

**CITY OF BALTIMORE**  
**ORDINANCE \_\_\_\_\_**  
**Council Bill 19-0403**

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Introduced by: Councilmembers Burnett, Henry, Dorsey, Bullock, Cohen, Sneed, Middleton,  
McCray, Clarke, Reisinger, President Scott

Introduced and read first time: June 24, 2019

Assigned to: Judiciary Committee

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Committee Report: Favorable with amendments

Council action: Adopted

Read second time: November 18, 2019

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**AN ORDINANCE CONCERNING**

1                                   **Fair Election Fund – Establishment and Administration**

2       FOR the purpose of establishing the Fair Election Fund authorized by City Charter Article I, § 15  
3       to provide public campaign financing for candidates for City elective office; regulating  
4       certain campaign finance activity of a candidate for City elective office who voluntarily  
5       accepts public campaign financing; providing for the powers and duties of the City Fair  
6       Election Fund Commission; requiring that the Commission educate the citizens of Baltimore  
7       on regarding the Fund and how to participate; requiring that the Commission perform certain  
8       periodic reviews; establishing certain qualifications for applicants to receive public campaign  
9       financing; establishing an application process; authorizing the Maryland State Board of  
10      Elections to assist in the administration and enforcement of the public campaign financing  
11      system; establishing certain Fund distribution requirements; providing for certain penalties  
12      for violations of the public campaign financing system; defining certain terms; conforming  
13      and correcting related provisions; generally relating to the administration of the Fair Election  
14      Fund; and providing for special effective dates.

15      BY authority of  
16          Article I - General Provisions  
17          Section 15  
18          Baltimore City Charter  
19          (1996 Edition)

20      BY adding  
21          Article 5 - Finance, Property, and Procurement  
22          Section(s) 11-1 to 11-23, to be under the new subtitle,  
23              “Subtitle 11. Fair Election Fund”  
24          Baltimore City Code  
25          (Edition 2000)

**EXPLANATION:** CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.  
Underlining indicates matter added to the bill by amendment.  
~~Strike out~~ indicates matter stricken from the bill by  
amendment or deleted from existing law by amendment.

**Council Bill 19-0403**

1 BY renumbering current  
2 Article 1 - Mayor, City Council, and Municipal Agencies  
3 Sections 40-14(e)(.5a) and 41-14(.5a) to Sections 40-14(e)(.5b) and 41-14(.5b)  
4 Baltimore City Code  
5 (Edition 2000)

6 BY adding  
7 Article 1 - Mayor, City Council, and Municipal Agencies  
8 Section(s) 40-14(e)(.5a) and 41-14(.5a)  
9 Baltimore City Code  
10 (Edition 2000)

11 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
12 Laws of Baltimore City read as follows:

13 **Baltimore City Code**

14 **Article 5. Finance, Property, and Procurement**

15 **Subtitle 11. FAIR ELECTION FUND**

16 ***PART 1. DEFINITIONS; FINDINGS***

17 **§ 11-1. DEFINITIONS.**

18 (A) *IN GENERAL.*

19 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

20 (B) *APPLICANT CANDIDATE.*

21 “APPLICANT CANDIDATE” MEANS A CANDIDATE WHO IS SEEKING TO BE A CERTIFIED  
22 CANDIDATE IN A PRIMARY OR GENERAL ELECTION.

23 (C) *CAMPAIGN FINANCE ENTITY.*

24 “CAMPAIGN FINANCE ENTITY” MEANS A POLITICAL COMMITTEE ESTABLISHED UNDER  
25 TITLE 13 OF THE STATE ELECTION ARTICLE {“CAMPAIGN FINANCE”}.

26 (D) *CERTIFIED CANDIDATE.*

27 “CERTIFIED CANDIDATE” MEANS A CANDIDATE WHO IS CERTIFIED AS ELIGIBLE FOR PUBLIC  
28 CAMPAIGN FINANCING FROM THE FUND.

29 (E) *COMMISSION.*

30 “COMMISSION” MEANS THE BALTIMORE CITY FAIR ELECTION FUND COMMISSION.

## Council Bill 19-0403

1 (F) *CONTESTED ELECTION.*

2 “CONTESTED ELECTION” MEANS ANY ELECTION IN WHICH THERE ARE MORE CANDIDATES  
3 FOR AN OFFICE THAN THE NUMBER WHO CAN BE ELECTED TO THAT OFFICE.

4 (G) *CONTRIBUTION.*

5 “CONTRIBUTION” HAS THE MEANING STATED IN STATE ELECTION LAW ARTICLE, § 1-101  
6 {“DEFINITIONS: CONTRIBUTION”}.

7 (H) *CITY BOARD.*

8 “CITY BOARD” MEANS THE BALTIMORE CITY BOARD OF ELECTIONS.

9 (I) *CITY RESIDENT.*

10 “CITY RESIDENT” MEANS A NATURAL PERSON WHO RESIDES IN BALTIMORE CITY.

11 (J) *DIRECTOR.*

12 “DIRECTOR” MEANS THE DIRECTOR OF FINANCE OR THE DIRECTOR’S DESIGNEE.

13 (K) *ELECTION CYCLE.*

14 “ELECTION CYCLE” HAS THE MEANING STATED IN STATE ELECTION LAW ARTICLE, § 1-101  
15 {“DEFINITIONS: ELECTION CYCLE”}.

16 (L) *ELIGIBLE CONTRIBUTION.*

17 “ELIGIBLE CONTRIBUTION” MEANS AN AGGREGATE DONATION IN A 4-YEAR ELECTION  
18 CYCLE FROM AN INDIVIDUAL, INCLUDING AN INDIVIDUAL WHO DOES NOT RESIDE IN THE  
19 CITY, THAT DOES NOT EXCEED THE CONTRIBUTION LEVEL ESTABLISHED IN THIS SUBTITLE.

20 (M) *FUND.*

21 “FUND” MEANS THE BALTIMORE CITY FAIR ELECTION FUND.

22 (N) *PARTICIPATING CANDIDATE.*

23 “PARTICIPATING CANDIDATE” MEANS A CERTIFIED CANDIDATE WHO HAS RECEIVED A  
24 PUBLIC CONTRIBUTION FROM THE FUND DURING THE CURRENT ELECTION CYCLE.

25 (O) *PUBLIC CONTRIBUTION.*

26 “PUBLIC CONTRIBUTION” MEANS ANY MONEY DISBURSED FROM THE FUND TO A CERTIFIED  
27 CANDIDATE.

**Council Bill 19-0403**

1 (P) *PUBLICLY FUNDED CAMPAIGN ACCOUNT.*

2 “PUBLICLY FUNDED CAMPAIGN ACCOUNT” MEANS A CAMPAIGN FINANCE ACCOUNT  
3 ESTABLISHED BY A CANDIDATE FOR THE EXCLUSIVE PURPOSE OF RECEIVING ELIGIBLE  
4 CONTRIBUTIONS AND SPENDING FUNDS IN ACCORDANCE WITH THIS SUBTITLE.

5 (Q) *QUALIFYING BOOST.*

6 “QUALIFYING BOOST” MEANS A ONE-TIME DISBURSEMENT FROM THE FUND TO  
7 CANDIDATES FOR MAYOR OR COUNCIL PRESIDENT ON CERTIFICATION UNDER THIS  
8 SUBTITLE.

