

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2023, Legislative Day No. 8

Bill No. 25-23

Introduced by Mr. Smith, Chair
(by request of the County Executive)

By the County Council, April 17, 2023

Introduced and first read on April 17, 2023
Public Hearing set for and held on May 15, 2023
Public Hearing on AMENDED bill set for and held on June 5, 2023
Bill AMENDED and VOTED on June 5, 2023
Bill Expires July 21, 2023

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: General Provisions – Public Campaign Financing

2
3 FOR the purpose of defining certain terms; establishing the Public Campaign Financing
4 Fund; providing for the source of funding for the public campaign financing funds;
5 providing for the limitations and conditions on contributions and loans to an applicant
6 candidate; providing for the adjustment of contribution limitations; providing for the
7 certification of qualified candidates eligible for public campaign financing; providing
8 for the disbursement of public campaign financing funds; establishing limitations and
9 conditions of public campaign financing funds; establishing the process to withdraw
10 from participation in the Fund; establishing restrictions on an applicant, certified or
11 participating candidate; creating the Commission to recommend funding for the Public
12 Campaign Financing Fund; establishing that a violation of this title is a Class B civil
13 offense; and generally relating to public campaign financing.

14
15 BY adding: §§ 1-12-101 through 1-12-112 to be under the new title “Title 12. Public
16 Campaign Financing”
17 Anne Arundel County Code (2005, as amended)

18
19 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
20 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.
Underlining indicates matter added to bill by amendment.
Strikeover indicates matter removed from bill by amendment.

ARTICLE 1. GENERAL PROVISIONS

TITLE 12. PUBLIC CAMPAIGN FINANCING

1-12-101. Definitions.

IN THIS TITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED:

(1) "APPLICANT CANDIDATE" MEANS A PERSON WHO IS RUNNING FOR A COVERED OFFICE AND WHO IS SEEKING TO BE A CERTIFIED CANDIDATE IN A PRIMARY OR GENERAL ELECTION.

(2) "BOARD" MEANS THE MARYLAND STATE BOARD OF ELECTIONS.

(3) "CAMPAIGN FINANCE ENTITY" MEANS A POLITICAL COMMITTEE ESTABLISHED UNDER TITLE 13 OF THE ELECTION LAW ARTICLE OF THE STATE CODE.

(4) "CERTIFIED CANDIDATE" MEANS A CANDIDATE RUNNING FOR A COVERED OFFICE WHO IS CERTIFIED AS ELIGIBLE FOR PUBLIC CAMPAIGN FINANCING FROM THE FUND.

(5) "CONSUMER PRICE INDEX" MEANS THE CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI) FOR BALTIMORE-COLUMBIA-TOWSON, AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF LABOR, BUREAU OF LABOR STATISTICS, OR A SUCCESSOR INDEX.

(6) "CONTESTED ELECTION" MEANS AN ELECTION IN WHICH THERE ARE MORE CANDIDATES FOR AN OFFICE THAN THE NUMBER WHO CAN BE ELECTED TO THAT OFFICE. CONTESTED ELECTION INCLUDES A SPECIAL ELECTION HELD TO FILL A VACANCY UNDER § 205 OR § 402 OF THE CHARTER.

(7) "CONTRIBUTION" MEANS THE GIFT OR TRANSFER, OR PROMISE OF GIFT OR TRANSFER, OF MONEY OR OTHER THING OF VALUE TO A CAMPAIGN FINANCE ENTITY TO PROMOTE OR ASSIST IN THE PROMOTION OF THE SUCCESS OR DEFEAT OF A CANDIDATE, POLITICAL PARTY, OR QUESTION. CONTRIBUTION INCLUDES PROCEEDS FROM THE SALE OF TICKETS TO A CAMPAIGN FUND-RAISING EVENT AS DEFINED IN § 1-101 OF THE ELECTION LAW ARTICLE OF THE STATE CODE.

(8) "CONTROLLER" MEANS THE COUNTY CONTROLLER OR THE COUNTY CONTROLLER'S DESIGNEE.

(9) "COUNTY BOARD" MEANS THE ANNE ARUNDEL COUNTY BOARD OF ELECTIONS.

(10) "COVERED OFFICE" MEANS THE OFFICE OF COUNTY EXECUTIVE OR COUNTY COUNCILMEMBER.

(11) "DISBURSEMENT PERIOD" MEANS THE PERIOD OF TIME BEGINNING 365 DAYS BEFORE THE PRIMARY ELECTION FOR THE COVERED OFFICE THE CANDIDATE SEEKS AND ENDING 15 DAYS AFTER THE DATE OF THE GENERAL ELECTION.

