

CITY OF BALTIMORE
COUNCIL BILL 26-0212
(First Reader)

Introduced by: Councilmember Blanchard

Cosponsored by: Councilmembers Dorsey, Middleton, Gray, Bullock, Ramos, Conway, Jones,
and Porter

Introduced and read first time: July 13, 2026

Assigned to: Committee of the Whole

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Fair Election Fund – Update**

3 FOR the purpose of updating certain provisions regarding the Fair Election Fund; amending the
4 list of elections eligible for the Fund; clarifying procedures for candidate withdrawal from an
5 election; amending post-election procedures; and generally relating to the Fair Election Fund.

6 BY repealing and re-ordaining, with amendments,
7 Article 5 - Finance, Property, and Procurement
8 Sections 11-1, 11-8(b), 11-17(a), (c) and (e), 11-19(b), and 11-21(a)
9 Baltimore City Code
10 (Edition 2000)

11 BY adding
12 Article 5 - Finance, Property, and Procurement
13 Section 11-20
14 Baltimore City Code
15 (Edition 2000)

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

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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Baltimore City Code

Article 5. Finance, Property, and Procurement

Subtitle 11. Fair Election Fund

Part 1. Definitions; Findings

§ 11-1. Definitions.

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Applicant candidate.*

“Applicant candidate” means a candidate who is seeking to be a certified candidate in a primary or general election.

(c) *Campaign finance entity.*

“Campaign finance entity” means a political committee established under Title 13 of the State Election Article {“Campaign Finance”}.

(d) *Certified candidate.*

“Certified candidate” means a candidate who is certified as eligible for public campaign financing from the Fund.

(e) *Commission.*

“Commission” means the Baltimore City Fair Election Fund Commission.

(f) *Contested election.*

“Contested election” means any election in which there are more candidates for an office than the number who can be elected to that office.

(g) *Contribution.*

“Contribution” has the meaning stated in State Election Law Article, § 1-101 {“Definitions: Contribution”}.

(h) *City Board.*

“City Board” means the Baltimore City Board of Elections.

(i) *City resident.*

“City resident” means a natural person who resides in Baltimore City.

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(j) *Director*.

“Director” means the Director of Finance or the Director’s designee.

(k) *Election cycle*.

“Election cycle” has the meaning stated in State Election Law Article, § 1-101 {“Definitions: Election cycle”}.

(l) *Eligible contribution*.

“Eligible contribution” means an aggregate donation in a 4-year election cycle from an individual, including an individual who does not reside in the City, that does not exceed the contribution level established in this subtitle.

(m) *Fund*.

“Fund” means the Baltimore City Fair Election Fund.

(N) *MAXIMUM PUBLIC CONTRIBUTION*.

“MAXIMUM PUBLIC CONTRIBUTION” MEANS THE TOTAL PUBLIC CONTRIBUTION PAYABLE TO A CERTIFIED CANDIDATE FOR EITHER A PRIMARY OR GENERAL ELECTION, AS ESTABLISHED IN § 11-17(C) {“DISTRIBUTION OF PUBLIC CONTRIBUTION.”} OF THIS SUBTITLE.

(O) [(n)] *Participating candidate*.

“Participating candidate” means a certified candidate who has received a public contribution from the Fund during the current election cycle.

(P) [(o)] *Public contribution*.

“Public contribution” means any money disbursed from the Fund to a certified candidate.

(Q) [(p)] *Publicly funded campaign account*.

“Publicly funded campaign account” means a campaign finance account established by a candidate for the exclusive purpose of receiving eligible contributions and spending funds in accordance with this subtitle.

(R) [(q)] *Qualifying boost*.

“Qualifying boost” means a one-time disbursement from the Fund to candidates for Mayor or Council President on certification under this subtitle.

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(S) [(r)] *Qualifying contribution.*

(1) *In general.*

“Qualifying contribution” means an eligible contribution in support of an applicant candidate that is:

(i) made by a City resident;

(ii) made after the beginning of the designated qualifying period, but no later than the respective election; and

(iii) acknowledged by receipt that identifies the contributor’s name and residential address and signed by the contributor directly or by a digital signature using a method approved by the State Board.

(2) *Exclusion.*

“Qualifying contribution” does not include an in-kind contribution of property, goods, or services.

(T) [(s)] *Qualifying period.*

“Qualifying period” means the time beginning on January 1 following the last election for the office the candidate seeks and ending 45 days before the date of the primary election.