9 (R) *QUALIFYING CONTRIBUTION.*

10 (1) *IN GENERAL.*

11 “QUALIFYING CONTRIBUTION” MEANS AN ELIGIBLE CONTRIBUTION IN SUPPORT OF AN  
12 APPLICANT CANDIDATE THAT IS:

13 (I) MADE BY A CITY RESIDENT;

14 (II) MADE AFTER THE BEGINNING OF THE DESIGNATED QUALIFYING PERIOD, BUT NO  
15 LATER THAN THE RESPECTIVE ELECTION; AND

16 (III) ACKNOWLEDGED BY RECEIPT THAT IDENTIFIES THE CONTRIBUTOR’S NAME AND  
17 RESIDENTIAL ADDRESS AND SIGNED BY THE CONTRIBUTOR DIRECTLY OR BY A  
18 DIGITAL SIGNATURE USING A METHOD APPROVED BY THE STATE BOARD.

19 (2) *EXCLUSION.*

20 “QUALIFYING CONTRIBUTION” DOES NOT INCLUDE AN IN-KIND CONTRIBUTION OF  
21 PROPERTY, GOODS, OR SERVICES.

22 (S) *QUALIFYING PERIOD.*

23 “QUALIFYING PERIOD” MEANS THE TIME BEGINNING ON JANUARY 1 FOLLOWING THE LAST  
24 ELECTION FOR THE OFFICE THE CANDIDATE SEEKS AND ENDING 45 DAYS BEFORE THE DATE  
25 OF THE PRIMARY ELECTION.

26 (T) *SLATE.*

27 “SLATE” HAS THE MEANING STATED IN STATE ELECTION LAW ARTICLE, § 1-101  
28 {“DEFINITIONS: SLATE”}.

29 (U) *STATE BOARD.*

30 “STATE BOARD” MEANS THE MARYLAND STATE BOARD OF ELECTIONS.

31 **§ 11-2. {RESERVED}**

## Council Bill 19-0403

### 1 § 11-3. FINDINGS.

#### 2 (A) *IN GENERAL.*

3 THE MAYOR AND CITY COUNCIL FIND AS FOLLOWS.

#### 4 (B) *RESPONSIVE GOVERNMENT.*

5 LOCAL GOVERNMENT SHOULD BE RESPONSIVE AND SERVE THE NEEDS OF ALL BALTIMORE  
6 CITY RESIDENTS EQUALLY WITHOUT REGARD TO THEIR WEALTH. PUBLIC OFFICIALS  
7 SHOULD DISCHARGE THEIR DUTIES IN AN IMPARTIAL MANNER, FREE FROM BIAS CREATED  
8 BY THEIR OWN FINANCIAL INTERESTS OR, IN THE CASE OF ELECTED OFFICIALS, THE  
9 FINANCIAL INTERESTS OF THOSE THAT MAY HAVE SUPPORTED THEM DURING THEIR  
10 ELECTORAL CAMPAIGNS.

#### 11 (C) *ESCALATING COSTS OF ELECTORAL CAMPAIGNS.*

12 COSTS OF CONDUCTING ELECTORAL CAMPAIGNS HAVE INCREASED SIGNIFICANTLY IN  
13 RECENT YEARS. MANY CANDIDATES ARE FORCED TO FINANCE THEIR CAMPAIGNS BY  
14 SEEKING LARGE CONTRIBUTIONS FROM INDIVIDUALS AND ENTITIES WHO THEREBY GAIN  
15 DISPROPORTIONATE INFLUENCE OVER GOVERNMENTAL DECISION ONCE THE CANDIDATE  
16 HOLDS OFFICE. QUALIFIED CANDIDATES WITHOUT ACCESS TO PERSONAL WEALTH OR  
17 WEALTHY DONOR NETWORKS ARE OFTEN DISSUADED FROM SEEKING PUBLIC OFFICE.  
18 THOSE THAT DO RUN FIND IT DIFFICULT TO WIN WITH THEIR VOICES DROWNED OUT IN THE  
19 MEDIA AND ON THE GROUND.

#### 20 (D) *NEGATIVE PUBLIC PERCEPTION.*

21 PERCEPTION OF THE INAPPROPRIATE AND DISPROPORTIONATE INFLUENCE ON  
22 GOVERNMENT BY THOSE MONIED DONORS WHO DOMINATE CAMPAIGN FINANCING HAS LED  
23 TO DISILLUSIONMENT AMONG CITY RESIDENTS WHO HAVE FELT THAT THEIR VOICES ARE  
24 NOT HEARD. THIS DISILLUSIONMENT HAS RESULTED IN DISENGAGEMENT FROM THE  
25 POLITICAL PROCESS AND GOVERNMENT.

#### 26 (E) *CITY POLICY.*

27 IT IS THE POLICY OF BALTIMORE CITY TO:

28 (1) DIMINISH THE PUBLIC PERCEPTION OF CORRUPTION AND BUILD PUBLIC FAITH AND  
29 CONFIDENCE IN GOVERNMENTAL AND ELECTORAL PROCESSES;

30 (2) HELP REDUCE THE INFLUENCE OF LARGE INDIVIDUAL AND CORPORATE CAMPAIGN  
31 CONTRIBUTIONS ON CITY GOVERNMENT AND ELIMINATE THE POTENTIAL FOR  
32 PUBLIC CORRUPTION;

33 (3) REDUCE THE IMPACT OF WEALTH AS A DETERMINANT FOR WHETHER AN  
34 INDIVIDUAL SEEKS TO PURSUE PUBLIC OFFICE;

**Council Bill 19-0403**

1 (4) ENABLE CITY RESIDENTS OF ALL RACES AND INCOME TO RUN FOR OFFICE BASED ON  
2 THE STRENGTH OF THEIR IDEAS, SUPPORTED BY SMALL DONATIONS FROM THE  
3 PUBLIC AND MATCHING FUNDS FROM THE FUND;

4 (5) PROVIDE PARTICIPATING CANDIDATES WITH SUFFICIENT RESOURCES IN ORDER TO  
5 COMMUNICATE WITH VOTERS;

6 (6) FOSTER GREATER INVESTMENT AND MORE MEANINGFUL PUBLIC PARTICIPATION IN  
7 THE POLITICAL PROCESS AMONG ALL BALTIMOREANS, REGARDLESS OF RACE,  
8 GENDER, SOCIO-ECONOMIC STATUS, OR GEOGRAPHY;

9 (7) PRIORITIZE ACCOUNTABILITY AMONG ELECTED OFFICIALS TO THE CONSTITUENTS  
10 WHO ELECT THEM RATHER THAN THOSE WHO FUND THEIR CAMPAIGNS;

11 (8) STRENGTHEN PUBLIC CONTROL OVER THE DIRECTION OF LOCAL GOVERNMENT;  
12 AND

13 (9) STRENGTHEN DEMOCRACY IN THE CITY OF BALTIMORE.

14 **§ 11-4. {RESERVED}**

15 ***PART 2. FUND; COMMISSION***

16 **§ 11-5. FAIR ELECTION FUND ESTABLISHED.**

17 (A) *IN GENERAL.*

18 THERE IS A BALTIMORE CITY FAIR ELECTION FUND.

19 (B) *NATURE OF FUND.*

20 THE FUND IS A CONTINUING, NONLAPSING FUND ESTABLISHED UNDER THE AUTHORITY OF  
21 CITY CHARTER ARTICLE I, § 15 {"SPECIAL FUND FOR FAIR ELECTIONS"}.