(12) "ELECTION CYCLE" MEANS THE PRIMARY AND GENERAL ELECTION FOR THE SAME TERM OF A COVERED OFFICE.

(13) "ELIGIBLE CONTRIBUTION" MEANS AN AGGREGATE DONATION IN A FOUR YEAR ELECTION CYCLE OF NO MORE THAN \$250 FROM AN INDIVIDUAL, INCLUDING AN INDIVIDUAL WHO DOES NOT RESIDE IN THE COUNTY.

(14) "FUND" MEANS THE PUBLIC CAMPAIGN FINANCING FUND.

1 (15) "NON-CERTIFIED CANDIDATE" MEANS A PERSON WHO IS RUNNING FOR A
2 COVERED OFFICE WHO EITHER:

3
4 (I) CHOOSES NOT TO APPLY TO BE A CERTIFIED CANDIDATE; OR

5
6 (II) APPLIES TO BE A CERTIFIED CANDIDATE BUT FAILS TO QUALIFY.

7
8 (16) "NON-PARTICIPATING CANDIDATE" MEANS A PERSON WHO IS RUNNING FOR A
9 COVERED OFFICE WHO IS EITHER A CERTIFIED CANDIDATE WHO DECLINES TO ACCEPT A
10 PUBLIC CONTRIBUTION OR A NON-CERTIFIED CANDIDATE.

11
12 (17) "PARTICIPATING CANDIDATE" MEANS A CERTIFIED CANDIDATE WHO HAS
13 RECEIVED A PUBLIC CONTRIBUTION FROM THE FUND FOR A PRIMARY OR GENERAL
14 ELECTION.

15
16 (18) "PUBLIC CAMPAIGN FINANCING SYSTEM COMMISSION" MEANS THE
17 COMMISSION ESTABLISHED IN § 1-12-110.

18
19 (19) "PUBLIC CONTRIBUTION" MEANS MONEY DISBURSED FROM THE FUND TO A
20 CERTIFIED CANDIDATE.

21
22 (20) "PUBLICLY FUNDED CAMPAIGN ACCOUNT" MEANS A CAMPAIGN FINANCE
23 ACCOUNT ESTABLISHED BY A CANDIDATE FOR THE EXCLUSIVE PURPOSE OF RECEIVING
24 ELIGIBLE CONTRIBUTIONS AND SPENDING FUNDS IN ACCORDANCE WITH THIS TITLE.

25
26 (21) "QUALIFYING CONTRIBUTION" MEANS AN ELIGIBLE CONTRIBUTION OF AT
27 LEAST \$5 BUT NO MORE THAN \$250 IN SUPPORT OF AN APPLICANT CANDIDATE OR A
28 CERTIFIED CANDIDATE THAT IS:

29
30 (I) MADE BY A COUNTY RESIDENT;

31
32 (II) MADE AFTER THE BEGINNING OF THE QUALIFYING PERIOD, BUT NO LATER
33 THAN THE PRIMARY ELECTION OR, IF THE CANDIDATE, ADVANCES, THE GENERAL
34 ELECTION; AND

35
36 (III) ACKNOWLEDGED BY A RECEIPT THAT IDENTIFIES THE CONTRIBUTOR'S
37 NAME AND RESIDENTIAL ADDRESS AND SIGNED BY THE CONTRIBUTOR DIRECTLY OR BY
38 A DIGITAL SIGNATURE USING A METHOD APPROVED BY THE BOARD.

39
40 (22) "QUALIFYING PERIOD" MEANS THE PERIOD OF TIME BEGINNING ON JANUARY
41 1 FOLLOWING THE LAST ELECTION FOR THE COVERED OFFICE THE CANDIDATE SEEKS AND
42 ENDING 45 DAYS BEFORE THE DATE OF THE PRIMARY ELECTION.

43
44 (23) "SLATE" MEANS A POLITICAL COMMITTEE OF TWO OR MORE CANDIDATES
45 WHO JOIN TOGETHER TO CONDUCT AND PAY FOR JOINT CAMPAIGN ACTIVITIES.

46
47 **1-12-102. Public Campaign Financing Fund established.**

48
49 (A) **Fund created.** THERE IS A PUBLIC CAMPAIGN FINANCING FUND. THIS FUND IS
50 CONTINUING AND NON-LAPSING.

