounts as required by section 907 of the County
9 Charter.

10 (2) Except as otherwise specified, the Commission shall administer this subtitle.

11 (3) The Commission shall meet:

12 (i) At least once every 90 days during the 12 months preceding a primary election; and

13 (ii) At least twice a year otherwise.

14 (h) *Staff.* The Department of Finance shall provide staff support for the Commission to:

15 (1) Work with the State Board of Elections to administer the system; and

16 (2) Provide information about the system to candidates and the public.

17
18 **Sec. 10.311. Violations.**

19 (a) *In General.* A violation of this subtitle is a Class A civil violation under Title 24 of the
20 County Code.

21 (b) *Payment.* A fine may be paid by the campaign but only if all public contributions have
22 been repaid to the fund. Otherwise, the candidate or officer found to be responsible for
23 the violation is personally liable for the fine.

24
25
26 **Section 2. *Be it further enacted by the County Council of Howard County, Maryland,***
27 ***that this Act shall become effective 61 days after its enactment.***

BY THE COUNCIL

This Bill, having been approved by the Executive and returned to the Council, stands enacted on October 10, 2024.

Michelle R. Harrod
Michelle R. Harrod, 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 _____, 2024.

Michelle R. Harrod, 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 _____, 2024.

Michelle R. Harrod, 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 _____, 2024.

Michelle R. Harrod, 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 _____, 2024.

Michelle R. Harrod, 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 _____, 2024.

Michelle R. Harrod, Administrator to the County Council