22 (C) *PURPOSES OF FUND.*

23 AS SET FORTH IN CITY CHARTER ARTICLE I, § 15(A)(2), THE PURPOSES OF THE FUND  
24 INCLUDE:

25 (1) PROVIDING DIRECT FUNDING TO CANDIDATES FOR PUBLIC OFFICE WHO MEET  
26 CERTAIN QUALIFICATIONS;

27 (2) PROVIDING TECHNICAL ASSISTANCE AND TRAINING TO INDIVIDUALS SEEKING TO  
28 MAKE USE OF PUBLIC CAMPAIGN FUNDING;

29 (3) PUBLICIZING THE AVAILABILITY OF PUBLIC CAMPAIGN FUNDING; AND

30 (4) ADMINISTERING A PUBLIC CAMPAIGN FUNDING PROGRAM.

**Council Bill 19-0403**

1 (D) *CONTENTS OF FUND.*

2 THE FUND CONSISTS OF:

3 (1) MONEY APPROPRIATED TO THE FUND IN THE ANNUAL ORDINANCES OF ESTIMATES;

4 (2) GRANTS OR DONATIONS MADE TO THE FUND;

5 (3) ANY UNSPENT MONEY REMAINING IN A CERTIFIED CANDIDATE'S PUBLICLY FUNDED  
6 CAMPAIGN ACCOUNT AFTER THE CANDIDATE IS NO LONGER A CANDIDATE FOR  
7 OFFICE;

8 (4) ANY PUBLIC CONTRIBUTION PLUS INTEREST RETURNED TO THE FUND BY A  
9 PARTICIPATING CANDIDATE WHO WITHDRAWS FROM PARTICIPATION;

10 (5) INTEREST EARNED ON MONEY IN THE FUND; AND

11 (6) PROCEEDS FROM FEES AND FINES COLLECTED UNDER THIS SUBTITLE.

12 (E) *USES OF FUND.*

13 THE FUND MAY ONLY BE USED FOR THE PURPOSES SPECIFIED IN SUBSECTION (C) OF THIS  
14 SECTION.

15 **§ 11-6. {RESERVED}**

16 **§ 11-7. FAIR ELECTION FUND COMMISSION.**

17 (A) *IN GENERAL.*

18 THERE IS A BALTIMORE CITY FAIR ELECTION FUND COMMISSION AS SPECIFIED IN CITY  
19 CHARTER ARTICLE I, § 15(B).

20 (B) *STAFF.*

21 THE DEPARTMENT OF FINANCE MUST PROVIDE STAFF SUPPORT FOR THE COMMISSION TO:

22 (1) WORK WITH THE STATE BOARD TO ADMINISTER THE FUND AND TO PROVIDE  
23 OVERSIGHT OF APPLICANT AND PARTICIPATING CANDIDATES; AND

24 (2) PROVIDE INFORMATION ABOUT THE FUND TO CANDIDATES AND THE PUBLIC.

25 **§ 11-8. FUND ADMINISTRATION; DUTIES OF THE COMMISSION.**

26 (A) *IN GENERAL.*

27 (1) ~~THE COMMISSION~~ THE DIRECTOR, IN CONSULTATION WITH THE COMMISSION, MUST  
28 ADMINISTER THE FUND AND ENSURE THAT THE FUNDS ARE DISPERSED IN AN  
29 EQUITABLE BASIS.

**Council Bill 19-0403**

1 ~~(2) NO FUNDS MAY BE DISPERSED FROM THE FUND WITHOUT COMMISSION~~  
2 ~~AUTHORIZATION.~~

3 (2) THE DIRECTOR MAY NOT DISPERSE ANY FUNDS FROM THE FUND WITHOUT PRIOR  
4 COMMISSION CONSULTATION.

5 (B) *ANNUAL REPORT.*

6 ON OR BEFORE JANUARY 1 OF EACH YEAR, THE COMMISSION MUST ISSUE A REPORT TO THE  
7 MAYOR AND CITY COUNCIL CONTAINING:

8 (1) AN ESTIMATE OF THE FUNDS NECESSARY TO IMPLEMENT THE PUBLIC CAMPAIGN  
9 FINANCE SYSTEM FOR THE FOLLOWING FISCAL YEAR;

10 (2) A RECOMMENDATION FOR AN APPROPRIATION TO THE FUND FOR THE FOLLOWING  
11 FISCAL YEAR; AND

12 (3) IF NECESSARY, ANY RECOMMENDATIONS FOR DEDICATED SOURCES OF FUNDING.

13 (C) *MEETINGS.*

14 THE COMMISSION MUST MEET:

15 (1) AT LEAST ONCE EVERY 90 DAYS DURING THE 12 MONTHS PRECEDING A PRIMARY  
16 ELECTION; AND

17 (2) AT LEAST TWICE A YEAR OTHERWISE.

18 **§ 11-9. RULES AND REGULATIONS.**

19 (A) *IN GENERAL.*

20 THE DIRECTOR, IN CONSULTATION WITH THE COMMISSION, MUST ADOPT RULES AND  
21 REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SUBTITLE, INCLUDING SPECIFYING:  
22

23 (1) HOW AND WHEN RECEIPTS FOR QUALIFYING CONTRIBUTIONS FROM CONTRIBUTORS  
24 MUST BE SUBMITTED TO THE STATE BOARD;

25 (2) THE DOCUMENTS THAT MUST BE FILED WITH THE STATE BOARD FOR  
26 CERTIFICATION;

27 (3) WHEN DISBURSEMENTS FROM THE FUND ARE MADE TO A PARTICIPATING  
28 CANDIDATE AND THE AMOUNTS DISBURSED;

29 ~~(4) THE ALLOWABLE USES OF MONEY IN A PUBLICLY FUNDED CAMPAIGN ACCOUNT;~~  
30 ~~AND~~

31 (4) PROCEDURES FOR HANDLING IMPERMISSIBLE USES OF PUBLIC CONTRIBUTIONS; AND

32 (5) OTHER POLICIES NECESSARY TO IMPLEMENT THIS SUBTITLE.



**Council Bill 19-0403**

1 (B) *FILING WITH LEGISLATIVE REFERENCE.*

2 A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SECTION MUST BE FILED  
3 WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY BECOME EFFECTIVE.

4 **§ 11-10. {RESERVED}**

5 ***PART 3. COMMUNITY ENGAGEMENT; POST-ELECTION REVIEWS***

6 **§ 11-11. COMMUNITY EDUCATION AND ENGAGEMENT.**

7 (A) *IN GENERAL.*

8 AT LEAST 18 MONTHS PRIOR TO A GENERAL ELECTION, THE COMMISSION MUST CONDUCT  
9 CIVIC EDUCATION AND COMMUNITY ENGAGEMENT EFFORTS AIMED AT ENSURING THAT  
10 CANDIDATES AND VOTERS ARE INFORMED ON THE FUND AND HOW THEY MAY  
11 PARTICIPATE.

12 (B) *ACTIVITIES.*

13 IN CONDUCTING THE CIVIC EDUCATION AND COMMUNITY ENGAGEMENT EFFORTS  
14 REQUIRED UNDER THIS SECTION, THE COMMISSION MUST:

- 15 (1) CREATE AND DISTRIBUTE EDUCATION MATERIALS IN ENGLISH AND IN SPANISH  
16 THAT RAISE AWARENESS ABOUT THE FUND AMONG VOTERS AND POTENTIAL  
17 CANDIDATES;
- 18 (2) PROVIDE TRAINING TO CANDIDATES AND CAMPAIGNS REGARDING THE FUND AND  
19 ANY APPLICABLE CAMPAIGN FINANCE LAWS AND REGULATIONS; AND
- 20 (3) WORK WITH COMMUNITY-BASED ORGANIZATIONS TO ENSURE EDUCATION  
21 MATERIALS ARE RELEVANT AND ASSESSABLE TO MEMBERS OF COMMUNITIES THAT  
22 HISTORICALLY HAVE BEEN MARGINALIZED FROM ELECTIONS AND CIVIC PROCESSES,  
23 INCLUDING MAKING ANY NECESSARY TRANSLATIONS FOR BALTIMORE VOTERS.