(U) [(t)] *Slate.*

“Slate” has the meaning stated in State Election Law Article, § 1-101 {“Definitions: Slate”}.

(V) [(u)] *State Board.*

“State Board” means the Maryland State Board of Elections.

Part 2. Fund; Commission.

§ 11-8. Fund administration; Commission duties.

(b) *Annual report.*

(1) On or before January 1 of each year, the Commission [must] SHALL issue a report to the Mayor and City Council containing:

(I) an estimate of the funds necessary to implement the public campaign finance system for the following fiscal year;

(II) a recommendation for an appropriation to the Fund for the following fiscal year; and

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(III) if necessary, any recommendations for dedicated sources of funding.

(2) FOR A PRESIDENTIAL ELECTION YEAR, THE ESTIMATES AND RECOMMENDATIONS MADE PURSUANT TO PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE MAXIMUM PUBLIC CONTRIBUTIONS FOR:

(I) 2 MAYORAL CANDIDATES;

(II) 1 COUNCIL PRESIDENT CANDIDATE;

(III) 1 COMPTROLLER CANDIDATE; AND

(IV) 7 CITY COUNCIL CANDIDATES.

(3) FOR A GUBERNATORIAL ELECTION YEAR, THE ESTIMATES AND RECOMMENDATIONS MADE PURSUANT TO PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE MAXIMUM PUBLIC CONTRIBUTIONS FOR:

(I) 1 REGISTER OF WILLS CANDIDATE; AND

(II) 1 CLERK OF THE CIRCUIT COURT CANDIDATE.

Part 4. Candidate and Fund Procedures

§ 11-17. Distribution of public contribution.

(a) *In general.*

Only after consulting with the Commission, the Director [must] SHALL distribute a public contribution from the Fund to each certified candidate in a contested election only during the distribution period as follows:

(1) for a certified candidate for either Mayor, Council President, or Comptroller, the matching dollars [must] SHALL equal:

(i) \$9 for each dollar of a qualifying contribution received for the first \$25 of each qualifying contribution;

(ii) \$5 for each dollar of a qualifying contribution received for the next \$50 of each qualifying contribution; and

(iii) \$2 for each dollar of a qualifying contribution received for the final \$75 of each qualifying contribution.

(2) for a certified candidate for REGISTER OF WILLS, CLERK OF THE CIRCUIT COURT, OR City Councilmember, the matching dollars [must] SHALL equal:

(i) \$9 for each dollar of a qualifying contribution received for the first \$25 of each qualifying contribution;

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(ii) \$5 for each dollar of a qualifying contribution received for the next \$50 of each qualifying contribution; and

(iii) \$0 for each dollar of a qualifying contribution received for the final \$75 of each qualifying contribution.

(3) FOR AN ELECTION THAT IS NOT A CONTESTED ELECTION, A CERTIFIED CANDIDATE MAY:

(I) RECEIVE HALF OF THE MAXIMUM PUBLIC CONTRIBUTION DESIGNATED IN SUBSECTION (C) OF THIS SECTION; AND

(II) RECEIVE THE BALANCE OF THE MAXIMUM PUBLIC CONTRIBUTION UPON THE ELECTION BECOMING CONTESTED.

(c) *Maximum public contribution.*

(1) *In general.*

Except as provided in paragraph (2) of this subsection, the total public contribution payable to a certified candidate for either a primary or a general election may not exceed:

(i) [\$1,500,000] \$1,000,000 for a candidate for Mayor;

(ii) \$375,000 for a candidate for Council President;

(iii) \$200,000 for a candidate for Comptroller; and

(iv) \$125,000 for a candidate for REGISTER OF WILLS, CLERK OF THE CIRCUIT COURT, OR City Councilmember.

(2) *Exclusion.*

The limits specified in this subsection do not include the qualifying boost received by a candidate for Mayor or Council President.

(3) *CONSUMER PRICE INDEX ADJUSTMENT.*

(I) THE CONTRIBUTION LIMIT SET FORTH IN SUBSECTION (C)(1) OF THIS SECTION SHALL BE ADJUSTED FOR THE NEXT ELECTION CYCLE ON JULY 1, 2028, AND JULY 1 OF EACH SUBSEQUENT 4TH YEAR BY THE PERCENTAGE INCREASE IN THE BALTIMORE-COLUMBIA-TOWSON CONSUMER PRICE INDEX, AS REPORTED BY THE UNITED STATES DEPARTMENT OF LABOR, ROUNDED UP BY THE NEAREST MULTIPLE OF \$10.