51
52 (B) **Source of funding.** THE FUND CONSISTS OF:

53
54 (1) ALL FUNDS APPROPRIATED TO IT BY THE COUNTY COUNCIL;

55
56 (2) ANY UNSPENT FUNDS REMAINING IN A PARTICIPATING CANDIDATE'S PUBLICLY
57 FUNDED CAMPAIGN ACCOUNT AFTER THE CANDIDATE IS NO LONGER A CANDIDATE FOR
58 A COVERED OFFICE;

1 (3) ANY PUBLIC CONTRIBUTION PLUS INTEREST RETURNED TO THE FUND BY A
2 PARTICIPATING CANDIDATE WHO WITHDRAWS FROM PARTICIPATION;

3
4 (4) ALL INTEREST EARNED ON FUNDS IN THE FUND; AND

5
6 (5) VOLUNTARY DONATIONS MADE DIRECTLY TO THE FUND.
7

8 **1-12-103. Contributions.**
9

10 (A) **Prerequisites.** BEFORE RAISING ANY CONTRIBUTION GOVERNED BY THIS TITLE,
11 AN APPLICANT CANDIDATE SHALL:

12
13 (1) FILE NOTICE OF INTENT WITH THE BOARD ON OR BEFORE APRIL 15 OF THE YEAR
14 OF THE ELECTION ON A FORM PRESCRIBED BY THE BOARD; AND

15
16 (2) ESTABLISH A PUBLICLY FUNDED CAMPAIGN ACCOUNT FOR THE PURPOSE OF
17 RECEIVING ELIGIBLE CONTRIBUTIONS AND SPENDING FUNDS IN ACCORDANCE WITH THIS
18 TITLE.
19

20 (B) **Limitation on contributions and loans.**
21

22 (1) OTHER THAN A CONTRIBUTION FROM THE APPLICANT CANDIDATE OR THE
23 APPLICANT CANDIDATE'S SPOUSE, AN APPLICANT CANDIDATE MAY NOT ACCEPT AN
24 ELIGIBLE CONTRIBUTION FROM AN INDIVIDUAL GREATER THAN \$250.

25
26 (2) AN APPLICANT CANDIDATE MAY NOT ACCEPT A LOAN FROM ANYONE OTHER
27 THAN THE APPLICANT CANDIDATE OR THE APPLICANT CANDIDATE'S SPOUSE.
28

29 (3) AN APPLICANT CANDIDATE AND THE APPLICANT CANDIDATE'S SPOUSE MAY
30 NOT CONTRIBUTE OR LEND A COMBINED TOTAL OF MORE THAN \$12,000 TO THE APPLICANT
31 CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT.
32

33 (C) **Consumer Price Index adjustment.** BY MARCH 1, 2026, AND THEN BY MARCH 1
34 OF EACH SUBSEQUENT FOURTH YEAR, THE CHIEF ADMINISTRATIVE OFFICER SHALL
35 ADJUST THE CONTRIBUTION LIMIT ESTABLISHED IN SUBSECTION (B), TO BE EFFECTIVE
36 JULY 1, 2026, AND THEN JULY 1 OF EACH SUBSEQUENT FOURTH YEAR, BY THE AVERAGE
37 OF THE ANNUAL INCREASE, IF ANY, IN THE CONSUMER PRICE INDEX FOR THE PREVIOUS
38 FOUR CALENDAR YEARS. THE CHIEF ADMINISTRATIVE OFFICER SHALL CALCULATE THE
39 ADJUSTMENT TO THE NEAREST MULTIPLE OF \$10, AND SHALL PUBLISH THE AMOUNT OF
40 THE ADJUSTMENT NO LATER THAN MARCH 1, 2026, AND THEN NO LATER THAN MARCH 1
41 OF EACH SUBSEQUENT FOURTH YEAR.
42

43 **1-12-104. Requirements for certification.**
44

45 (A) **Qualification.** TO QUALIFY AS A CERTIFIED CANDIDATE:

46
47 (1) AN APPLICANT CANDIDATE FOR COUNTY EXECUTIVE SHALL COLLECT FROM
48 COUNTY RESIDENTS AT LEAST:

49
50 (I) 500 QUALIFYING CONTRIBUTIONS; AND

51
52 (II) AN AGGREGATE TOTAL OF \$40,000; AND

53
54 (2) AN APPLICANT CANDIDATE FOR COUNCILMEMBER SHALL COLLECT FROM
55 COUNTY RESIDENTS AT LEAST:

56
57 (I) 75 QUALIFYING CONTRIBUTIONS; AND

1 (II) AN AGGREGATE TOTAL OF \$7,500.