24 **§ 11-12. COMMISSION REVIEW.**

25 (A) *IN GENERAL.*

26 AFTER EACH GENERAL ELECTION FOR CITY OFFICE, THE COMMISSION MUST CONDUCT A  
27 COMPREHENSIVE REVIEW OF THE FINANCING PROGRAM UNDER THIS SUBTITLE, INCLUDING:

- 28 (1) THE MAXIMUM AND MINIMUM DOLLAR AMOUNTS OF QUALIFIED SMALL DOLLAR  
29 CONTRIBUTIONS;
- 30 (2) THE NUMBER AND VALUE OF QUALIFIED SMALL DOLLAR CONTRIBUTIONS A  
31 CANDIDATE IS REQUIRED TO OBTAIN TO BE ELIGIBLE FOR CERTIFICATION AS A  
32 PARTICIPATING CANDIDATE;

**Council Bill 19-0403**

1 (3) THE MAXIMUM AMOUNT OF DISBURSEMENTS A CANDIDATE MAY RECEIVE UNDER  
2 THIS SUBTITLE;

3 (4) THE OVERALL SATISFACTION OF PARTICIPATING CANDIDATES AND THE PUBLIC  
4 WITH THE PROGRAM;

5 (5) THE ANALYSIS, RECOMMENDATION AND CREATION OF A PLAN TO THE MAYOR AND  
6 CITY COUNCIL TO REDUCE RACIAL, ETHNIC, SOCIO-ECONOMIC AND GEOGRAPHIC  
7 DISPARITIES REGARDING ACCESS TO PUBLIC MATCHING FUNDS BY PARTICIPATING  
8 CANDIDATES; AND

9 (6) OTHER MATTERS RELATING TO FINANCING OF CAMPAIGNS AS THE COMMISSION  
10 DETERMINES ARE APPROPRIATE.

11 (B) *CRITERIA FOR REVIEW.*

12 IN CONDUCTING THE REVIEW UNDER THIS SECTION, THE COMMISSION MUST CONSIDER THE  
13 FOLLOWING:

14 (1) WHETHER THE NUMBER AND DOLLAR AMOUNTS OF QUALIFIED SMALL DOLLAR  
15 CONTRIBUTIONS REQUIRED STRIKES AN APPROPRIATE BALANCE REGARDING:

16 (I) THE IMPORTANCE OF VOTER INVOLVEMENT; AND

17 (II) THE NEED TO ASSURE ADEQUATE INCENTIVES FOR PARTICIPATION AND  
18 FISCAL RESPONSIBILITY, TAKING INTO CONSIDERATION THE NUMBER OF  
19 PRIMARY AND GENERAL ELECTION PARTICIPATING CANDIDATES, THE  
20 ELECTORAL PERFORMANCE OF THOSE CANDIDATES, PROGRAM COST, AND  
21 ANY OTHER INFORMATION THE COMMISSION DETERMINES IS APPROPRIATE;

22 (2) WHETHER THE TOTALITY OF THE AMOUNT OF FUNDS ALLOWED TO BE RAISED BY  
23 PARTICIPATING CANDIDATES, INCLUDING THROUGH QUALIFIED SMALL DOLLAR  
24 CONTRIBUTIONS, AND DISBURSEMENTS UNDER THIS SUBTITLE ARE SUFFICIENT FOR  
25 VOTERS IN THE CITY TO LEARN ABOUT THE CANDIDATES TO CAST AN INFORMED  
26 VOTE, TAKING INTO ACCOUNT THE HISTORIC AMOUNT OF SPENDING BY WINNING  
27 CANDIDATES, MEDIA COSTS, PRIMARY ELECTION DATES, AND ANY OTHER  
28 INFORMATION THE COMMISSION DETERMINES IS APPROPRIATE; AND

29 (3) ANY OTHER MATTER RELATING TO PUBLIC CAMPAIGN FINANCING THAT THE  
30 COMMISSION DETERMINES ARE NECESSARY AND APPROPRIATE FOR A THOROUGH  
31 REVIEW.

32 (C) *RECOMMENDATIONS.*

33 BASED ON THE REVIEW CONDUCTED UNDER THIS SECTION, THE COMMISSION MAY  
34 RECOMMEND TO THE MAYOR AND CITY COUNCIL:

35 (1) ADJUSTMENTS TO THE NUMBER AND VALUE OF QUALIFIED SMALL DOLLAR  
36 CONTRIBUTIONS A CANDIDATE IS REQUIRED TO OBTAIN TO BE ELIGIBLE FOR  
37 CERTIFICATION AS A PARTICIPATING CANDIDATE;

**Council Bill 19-0403**

1 (2) ADJUSTMENTS TO THE MAXIMUM AMOUNT OF DISBURSEMENTS THAT MAY BE  
2 RECEIVED UNDER THIS SUBTITLE; OR

3 (3) ANY OTHER LEGISLATIVE CHANGE NECESSARY TO INCREASE CANDIDATE  
4 PARTICIPATION, VOTER PARTICIPATION, OR BOTH.

5 (D) *COMMUNITY PARTICIPATION.*

6 THE COMMISSION MUST ENGAGE COMMUNITY MEMBERS AND COMMUNITY-BASED  
7 ORGANIZATIONS IN THE REVIEW UNDER THIS SECTION TO DETERMINE WHETHER THE FUND  
8 IS ACHIEVING ITS STATED PURPOSES OF FOSTERING GREATER PARTICIPATION IN THE  
9 POLITICAL PROCESS.

10 **§ 11-13. {RESERVED}**

11 ***PART 4. CANDIDATE AND FUND PROCEDURES***

12 **§ 11-14. COLLECTING QUALIFYING CONTRIBUTIONS.**

13 (A) *IN GENERAL.*

14 BEFORE RAISING ANY CONTRIBUTIONS UNDER THIS SUBTITLE, AN APPLICANT CANDIDATE  
15 MUST:

16 (1) FILE A NOTICE OF INTENT WITH THE STATE BOARD IN THE MANNER THAT THE  
17 STATE BOARD REQUIRES; AND

18 (2) ESTABLISH A PUBLICLY FUNDED CAMPAIGN ACCOUNT.

19 (B) *CONTRIBUTION LIMITS.*

20 (1) EXCEPT AS OTHERWISE PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN  
21 APPLICANT CANDIDATE MAY NOT ACCEPT:

22 (I) AN ELIGIBLE CONTRIBUTION OF MORE THAN \$150 IN THE AGGREGATE DURING  
23 AN ELECTION; OR

24 (II) A LOAN.

25 (2) AN APPLICANT CANDIDATE MAY LOAN OR CONTRIBUTE UP TO \$6,000 DURING AN  
26 ELECTION CYCLE FROM:

27 (I) THE APPLICANT CANDIDATE; OR

28 (II) THE APPLICANT CANDIDATE'S SPOUSE.