(II) THE DIRECTOR SHALL PUBLISH THIS ADJUSTED AMOUNT NO LATER THAN JANUARY 1 OF THE FOLLOWING YEAR.

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(e) *Fund insufficiency.*

(1) [On or before July 1 of each year preceding a primary election, the] THE Director [must] SHALL determine if the amount in the Fund is sufficient to meet the maximum public contributions and qualifying boosts reasonably expected to be required during the next election [cycle.] CYCLE:

(I) 15 MONTHS PRECEDING A PRIMARY ELECTION; AND

(II) EVERY 3 MONTHS THEREAFTER UNTIL THE GENERAL ELECTION.

(2) If the Director determines that the total amount available for distribution in the Fund is insufficient to meet the allocations required by this section, the Director [must] SHALL reduce each public contribution and qualifying boost to a certified candidate by the same percentage of the total public contribution.

§ 11-19. Withdrawal.

(b) *Participating candidates.*

(1) A participating candidate [may withdraw from participating if the candidate:] SHALL REPAY TO THE FUND CERTAIN MONIES IN ACCORDANCE WITH PARAGRAPH (2) OF THIS SUBSECTION WHEN THE CANDIDATE:

(I) files a statement of withdrawal with the State Board and the Commission on a form that the State Board [requires; and] REQUIRES;

(II) PUBLICLY ANNOUNCES THEIR WITHDRAWAL; OR

(III) ENDORSES ANOTHER CANDIDATE IN THE ELECTION IN WHICH THEY ARE PARTICIPATING.

[(2) repays to the Fund the full amount of any public contribution received, plus interest accruing from the date of withdrawal at the same rate as the current bank prime loan rate reported by the Board of Governors of the Federal Reserve System.]

(2) A PARTICIPATING CANDIDATE WHO WITHDRAWS FROM A CONTESTED ELECTION SHALL REPAY TO THE FUND:

(I) THE FULL AMOUNT OF ANY PUBLIC CONTRIBUTION RECEIVED; AND

(II) ANY INTEREST ACCRUING FROM THE DATE OF WITHDRAWAL AT THE SAME RATE AS THE CURRENT BANK PRIME LOAN RATE REPORTED BY THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

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§ 11-20. POST-ELECTION FUND USAGE.

A CERTIFIED CANDIDATE MAY RETAIN PUBLIC CONTRIBUTION FUNDS TO PAY FOR POST-ELECTION EXPENSES IF:

- (1) THE RETAINED FUNDS DO NOT EXCEED 10% OF THE MAXIMUM PUBLIC CONTRIBUTION;
- (2) THE CANDIDATE FILES A NEW DECLARATION OF INTENT TO PARTICIPATE IN THE PUBLIC CAMPAIGN FINANCING SYSTEM FOR THE SUBSEQUENT 4-YEAR ELECTION CYCLE BY JANUARY 31 FOLLOWING THE GENERAL ELECTION; AND
- (3) THE CANDIDATE MAINTAINS THE SAME CAMPAIGN FINANCE ENTITY.

Part 5. Restrictions; Enforcement

§ 11-21. Restrictions on applicant and participating candidates.

(a) *In general.*

Except as provided in subsection (b) of this section, an applicant candidate or a participating candidate may not:

- (1) accept a private contribution from any group or organization, including a political action committee, a corporation, a labor organization, or a state or local central committee of a political party;
- (2) accept private contributions from an individual in an aggregate greater than \$150 during an election, or the maximum amount of an eligible contribution, as adjusted by §11-14(c) of this subtitle;
- (3) after filing a notice of intent with the State Board to seek public financing, pay for any campaign expense with any campaign finance account other than the candidates' publicly funded campaign [account;] ACCOUNT; OR
- [(4) be a member of a slate in any election in which the candidate receives a public contribution; or]
- (4) [(5)] transfer money:
 - (i) to the candidate's publicly funded campaign account from any other campaign finance entity established for the candidate; or
 - (ii) from the candidate's publicly funded campaign account to any other campaign finance entity.

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1 (b) *Affiliation.*

2 Pursuant to COMAR 33.13.14, a candidate who accepts a public contribution may
3 affiliate with any other candidates, including non-publicly financed candidates, on
4 campaign material if:

5 (1) the authorized candidate campaign committee makes a direct disbursement to the
6 payee for its share of the costs of the campaign material; and

7 (2) the campaign material displays the authority line of the authorized candidate
8 campaign committee.

9 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
10 after the date it is enacted.