2
3 (B) **Receipt of funds.** AN APPLICANT CANDIDATE SHALL DEPOSIT ALL ELIGIBLE
4 CONTRIBUTIONS RECEIVED INTO THE APPLICANT CANDIDATE'S PUBLICLY FUNDED
5 CAMPAIGN ACCOUNT. AN APPLICANT CANDIDATE SHALL DELIVER TO THE BOARD A COPY
6 OF A RECEIPT FOR EACH QUALIFYING CONTRIBUTION.

7
8 (C) **Certification.** AN APPLICANT CANDIDATE SHALL APPLY TO THE BOARD FOR
9 CERTIFICATION DURING THE QUALIFYING PERIOD.

10
11 **1-12-105. Board determination.**

12
13 (A) **Board certifications.** THE BOARD SHALL CERTIFY AN APPLICANT CANDIDATE IF
14 THE BOARD FINDS THAT THE APPLICANT CANDIDATE HAS RECEIVED THE REQUIRED
15 NUMBER OF QUALIFYING CONTRIBUTIONS AND THE REQUIRED AGGREGATE TOTAL
16 DOLLARS FOR THE OFFICE NO LATER THAN 10 BUSINESS DAYS AFTER RECEIVING:

17
18 (1) A DECLARATION FROM THE APPLICANT CANDIDATE AGREEING TO FOLLOW THE
19 REGULATIONS GOVERNING THE USE OF A PUBLIC CONTRIBUTION;

20
21 (2) A CAMPAIGN FINANCE REPORT THAT INCLUDES:

22 (I) A LIST OF EACH QUALIFYING CONTRIBUTION RECEIVED;

23
24 (II) A LIST OF EACH EXPENDITURE MADE BY THE APPLICANT CANDIDATE
25 DURING THE QUALIFYING PERIOD;

26
27 (III) THE RECEIPT ASSOCIATED WITH EACH CONTRIBUTION AND EXPENDITURE;
28 AND

29
30 (3) A CERTIFICATE OF CANDIDACY FOR A COVERED OFFICE.

31
32
33 (B) **Application.** A CANDIDATE MAY SUBMIT ONLY ONE APPLICATION FOR
34 CERTIFICATION FOR ANY ELECTION. AN APPLICANT CANDIDATE MAY CORRECT ANY
35 MISTAKES IN THE APPLICATION FOR CERTIFICATION WITHIN THE EARLIER OF:

36
37 (1) 10 BUSINESS DAYS AFTER RECEIVING NOTICE THAT THE BOARD DENIED THE
38 APPLICATION; OR

39
40 (2) THE END OF THE QUALIFYING PERIOD.

41
42 (C) **Decision final.** AFTER THE TIMING FOR CORRECTIONS HAS PASSED, THE DECISION
43 BY THE BOARD TO CERTIFY A CANDIDATE IS FINAL.

44
45 (D) **Authorization for disbursement of funds.** IF THE BOARD CERTIFIES A
46 CANDIDATE, THE BOARD SHALL AUTHORIZE THE CONTROLLER TO DISBURSE A PUBLIC
47 CONTRIBUTION TO THE CERTIFIED CANDIDATE'S PUBLICLY FUNDED CAMPAIGN
48 ACCOUNT.

49
50 **1-12-106. Disbursements of public contribution.**

51
52 (A) **Amount of disbursements.** THE CONTROLLER SHALL DISBURSE A PUBLIC
53 CONTRIBUTION FROM THE FUND TO EACH CERTIFIED CANDIDATE IN A CONTESTED
54 ELECTION ONLY DURING THE DISBURSEMENT PERIOD AS FOLLOWS:

55
56 (1) FOR A CERTIFIED CANDIDATE FOR COUNTY EXECUTIVE, THE MATCHING
57 DOLLARS SHALL EQUAL:

1 (I) \$6 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE
2 FIRST \$50 OF EACH QUALIFYING CONTRIBUTION;

3
4 (II) \$4 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE
5 SECOND \$50 OF EACH QUALIFYING CONTRIBUTION; AND

6
7 (III) \$2 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR
8 THE THIRD \$50 OF EACH QUALIFYING CONTRIBUTION.

9
10 (2) FOR A CERTIFIED CANDIDATE FOR COUNTY COUNCIL, THE MATCHING DOLLARS
11 SHALL EQUAL:

12
13 (I) \$4 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE
14 FIRST \$50 OF EACH QUALIFYING CONTRIBUTION;

15
16 (II) \$3 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE
17 SECOND \$50 OF EACH QUALIFYING CONTRIBUTION; AND

18
19 (III) \$2 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR
20 THE THIRD \$50 OF EACH QUALIFYING CONTRIBUTION.