29 (C) *CONSUMER PRICE INDEX ADJUSTMENT.*

30 (1) THE CONTRIBUTION LIMIT SET FORTH IN SUBSECTION (B)(1) OF THIS SECTION MUST BE  
31 ADJUSTED FOR THE NEXT ELECTION CYCLE ON JULY 1, 2028, AND JULY 1 OF EACH

**Council Bill 19-0403**

1           SUBSEQUENT FOURTH YEAR BY THE PERCENTAGE INCREASE IN THE BALTIMORE-  
2           COLUMBIA-TOWSON CONSUMER PRICE INDEX, AS REPORTED BY THE UNITED STATES  
3           DEPARTMENT OF LABOR, ROUNDED UP BY THE NEAREST MULTIPLE OF \$10.

4           (2) THE DIRECTOR MUST PUBLISH THIS ADJUSTED AMOUNT NO LATER THAN THE JANUARY  
5           1 AFTER THE ADJUSTMENT IS MADE.

6    **§ 11-15. REQUIREMENTS FOR CERTIFICATION.**

7           (A) *APPLICATION.*

8           (1) A CANDIDATE MUST APPLY TO THE STATE BOARD FOR CERTIFICATION DURING THE  
9           QUALIFYING PERIOD IN THE FORM THAT THE STATE BOARD REQUIRES.

10          (2) AN APPLICANT CANDIDATE MUST INCLUDE WITH THE APPLICATION ANY  
11          DOCUMENTATION REQUIRED BY THE STATE OR, IN THE ABSENCE OF STATE  
12          REQUIREMENTS, THE FOLLOWING:

13                   (I) A DECLARATION FROM THE APPLICANT CANDIDATE TO FOLLOW THE  
14                   REQUIREMENTS GOVERNING THE USE OF A PUBLIC CONTRIBUTION;

15                   (II) A CAMPAIGN FINANCE REPORT THAT CONTAINS THE INFORMATION THAT THE  
16                   STATE BOARD REQUIRES FOR A CAMPAIGN FINANCE REPORT AND THAT  
17                   INCLUDES:

18                           (A) A LIST OF EACH QUALIFYING CONTRIBUTION RECEIVED;

19                           (B) A LIST OF EACH EXPENDITURE MADE BY THE CANDIDATE DURING THE  
20                           QUALIFYING PERIOD;

21                           (C) A COPY OF THE RECEIPT ASSOCIATED WITH EACH CONTRIBUTION THAT  
22                           IDENTIFIES THE CONTRIBUTOR'S NAME AND RESIDENTIAL ADDRESS;  
23                           AND

24                           (D) A COPY OF THE RECEIPT ASSOCIATED WITH EACH EXPENDITURE; AND

25                   (III) A CERTIFICATE OF CANDIDACY FOR MAYOR, COUNCIL PRESIDENT,  
26                   COMPTROLLER, OR CITY COUNCILMEMBER.

27          (B) *QUALIFICATIONS.*

28          TO QUALIFY AS A CERTIFIED CANDIDATE:

29          (1) A CANDIDATE FOR MAYOR MUST COLLECT AT LEAST:

30                   (I) 500 QUALIFYING CONTRIBUTIONS; AND

31                   (II) AN AGGREGATE TOTAL OF \$40,000;

**Council Bill 19-0403**

1 (2) A CANDIDATE FOR COUNCIL PRESIDENT MUST COLLECT AT LEAST:

2 (I) 250 QUALIFYING CONTRIBUTIONS; AND

3 (II) AN AGGREGATE TOTAL OF \$15,000;

4 (3) A CANDIDATE FOR COMPTROLLER MUST COLLECT AT LEAST:

5 (I) ~~150~~ 250 QUALIFYING CONTRIBUTIONS; AND

6 (II) AN AGGREGATE TOTAL OF ~~\$5,000~~ \$15,000; AND

7 (4) A CANDIDATE FOR CITY COUNCILMEMBER MUST COLLECT AT LEAST:

8 (I) 150 QUALIFYING CONTRIBUTIONS; AND

9 (II) AN AGGREGATE TOTAL OF \$5,000.

10 (C) *CONTRIBUTIONS.*

11 (1) AN APPLICANT CANDIDATE MUST DEPOSIT ALL CONTRIBUTIONS INTO THE  
12 CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT.

13 (2) AN APPLICANT CANDIDATE MUST DELIVER TO THE STATE BOARD A COPY OF A RECEIPT  
14 FOR EACH QUALIFYING CONTRIBUTION THAT IDENTIFIES THE CONTRIBUTOR'S NAME  
15 AND RESIDENTIAL ADDRESS THAT IS SIGNED BY THE CONTRIBUTOR DIRECTLY OR BY A  
16 DIGITAL SIGNATURE USING A METHOD APPROVED BY THE STATE BOARD.

17 (D) *INELIGIBILITY.*

18 AN APPLICANT CANDIDATE IS INELIGIBLE FOR CERTIFICATION IF THE ~~COMMISSION STATE~~  
19 ~~BOARD,~~ IN CONSULTATION WITH THE ~~STATE BOARD~~ COMMISSION, HAS DETERMINED THAT  
20 THE APPLICANT CANDIDATE HAS:

21 (1) FAILED TO SUBMIT A CAMPAIGN FINANCE REPORT IN THE 4 YEARS PRECEDING THE  
22 ELECTION CYCLE;

23 (2) COORDINATED WITH A POLITICAL ACTION COMMITTEE; OR

24 (3) VIOLATED ANY RULE OR REGULATION ADOPTED UNDER THIS SUBTITLE.

25 **§ 11-16. CERTIFICATION DETERMINATION.**

26 (A) *IN GENERAL.*

27 (1) WITHIN 10 DAYS OF RECEIVING A COMPLETE APPLICATION FOR CERTIFICATION, THE  
28 STATE BOARD MUST MAKE A ~~RECOMMENDATION TO THE COMMISSION~~  
29 DETERMINATION, IN CONSULTATION WITH THE COMMISSION, WHETHER TO CERTIFY AN  
30 APPLICANT CANDIDATE.

**Council Bill 19-0403**

1 ~~(2) WITHIN 5 DAYS OF RECEIVING THE STATE BOARD'S RECOMMENDATION, THE~~  
2 ~~COMMISSION MUST CERTIFY OR DENY THE APPLICANT CANDIDATE.~~

3 (2) THE STATE BOARD MUST NOTIFY THE DIRECTOR AND THE COMMISSION OF THE STATE  
4 BOARD'S DETERMINATION.

5 (B) *FINALITY OF DECISION.*

6 EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, THE DECISION BY THE  
7 COMMISSION WHETHER TO CERTIFY A CANDIDATE IS FINAL.

8 ~~(C) COMMISSION TO AUTHORIZE.~~

9 ~~IF THE COMMISSION CERTIFIES A CANDIDATE, THE COMMISSION MUST AUTHORIZE THE~~  
10 ~~DIRECTOR TO DISBURSE A PUBLIC CONTRIBUTION TO THE CANDIDATE'S PUBLICLY FUNDED~~  
11 ~~CAMPAIGN ACCOUNT.~~

12 (C) APPLICANT CANDIDATE CERTIFICATION.

13 (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON NOTICE OF THE STATE BOARD'S  
14 CERTIFICATION OF AN APPLICANT CANDIDATE, THE DIRECTOR MUST DISPERSE THE  
15 APPROPRIATE PUBLIC CONTRIBUTION UNDER § 11-17 {"DISTRIBUTION OF PUBLIC  
16 CONTRIBUTION"} OF THIS SUBTITLE.