21
22 (3) THE TOTAL PUBLIC CONTRIBUTION PAYABLE TO A CERTIFIED CANDIDATE FOR
23 AN ELECTION CYCLE MAY NOT EXCEED:

24
25 (I) \$750,000 FOR A CANDIDATE FOR COUNTY EXECUTIVE; AND

26
27 (II) \$125,000 FOR A CANDIDATE FOR COUNTY COUNCIL.

28
29 (B) **Limitation.** THE CONTROLLER MAY NOT DISBURSE MATCHING DOLLARS FROM
30 THE FUND TO A CERTIFIED CANDIDATE FOR:

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

33
34 (2) AN IN-KIND CONTRIBUTION OF PROPERTY, GOODS, OR SERVICES.

35
36 (C) **Qualifying contributions.** A CERTIFIED CANDIDATE MAY CONTINUE TO COLLECT
37 QUALIFYING CONTRIBUTIONS AND RECEIVE A MATCHING PUBLIC CONTRIBUTION UP TO
38 THE PRIMARY ELECTION OR, IF THE CERTIFIED CANDIDATE ADVANCES, THE GENERAL
39 ELECTION. A QUALIFYING CONTRIBUTION MAY NOT EXCEED \$250 FROM ANY INDIVIDUAL
40 IN THE AGGREGATE DURING AN ELECTION CYCLE.

41
42 (D) **Annual review of fund balance.** ON OR BEFORE JULY 1 OF THE YEAR PRECEDING
43 A PRIMARY ELECTION, THE CONTROLLER SHALL DETERMINE IF THE AMOUNT IN THE FUND
44 IS SUFFICIENT TO MEET THE MAXIMUM PUBLIC CONTRIBUTIONS REASONABLY EXPECTED
45 TO BE REQUIRED DURING THE NEXT ELECTION CYCLE. IF THE CONTROLLER DETERMINES
46 THAT THE TOTAL AMOUNT AVAILABLE FOR DISBURSEMENT IN THE FUND IS INSUFFICIENT
47 TO MEET THE ALLOCATIONS REQUIRED BY THIS SECTION, THE CONTROLLER SHALL
48 REDUCE EACH PUBLIC CONTRIBUTION TO A CERTIFIED CANDIDATE BASED ON THE RATIO
49 OF THE AMOUNT IN THE FUND TO THE MAXIMUM PUBLIC CONTRIBUTIONS REASONABLY
50 EXPECTED TO BE REQUIRED.

51
52 (E) **Continued disbursement to certified candidates.** WITHIN THREE BUSINESS DAYS
53 AFTER THE BOARD CERTIFIES THE RESULTS OF THE PRIMARY ELECTION, THE BOARD
54 SHALL AUTHORIZE THE CONTROLLER TO CONTINUE TO DISBURSE THE APPROPRIATE
55 PUBLIC CONTRIBUTION FOR THE GENERAL ELECTION TO EACH CERTIFIED CANDIDATE
56 WHO IS CERTIFIED TO BE ON THE BALLOT FOR A CONTESTED ELECTION IN THE GENERAL
57 ELECTION.

1 (F) **Nomination by petition.** A CERTIFIED CANDIDATE NOMINATED BY PETITION MAY
2 RECEIVE A PUBLIC CONTRIBUTION FOR A CONTESTED ELECTION IN THE GENERAL
3 ELECTION IF:

4
5 (1) THE CANDIDATE'S NOMINATION IS CERTIFIED BY THE BOARD; AND

6
7 (2) THE CANDIDATE DID NOT PARTICIPATE IN A PRIMARY ELECTION.
8

9 (G) **Proof of qualifying contributions.** A PARTICIPATING CANDIDATE SHALL SUBMIT
10 A RECEIPT FOR EACH QUALIFYING CONTRIBUTION TO THE BOARD TO RECEIVE A PUBLIC
11 CONTRIBUTION. THE CONTROLLER SHALL DISBURSE THE APPROPRIATE PUBLIC
12 CONTRIBUTION INTO A PARTICIPATING CANDIDATE'S PUBLICLY FUNDED CAMPAIGN
13 ACCOUNT WITHIN THREE BUSINESS DAYS AFTER THE BOARD AUTHORIZES THE PUBLIC
14 CONTRIBUTION.
15