17 (2) THE DIRECTOR MAY NOT DISBURSE ANY PUBLIC FUNDS TO A CANDIDATE WITHOUT  
18 FIRST CONSULTING WITH THE COMMISSION.

19 (D) *DENIAL OF APPLICATION.*

20 IF AN APPLICATION IS DENIED, THE APPLICANT CANDIDATE MAY RESUBMIT A NEW OR  
21 MODIFIED APPLICATION ONE TIME WITHIN THE EARLIER OF:

22 (1) 10 BUSINESS DAYS AFTER RECEIVING NOTICE THAT ~~THE COMMISSION DENIED THE~~  
23 ~~APPLICATION~~ WAS DENIED; OR

24 (2) THE END OF THE QUALIFYING PERIOD.

25 **§ 11-17. DISTRIBUTION OF PUBLIC CONTRIBUTION.**

26 (A) *IN GENERAL.*

27 ~~ON AUTHORIZATION BY THE COMMISSION ONLY AFTER CONSULTING WITH THE~~  
28 COMMISSION, THE DIRECTOR MUST DISTRIBUTE A PUBLIC CONTRIBUTION FROM THE FUND  
29 TO EACH CERTIFIED CANDIDATE IN A CONTESTED ELECTION ONLY DURING THE  
30 DISTRIBUTION PERIOD AS FOLLOWS:

31 (1) FOR A CERTIFIED CANDIDATE FOR EITHER MAYOR ~~OR~~ 2 COUNCIL PRESIDENT, OR  
32 COMPTROLLER, THE MATCHING DOLLARS MUST EQUAL:

**Council Bill 19-0403**

1 (I) \$9 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE  
2 FIRST \$25 OF EACH QUALIFYING CONTRIBUTION;

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

5 (III) \$2 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE  
6 FINAL \$75 OF EACH QUALIFYING CONTRIBUTION.

7 (2) FOR A CERTIFIED CANDIDATE FOR ~~EITHER COMPTROLLER OR CITY~~  
8 COUNCILMEMBER, THE MATCHING DOLLARS MUST EQUAL:

9 (I) \$9 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE  
10 FIRST \$25 OF EACH QUALIFYING CONTRIBUTION;

11 (II) \$5 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE  
12 NEXT \$50 OF EACH QUALIFYING CONTRIBUTION; AND

13 (III) \$0 FOR EACH DOLLAR OF A QUALIFYING CONTRIBUTION RECEIVED FOR THE  
14 FINAL \$75 OF EACH QUALIFYING CONTRIBUTION.

15 (B) *QUALIFYING BOOST.*

16 (1) *IN GENERAL.*

17 IN ADDITION TO ANY PUBLIC CONTRIBUTIONS MADE UNDER SUBSECTION (A)(1) OF THIS  
18 SECTION, WITHIN 5 DAYS OF CERTIFICATION ~~BY THE COMMISSION~~, THE DIRECTOR  
19 MUST DISBURSE FROM THE FUND A QUALIFYING BOOST OF:

20 (I) \$200,000 FOR A CANDIDATE FOR MAYOR; AND

21 (II) \$50,000 FOR A CANDIDATE FOR COUNCIL PRESIDENT OR A CANDIDATE FOR  
22 COMPTROLLER.

23 (2) *MULTIPLE BOOSTS PROHIBITED.*

24 A CANDIDATE MAY NOT RECEIVE MORE THAN 1 QUALIFYING BOOST DURING AN  
25 ELECTION CYCLE.

26 (C) *MAXIMUM PUBLIC CONTRIBUTION.*

27 (1) *IN GENERAL.*

28 EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE TOTAL PUBLIC  
29 CONTRIBUTION PAYABLE TO A CERTIFIED CANDIDATE FOR EITHER A PRIMARY OR A  
30 GENERAL ELECTION MAY NOT EXCEED:

31 (I) \$1,500,000 FOR A CANDIDATE FOR MAYOR;

32 (II) \$375,000 FOR A CANDIDATE FOR COUNCIL PRESIDENT;

**Council Bill 19-0403**

1 (iii) \$200,000 FOR A CANDIDATE FOR COMPTROLLER; AND

2 (iv) \$125,000 FOR A CANDIDATE FOR CITY COUNCILMEMBER.

3 (2) *EXCLUSION.*

4 THE LIMITS SPECIFIED IN THIS SUBSECTION DO NOT INCLUDE THE QUALIFYING BOOST  
5 RECEIVED BY A CANDIDATE FOR MAYOR OR COUNCIL PRESIDENT.

6 (D) *PROHIBITED PUBLIC CONTRIBUTIONS.*

7 THE DIRECTOR MAY NOT DISTRIBUTE A PUBLIC CONTRIBUTION BASED ON:

8 (1) A CONTRIBUTION OR LOAN FROM THE CANDIDATE OR THE CANDIDATE'S SPOUSE;  
9 OR

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

11 (E) *FUND INSUFFICIENCY.*

12 (1) ON OR BEFORE JULY 1 OF EACH YEAR PRECEDING A PRIMARY ELECTION, THE  
13 DIRECTOR MUST DETERMINE IF THE AMOUNT IN THE FUND IS SUFFICIENT TO MEET THE  
14 MAXIMUM PUBLIC CONTRIBUTIONS AND QUALIFYING BOOSTS REASONABLY EXPECTED  
15 TO BE REQUIRED DURING THE NEXT ELECTION CYCLE.

16 (2) IF THE DIRECTOR DETERMINES THAT THE TOTAL AMOUNT AVAILABLE FOR  
17 DISTRIBUTION IN THE FUND IS INSUFFICIENT TO MEET THE ALLOCATIONS REQUIRED BY  
18 THIS SECTION, THE DIRECTOR MUST REDUCE EACH PUBLIC CONTRIBUTION AND  
19 QUALIFYING BOOST TO A CERTIFIED CANDIDATE BY THE SAME PERCENTAGE OF THE  
20 TOTAL PUBLIC CONTRIBUTION.

21 (F) *DISBURSEMENTS AFTER THE PRIMARY ELECTION.*

22 WITHIN 3 BUSINESS DAYS OF THE PRIMARY ELECTION, ~~THE COMMISSION MUST AUTHORIZE~~  
23 ~~THE DIRECTOR TO~~ MUST CONTINUE TO DISBURSE THE APPROPRIATE PUBLIC CONTRIBUTION  
24 FOR THE GENERAL ELECTION TO EACH PARTICIPATING CANDIDATE.

25 (G) *RETURN OF UNSPENT FUNDS.*

26 (1) *PRIMARY ELECTION CANDIDATES.*

27 WITHIN 30 DAYS OF THE CERTIFICATION BY THE CITY BOARD OF THE RESULTS OF THE  
28 PRIMARY ELECTION, A PARTICIPATING CANDIDATE WHO IS NOT CERTIFIED TO BE ON  
29 THE BALLOT FOR THE GENERAL ELECTION MUST RETURN TO THE FUND ANY UNSPENT  
30 MONEY IN THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT.



**Council Bill 19-0403**

1 (2) *GENERAL ELECTION CANDIDATES.*

2 ON OR BEFORE DECEMBER 31 AFTER THE GENERAL ELECTION, A PARTICIPATING  
3 CANDIDATE MUST RETURN TO THE FUND ANY UNSPENT MONEY IN THE CANDIDATE'S  
4 PUBLICLY FUNDED CAMPAIGN ACCOUNT.