16 (H) **General election contributions.** A CANDIDATE MAY RECEIVE A PUBLIC
17 CONTRIBUTION DURING THE GENERAL ELECTION FOR A QUALIFYING CONTRIBUTION
18 RECEIVED DURING THE PRIMARY ELECTION AFTER THE CANDIDATE HAS RECEIVED THE
19 MAXIMUM PUBLIC CONTRIBUTION FOR THE PRIMARY ELECTION IF THE CANDIDATE IS
20 OTHERWISE ELIGIBLE TO RECEIVE PUBLIC CONTRIBUTIONS DURING THE GENERAL
21 ELECTION.
22

23 (I) **Participating candidates not certified to be on ballot.** WITHIN 30 DAYS AFTER THE
24 COUNTY BOARD CERTIFIES THE RESULTS OF THE PRIMARY ELECTION, A PARTICIPATING
25 CANDIDATE WHO IS NOT CERTIFIED TO BE ON THE BALLOT FOR THE GENERAL ELECTION
26 SHALL RETURN ANY UNSPENT FUNDS IN THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN
27 ACCOUNT TO THE CONTROLLER FOR DEPOSIT INTO THE FUND.
28

29 (J) **Repayment of funds mistakenly disbursed.** IF THE CONTROLLER MISTAKENLY
30 DISBURSES A PUBLIC CONTRIBUTION TO A CANDIDATE GREATER THAN THE CANDIDATE
31 WAS ENTITLED TO RECEIVE, THE CANDIDATE SHALL REPAY THE FUNDS MISTAKENLY
32 DISBURSED WITHIN FIVE BUSINESS DAYS AFTER BEING NOTIFIED OF THE MISTAKE. ANY
33 UNSPENT FUNDS RETURNED BY A CANDIDATE TO THE CONTROLLER AFTER AN ELECTION
34 MAY BE USED AS A CREDIT AGAINST ANY REPAYMENT REQUIRED FOR PUBLIC
35 CONTRIBUTIONS MISTAKENLY DISBURSED TO THE CANDIDATE.
36

37 ~~(K) **Consumer Price Index adjustment.** BY MARCH 1 2026, AND THEN BY MARCH 1 OF~~
38 ~~EACH SUBSEQUENT FOURTH YEAR, THE CHIEF ADMINISTRATIVE OFFICER SHALL ADJUST~~
39 ~~THE PUBLIC CONTRIBUTION LIMITS ESTABLISHED IN SUBSECTION (A)(3) AND THE~~
40 ~~ELIGIBLE CONTRIBUTION LIMIT ESTABLISHED IN SUBSECTION (C), TO BE EFFECTIVE JULY~~
41 ~~1, 2026, AND THEN JULY 1 OF EACH SUBSEQUENT FOURTH YEAR, BY THE AVERAGE OF THE~~
42 ~~ANNUAL INCREASE, IF ANY, IN THE CONSUMER PRICE INDEX FOR THE PREVIOUS FOUR~~
43 ~~CALENDAR YEARS. THE CHIEF ADMINISTRATIVE OFFICER SHALL CALCULATE THE~~
44 ~~ADJUSTMENT TO THE NEAREST MULTIPLE OF \$10, AND SHALL PUBLISH THE AMOUNT OF~~
45 ~~THIS ADJUSTMENT NO LATER THAN MARCH 1, 2026, AND THEN NO LATER THAN MARCH 1~~
46 ~~OF EACH SUBSEQUENT FOURTH YEAR.~~
47

48 **1-12-107. Use of public contribution.**

49

50 (A) **Expenses incurred during election.** A PARTICIPATING CANDIDATE MAY ONLY
51 USE QUALIFYING CONTRIBUTIONS AND PUBLIC CONTRIBUTIONS FOR EXPENSES
52 INCURRED FOR A PRIMARY OR GENERAL ELECTION. A PARTICIPATING CANDIDATE MAY
53 NOT PAY IN ADVANCE FOR GOODS ~~AND OR~~ SERVICES TO BE USED AFTER CERTIFICATION
54 WITH NON-QUALIFYING CONTRIBUTIONS RECEIVED BEFORE APPLYING FOR
55 CERTIFICATION.

1 (B) **Complaints.** A COMPLAINT ALLEGING AN IMPERMISSIBLE RECEIPT OR USE OF
2 FUNDS BY A PARTICIPATING CANDIDATE SHALL BE FILED WITH THE BOARD.

3
4 (C) **Access to financial records.** A PARTICIPATING CANDIDATE SHALL PROVIDE THE
5 BOARD WITH REASONABLE ACCESS TO THE FINANCIAL RECORDS OF THE CANDIDATE'S
6 PUBLICLY FUNDED CAMPAIGN ACCOUNT UPON REQUEST.