5 (H) *PETITION-NOMINATED AND NON-PRINCIPAL POLITICAL PARTY CANDIDATES.*

6 (1) IN THIS SUBSECTION, "PRINCIPAL POLITICAL PARTY" HAS THE MEANING STATED IN  
7 STATE ELECTION LAW ARTICLE, § 1-101 {"DEFINITIONS: PRINCIPAL POLITICAL  
8 PARTIES"}.

9 (2) A CERTIFIED CANDIDATE NOMINATED BY PETITION OR BY A PARTY THAT IS NOT A  
10 PRINCIPAL POLITICAL PARTY MAY RECEIVE A PUBLIC CONTRIBUTION FOR THE GENERAL  
11 ELECTION IF THE CANDIDATE'S NOMINATION IS CERTIFIED BY THE CITY BOARD.

12 (3) A CERTIFIED CANDIDATE UNDER THIS SUBSECTION MUST QUALIFY AS A CERTIFIED  
13 CANDIDATE AT LEAST 45 DAYS BEFORE THE DATE OF THE GENERAL ELECTION.

14 **§ 11-18. USE OF PUBLIC CONTRIBUTION.**

15 (A) *IN GENERAL.*

16 A PARTICIPATING CANDIDATE MAY ONLY MAKE EXPENDITURES FROM THE PUBLICLY  
17 FUNDED CAMPAIGN ACCOUNT REGISTERED WITH THE STATE BOARD FOR EXPENSES  
18 INCURRED DIRECTLY FOR THE ELECTION ~~ONCE AFTER~~ THE CANDIDATE IS CERTIFIED ~~BY THE~~  
19 ~~COMMISSION.~~

20 (B) *PREVIOUS EXPENSES OR LOANS.*

21 A PARTICIPATING CANDIDATE MAY NOT USE ANY PORTION OF A PUBLIC CONTRIBUTION TO  
22 PAY FOR EXPENSES OR LOANS INCURRED PRIOR TO BEING CERTIFIED ~~BY THE~~ ~~COMMISSION.~~

23 (C) *ADVANCE PAYMENT.*

24 A PARTICIPATING CANDIDATE MAY NOT PAY IN ADVANCE FOR GOODS AND SERVICES TO BE  
25 USED AFTER CERTIFICATION WITH NON-QUALIFYING CONTRIBUTIONS RECEIVED BEFORE  
26 APPLYING FOR CERTIFICATION.

27 (D) *REDUCTION OF PUBLIC CONTRIBUTION.*

28 (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE DIRECTOR MUST  
29 REDUCE THE PUBLIC CONTRIBUTION TO A PARTICIPATING CANDIDATE'S PUBLICLY  
30 FUNDED CAMPAIGN ACCOUNT BY THE TOTAL AMOUNT OF ALL EXPENDITURES MADE  
31 AFTER THE END OF THE PREVIOUS ELECTION CYCLE FROM THE CANDIDATE'S NON-  
32 PARTICIPATING CAMPAIGN ACCOUNT.

33 (2) EXPENDITURES MADE WITH CONTRIBUTIONS RECEIVED PRIOR TO THE END OF THE  
34 PREVIOUS ELECTION CYCLE TOWARDS DEBTS ACCRUED BEFORE THE END OF THE

**Council Bill 19-0403**

1 PREVIOUS ELECTION CYCLE MAY NOT REDUCE THE PUBLIC CONTRIBUTION TO A  
2 PARTICIPATING CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT.

3 (E) *ADDITIONAL LIMITATIONS STANDARDS.*

4 ~~THE DIRECTOR, IN CONSULTATION WITH THE COMMISSION, MAY FURTHER LIMIT USE OF~~  
5 ~~PUBLIC CONTRIBUTIONS IN THE RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE.~~

6 (1) A PARTICIPATING CANDIDATE MAY NOT USE A PUBLIC CONTRIBUTION FOR:

7 (I) PERSONAL EXPENSES;

8 (II) EXPENSES RELATED TO HOLDING PUBLIC OFFICE;

9 (III) PAYING FOR A PERSONAL ENDORSEMENT; OR

10 (IV) PAYING FOR LATE FILING FEES.

11 (2) A PARTICIPATING CANDIDATE MAY NOT USE A PUBLIC CONTRIBUTION TO :

12 (I) CONTRIBUTE TO CURRENT OR FUTURE CANDIDATES FOR ELECTIVE OFFICES  
13 OTHER THAN THE ONE BEING SOUGHT BY THE PARTICIPATING CANDIDATE; OR

14 (II) CONTRIBUTE TO ANY ENTITY OR ORGANIZATION, SUCH AS A POLITICAL PARTY.

15 (3) THE DIRECTOR, IN CONSULTATION WITH THE COMMISSION, SHALL DETERMINE  
16 WHETHER AN EXPENSE IS A PERMISSIBLE USE OF A PUBLIC CONTRIBUTION, AND THE  
17 DIRECTOR'S DETERMINATION IS FINAL.

18 (F) *ALLEGATIONS OF A PROHIBITED ACT.*

19 A COMPLAINT ALLEGING A PROHIBITED RECEIPT OR USE OF FUNDS BY A PARTICIPATING  
20 CANDIDATE MUST BE FILED WITH THE STATE BOARD.

21 (G) *ACCESS TO RECORDS.*

22 (1) ON REQUEST BY THE COMMISSION, A PARTICIPATING CANDIDATE MUST PROVIDE THE  
23 COMMISSION WITH REASONABLE ACCESS TO THE FINANCIAL RECORDS OF THE  
24 CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT.

25 (2) A PARTICIPATING CANDIDATE MUST KEEP ALL RECORDS FOR A PERIOD OF 4 YEARS  
26 AFTER THE ELECTION TO WHICH THE DOCUMENTS RELATE.

27 (3) THE RECORDS MUST BE RETAINED BY THE CAMPAIGN TREASURER UNLESS THE STATE  
28 BOARD HAS BEEN NOTIFIED OTHERWISE.

**Council Bill 19-0403**

1 **§ 11-19. WITHDRAWAL.**

2 (A) *CERTIFIED CANDIDATES.*

3 A CERTIFIED CANDIDATE MAY WITHDRAW AN APPLICATION FOR A PUBLIC CONTRIBUTION  
4 ANY TIME BEFORE THE PUBLIC CONTRIBUTION IS RECEIVED BY THE CANDIDATE'S  
5 PUBLICLY FUNDED CAMPAIGN ACCOUNT.

6 (B) *PARTICIPATING CANDIDATES.*

7 A PARTICIPATING CANDIDATE MAY WITHDRAW FROM PARTICIPATING IF THE CANDIDATE:

8 (1) FILES A STATEMENT OF WITHDRAWAL WITH THE STATE BOARD AND THE  
9 COMMISSION ON A FORM THAT THE STATE BOARD REQUIRES; AND

10 (2) REPAYS TO THE FUND THE FULL AMOUNT OF ANY PUBLIC CONTRIBUTION  
11 RECEIVED, PLUS INTEREST ACCRUING FROM THE DATE OF WITHDRAWAL AT THE  
12 SAME RATE AS THE CURRENT BANK PRIME LOAN RATE REPORTED BY THE BOARD  
13 OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

14 (C) *PERSONAL LIABILITY.*

15 IF THE FUNDS REMAINING IN THE PARTICIPATING CANDIDATE'S PUBLICLY FUNDED  
16 CAMPAIGN ACCOUNT AT THE TIME OF WITHDRAWAL ARE INSUFFICIENT TO REPAY THE  
17 FUND UNDER SUBSECTION (B) OF THIS SECTION, THE CANDIDATE IS PERSONALLY LIABLE  
18 FOR REPAYMENT.