7
8 (D) **Return of public contributions.** WITHIN 30 DAYS AFTER THE BOARD CERTIFIES
9 THE RESULTS OF THE GENERAL ELECTION, A PARTICIPATING CANDIDATE SHALL RETURN
10 ANY UNSPENT FUNDS IN THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT TO
11 THE CONTROLLER FOR DEPOSIT INTO THE FUND.

12
13 **1-12-108. Withdrawal.**

14
15 (A) **When allowed.** A PARTICIPATING CANDIDATE MAY WITHDRAW AN APPLICATION
16 FOR A PUBLIC CONTRIBUTION ANY TIME BEFORE THE PUBLIC CONTRIBUTION IS
17 DISBURSED TO THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT.

18
19 (B) **Process for withdrawal.** A PARTICIPATING CANDIDATE MAY WITHDRAW FROM
20 PARTICIPATION, IF THE CANDIDATE:

21 (1) FILES A STATEMENT WITH THE BOARD; AND

22
23 (2) REPAYS THE FULL AMOUNT OF THE PUBLIC CONTRIBUTIONS RECEIVED,
24 TOGETHER WITH THE APPLICABLE INTEREST ESTABLISHED BY REGULATION, TO THE
25 CONTROLLER FOR DEPOSIT INTO THE FUND.

26
27
28 **1-12-109. Applicant, certified, and participating candidate restrictions.**

29 AN APPLICANT, CERTIFIED, OR PARTICIPATING CANDIDATE MAY NOT:

30
31 (1) ACCEPT A PRIVATE CONTRIBUTION FROM A GROUP OR ORGANIZATION,
32 INCLUDING A POLITICAL ACTION COMMITTEE, A CORPORATION, A LABOR ORGANIZATION,
33 OR A STATE OR LOCAL CENTRAL COMMITTEE OF A POLITICAL PARTY;

34
35 (2) ACCEPT A PRIVATE CONTRIBUTION FROM AN INDIVIDUAL IN AN AGGREGATE
36 GREATER THAN \$250, OR THE MAXIMUM AMOUNT OF AN ELIGIBLE CONTRIBUTION, AS
37 ADJUSTED BY § 1-12-106(D), DURING A FOUR YEAR ELECTION CYCLE;

38
39 (3) AFTER FILING A NOTICE OF INTENT WITH THE BOARD TO SEEK PUBLIC
40 CONTRIBUTIONS, PAY FOR ANY CAMPAIGN EXPENSE WITH ANY CAMPAIGN FINANCE
41 ACCOUNT OTHER THAN THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT;

42
43 (4) BE A MEMBER OF A SLATE IN ANY ELECTION IN WHICH THE CANDIDATE
44 RECEIVES A PUBLIC CONTRIBUTION;

45
46 (5) TRANSFER FUNDS:

47
48 (I) TO THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT FROM ANY
49 OTHER CAMPAIGN FINANCE ENTITY ESTABLISHED FOR THE CANDIDATE; OR

50
51 (II) FROM THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT TO ANY
52 OTHER CAMPAIGN FINANCE ENTITY.
53

1 **1-12-110. Public Campaign Financing System Commission.**
2

3 (A) **Created.** THERE IS A PUBLIC CAMPAIGN FINANCING SYSTEM COMMISSION. THE
4 COMMISSION CONSISTS OF ONE MEMBER FROM EACH COUNCILMANIC DISTRICT
5 APPOINTED BY THE COUNTY COUNCIL, AND TWO MEMBERS APPOINTED BY THE COUNTY
6 EXECUTIVE. A MEMBER SHALL SERVE A FOUR-YEAR TERM. A MEMBER SHALL CONTINUE
7 TO SERVE UNTIL A SUCCESSOR IS APPOINTED. A VACANCY OCCURRING BEFORE THE END
8 OF A TERM SHALL BE FILLED IN THE MANNER OF THE ORIGINAL APPOINTMENT FOR THE
9 REMAINDER OF A TERM.
10

11 (B) **Composition.** EACH MEMBER SHALL BE A RESIDENT OF THE COUNTY WHILE
12 SERVING ON THE COMMISSION. NO MORE THAN FIVE MEMBERS SHALL BE OF THE SAME
13 POLITICAL PARTY. THE COMMISSION SHALL DESIGNATE THE CHAIR AND VICE-CHAIR.
14