19 (D) *REDUCED REPAYMENT.*

20 (1) ~~THE COMMISSION~~ THE DIRECTOR, IN CONSULTATION WITH THE COMMISSION, MAY  
21 REDUCE ANY REPAYMENT UNDER SUBSECTION (B) OF THIS SECTION FOR A  
22 PARTICIPATING CANDIDATE WHO MUST WITHDRAW FOR HEALTH REASONS OR OTHER  
23 CAUSE NOT WITHIN THE CANDIDATE'S CONTROL.

24 (2) IN CONSIDERING A REPAYMENT REDUCTION UNDER THIS SUBSECTION, THE  
25 ~~COMMISSION~~ DIRECTOR, IN CONSULTATION WITH THE COMMISSION, MAY CONSIDER  
26 THE PARTICIPATING CANDIDATE'S PERSONAL FINANCIAL HARDSHIP.

27 **§ 11-20. {RESERVED}**

28 ***PART 5. RESTRICTIONS; ENFORCEMENT***

29 **§ 11-21. APPLICANT AND PARTICIPATING CANDIDATE RESTRICTIONS.**

30 (A) *IN GENERAL.*

31 EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, AN APPLICANT CANDIDATE OR  
32 A PARTICIPATING CANDIDATE MAY NOT:

**Council Bill 19-0403**

- 1 (1) ACCEPT A PRIVATE CONTRIBUTION FROM ANY GROUP OR ORGANIZATION,  
2 INCLUDING A POLITICAL ACTION COMMITTEE, A CORPORATION, A LABOR  
3 ORGANIZATION, OR A STATE OR LOCAL CENTRAL COMMITTEE OF A POLITICAL  
4 PARTY;
- 5 (2) ACCEPT PRIVATE CONTRIBUTIONS FROM AN INDIVIDUAL IN AN AGGREGATE  
6 GREATER THAN \$150 DURING AN ELECTION, OR THE MAXIMUM AMOUNT OF AN  
7 ELIGIBLE CONTRIBUTION, AS ADJUSTED BY §11-14(C) OF THIS SUBTITLE;
- 8 (3) AFTER FILING A NOTICE OF INTENT WITH THE STATE BOARD TO SEEK PUBLIC  
9 FINANCING, PAY FOR ANY CAMPAIGN EXPENSE WITH ANY CAMPAIGN FINANCE  
10 ACCOUNT OTHER THAN THE CANDIDATES' PUBLICLY FUNDED CAMPAIGN ACCOUNT;
- 11 (4) BE A MEMBER OF A SLATE IN ANY ELECTION IN WHICH THE CANDIDATE RECEIVES A  
12 PUBLIC CONTRIBUTION; OR
- 13 (5) TRANSFER MONEY:
  - 14 (I) TO THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT FROM ANY  
15 OTHER CAMPAIGN FINANCE ENTITY ESTABLISHED FOR THE CANDIDATE; OR
  - 16 (II) FROM THE CANDIDATE'S PUBLICLY FUNDED CAMPAIGN ACCOUNT TO ANY  
17 OTHER CAMPAIGN FINANCE ENTITY.

18 (B) *AFFILIATION.*

19 PURSUANT TO COMAR 33.13.14, A CANDIDATE WHO ACCEPTS A PUBLIC CONTRIBUTION  
20 MAY AFFILIATE WITH ANY OTHER CANDIDATES, INCLUDING NON-PUBLICLY FINANCED  
21 CANDIDATES, ON CAMPAIGN MATERIAL IF:

- 22 (1) THE AUTHORIZED CANDIDATE CAMPAIGN COMMITTEE MAKES A DIRECT  
23 DISBURSEMENT TO THE PAYEE FOR ITS SHARE OF THE COSTS OF THE CAMPAIGN  
24 MATERIAL; AND
- 25 (2) THE CAMPAIGN MATERIAL DISPLAYS THE AUTHORITY LINE OF THE AUTHORIZED  
26 CANDIDATE CAMPAIGN COMMITTEE.

27 **§ 11-22. {RESERVED}**

28 **§ 11-23. ENFORCEMENT BY CITATION.**

29 (A) *IN GENERAL.*

30 IN ADDITION TO ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT PROCEDURE,  
31 THIS SUBTITLE MAY BE ENFORCED BY ISSUANCE OF:

- 32 (1) AN ENVIRONMENTAL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 40  
33 {"ENVIRONMENTAL CONTROL BOARD"}; OR

**Council Bill 19-0403**

1 (2) A CIVIL CITATION UNDER CITY CODE ARTICLE 1, SUBTITLE 41 {"CIVIL  
2 CITATIONS"}.

3 (B) *PROCESS NOT EXCLUSIVE.*

4 THE ISSUANCE OF A CITATION TO ENFORCE THIS SUBTITLE DOES NOT PRECLUDE PURSUING  
5 ANY OTHER CIVIL OR CRIMINAL REMEDY OR ENFORCEMENT ACTION AUTHORIZED BY LAW.

6 (C) *EACH DAY A SEPARATE OFFENSE.*

7 EACH DAY A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

8 **Article 1. Mayor, City Council, and Municipal Agencies**

9 **Subtitle 40. Environmental Control Board**

10 **§ 40-14. Violations to which subtitle applies.**

11 (e) *Provisions and penalties enumerated.*

12 (.5A) **ARTICLE 5. FINANCE, PROPERTY, AND PROCUREMENT**

13 SUBTITLE 11. FAIR ELECTION FUND \$500

14 (.5B) [(5a)] **Article 7. Natural Resources**

15 Division I. Floodplain Management \$500

16 **Subtitle 41. Civil Citations**

17 **§ 41-14. Offenses to which subtitle applies – Listing.**

18 (.5A) **ARTICLE 5. FINANCE, PROPERTY, AND PROCUREMENT**

19 SUBTITLE 11. FAIR ELECTION FUND \$500

20 (.5B) [(5a)] **Article 7. Natural Resources**

21 Division I. Floodplain Management \$500

22 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the catchlines contained in this Ordinance  
23 are not law and may not be considered to have been enacted as part of this or any prior  
24 Ordinance.

25 ~~**SECTION 3. AND BE IT FURTHER ORDAINED**, That the Department of Public Works must~~  
26 ~~develop and implement a mechanism to allow for donations to the Fund to be made with~~  
27 ~~payment of water bills.~~

**Council Bill 19-0403**

1        **SECTION 4 3. AND BE IT FURTHER ORDAINED**, That City Code Article 5, Subtitle 11, Parts 1  
2 and 2, defining certain terms and establishing the Fair Election Fund and the Fair Election Fund  
3 Commission, as enacted by this Ordinance, take effect on the date of enactment of this  
4 Ordinance.

5        ~~**SECTION 5. AND BE IT FURTHER ORDAINED**, That Section 3 of this Ordinance takes effect on~~  
6 ~~the date of the enactment of this Ordinance.~~

7        **SECTION 6 4. AND BE IT FURTHER ORDAINED**, That except as provided by Sections 4 and 5  
8 Section 3 of this Ordinance, this Ordinance takes effect on January 1, 2021.

Certified as duly passed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
President, Baltimore City Council

Certified as duly delivered to His Honor, the Mayor,  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Mayor, Baltimore City