15 (C) **Compensation.** EACH MEMBER SHALL SERVE WITHOUT COMPENSATION, BUT MAY
16 BE REIMBURSED FOR REASONABLE EXPENSES SUBJECT TO APPROPRIATION AND
17 AVAILABILITY OF FUNDS IN THE ANNUAL BUDGET.
18

19 (D) **Reports.** THE COMMISSION SHALL ISSUE A REPORT TO THE COUNCIL NO LATER
20 THAN 180 DAYS PRIOR TO THE END OF EACH FISCAL YEAR ESTIMATING THE FUNDS
21 NECESSARY TO IMPLEMENT THE PUBLIC CAMPAIGN FINANCE SYSTEM AND
22 RECOMMENDING AN APPROPRIATION TO THE PUBLIC CAMPAIGN FINANCING FUND FOR
23 THE FOLLOWING FISCAL YEAR.
24

25 **1-12-111. Funding for the Public Campaign Financing Fund.**
26

27 (A) **Annual Funding.** EXCEPT AS PROVIDED IN SUBSECTION ~~(C)~~ (B), IN EACH FISCAL
28 YEAR, THE COUNTY EXECUTIVE SHALL INCLUDE IN THE ANNUAL BUDGET AND
29 APPROPRIATION ORDINANCE THE AMOUNT CALCULATED BY THE PUBLIC CAMPAIGN
30 FINANCING SYSTEM COMMISSION AS NECESSARY TO FULLY FUND THE PUBLIC CAMPAIGN
31 FINANCING SYSTEM FOR THE FISCAL YEAR.
32

33 (B) **Exception.** THE COUNTY EXECUTIVE IS NOT REQUIRED TO INCLUDE THE AMOUNT
34 CALCULATED BY THE PUBLIC CAMPAIGN FINANCING SYSTEM COMMISSION AS
35 NECESSARY TO FULLY FUND THE PUBLIC CAMPAIGN FINANCING SYSTEM FOR THE FISCAL
36 YEAR IN THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE IF:
37

38 (1) IN THE CURRENT FISCAL YEAR, FUNDS HAVE BEEN OR ARE BEING
39 TRANSFERRED FROM THE REVENUE RESERVE FUND TO THE GENERAL FUND PURSUANT TO
40 § 4-11-106 OF THIS CODE; OR
41

42 (2) NOT LATER THAN 120 DAYS PRIOR TO THE END OF THE FISCAL YEAR, THE
43 COUNTY EXECUTIVE CERTIFIES TO THE COUNTY COUNCIL THAT THE COUNTY'S FISCAL
44 CONDITION MAKES IT IMPRUDENT TO INCLUDE THE FULL AMOUNT CALCULATED BY THE
45 PUBLIC CAMPAIGN FINANCING SYSTEM COMMISSION AS NECESSARY TO FULLY FUND THE
46 PUBLIC CAMPAIGN FINANCING SYSTEM FOR THE FISCAL YEAR, AND THE COUNTY
47 COUNCIL APPROVES THE CERTIFICATION BY A VOTE OF NOT LESS THAN FIVE MEMBERS.
48

49 (C) **Public Campaign Financing Fund.** FUNDS TO FINANCE THE PUBLIC CAMPAIGN
50 FINANCING SYSTEM INCLUDED IN THE ANNUAL BUDGET AND APPROPRIATION
51 ORDINANCE SHALL BE INCLUDED IN AND DISBURSED FROM THE PUBLIC CAMPAIGN
52 FINANCING FUND.
53

54 (D) **Staffing.** THE COUNTY EXECUTIVE MAY PROVIDE STAFF SUPPORT FOR THE
55 COMMISSION.

1 **1-12-112. Violations.**

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ANY VIOLATION OF THIS TITLE IS A CLASS B CIVIL OFFENSE SUBJECT TO § 9-2-101 OF THIS CODE. EACH DAY A VIOLATION EXISTS IS A SEPARATE OFFENSE.

SECTION 2. *And be it further enacted*, That this Ordinance shall take effect 45 days from the date it becomes law.

AMENDMENTS ADOPTED: May 15 and June 5, 2023

READ AND PASSED this 5th day of June, 2023

By Order:



Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 6th day of June, 2023



Laura Corby
Administrative Officer

APPROVED AND ENACTED this 13th day of June, 2023



Steuart Pittman
County Executive

EFFECTIVE DATE: July 28, 2023

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 25-23 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.

A handwritten signature in black ink, appearing to read "Laura Corby". The signature is fluid and cursive, with the first name "Laura" and last name "Corby" clearly distinguishable.

Laura Corby
Administrative Officer