

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2021, Legislative Day No. 20

Bill No. 102-21

Mr. Julian E. Jones, Jr., Chairman
By Request of County Executive

By the County Council, November 15, 2021

A BILL
ENTITLED

AN ACT concerning

County Code – The Baltimore County Fair Election Fund

FOR the purpose of establishing a fair election fund; establishing a fair election fund commission; and generally relating to establishing a fair election fund.

BY adding

Sections 3-3-2501 through 3-3-2504

Article 3 – Administration

Title 3 – Boards, Commissions, Committees, Panels, and Foundations

Subtitle 25 – Baltimore County Fair Election Fund Commission

Baltimore County Code, 2015

BY adding

Sections 8-2-101 through 8-2-111

Article 8 – Elections

Title 2 – Baltimore County Fair Election Fund

Baltimore County Code, 2015

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

1 SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE
2 COUNTY, MARYLAND, that the Laws of Baltimore County read as follows:

3
4 ARTICLE 3 – ADMINISTRATION

5 Title 3 – Boards, Commissions, Committees, Panels, and Foundations

6 SUBTITLE 25 – BALTIMORE COUNTY FAIR ELECTION FUND COMMISSION

7
8 § 3-3-2501. BALTIMORE COUNTY FAIR ELECTION FUND COMMISSION.

9 THERE IS A BALTIMORE COUNTY FAIR ELECTION FUND COMMISSION.

10
11 § 3-3-2502. MEMBERSHIP.

12 (A) THE MEMBERSHIP OF THE BALTIMORE COUNTY FAIR ELECTION FUND
13 COMMISSION SHALL CONSIST OF NINE MEMBERS, EACH OF WHOM IS A
14 RESIDENT AND REGISTERED VOTER OF BALTIMORE COUNTY AND ARE
15 REFLECTIVE OF THE DEMOGRAPHIC, GEOGRAPHIC AND POLITICAL DIVERSITY
16 OF THE COUNTY.

17 (B) OF THE NINE MEMBERS OF THE COMMISSION:

18 (1) ONE RESIDENT OF EACH COUNCILMANIC DISTRICT SHALL BE
19 APPOINTED ON THE RECOMMENDATION OF THE COUNTY COUNCIL MEMBER
20 REPRESENTING THAT DISTRICT AND APPROVED BY THE COUNTY COUNCIL; AND

21 (II) TWO MEMBERS SHALL BE APPOINTED BY THE COUNTY
22 EXECUTIVE AND APPROVED BY THE COUNTY COUNCIL.

1 (C) A MEMBER ~~OR APPOINTEE~~ MAY NOT BE A CANDIDATE FOR PUBLIC
2 OFFICE IN THE ~~PREVIOUS OR CURRENT OR NEXT~~ ELECTION CYCLE, A CHAIR OR
3 TREASURER OF AN OPEN CAMPAIGN ACCOUNT, AN ELECTED OR APPOINTED
4 MEMBER OF A LOCAL OR STATE CENTRAL COMMITTEE OF A POLITICAL PARTY,
5 OR A LOBBYIST REGISTERED WITH THE COUNTY ~~OR STATE~~.

6 (D) THE COMMISSIONERS' TERMS SHALL BE FOUR YEARS, WITH THE
7 INITIAL TERM BEGINNING MAY 1, 2023.

8
9 § 3-3-2503. MEETINGS; OFFICERS; QUORUM; STAFF.

10 (A) THE COMMISSION SHALL MEET AT LEAST ONCE EVERY 90 DAYS
11 DURING THE 12 MONTHS PRECEDING A PRIMARY ELECTION FOR COUNTY
12 EXECUTIVE AND COUNTY COUNCIL, AND AT LEAST TWICE EACH YEAR OUTSIDE
13 OF THAT WINDOW.

14 (B) THE COMMISSION SHALL ANNUALLY SELECT FROM AMONG ITS
15 MEMBERSHIP A CHAIR AND VICE CHAIR.

16 (C) A MAJORITY VOTE OF THE MEMBERS PRESENT WHERE A QUORUM
17 EXISTS IS SUFFICIENT FOR AN OFFICIAL ACTION OF THE COMMISSION.

18 (D) THE OFFICE OF BUDGET AND FINANCE SHALL PROVIDE STAFF
19 SUPPORT TO THE COMMISSION, INCLUDING:

20 (1) WORKING WITH THE STATE BOARD OF ELECTIONS TO
21 ADMINISTER THE SYSTEM; AND

22 (2) PROVIDING INFORMATION ABOUT THE SYSTEM TO CANDIDATES
23 AND THE PUBLIC.

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§ 3-3-2504. MISCELLANEOUS POWERS AND DUTIES.

THE COMMISSION SHALL:

(A) CALCULATE THE AMOUNT NECESSARY TO FULLY FUND THE FAIR ELECTION FUND FOR THE ENSUING FISCAL YEAR;

(B) RECOMMEND THAT AMOUNT TO THE COUNTY EXECUTIVE, WHO SHALL INCLUDE IT IN THE ANNUAL BUDGET AND APPROPRIATION ORDINANCE PURSUANT TO § 8-2-103(D) OF THE CODE;

(C) CONDUCT OUTREACH TO PROMOTE THE FUND TO PROSPECTIVE CANDIDATES FOR COUNTY EXECUTIVE AND COUNTY COUNCIL;

(D) CONDUCT ENGAGEMENT EFFORTS TO BUILD AWARENESS OF THE FUND AMONG COUNTY RESIDENTS; AND

(E) CONDUCT A COMPREHENSIVE REVIEW OF THE FUND AFTER THE CONCLUSION OF THE ELECTION CYCLE AND REPORT ITS FINDINGS AND RECOMMENDATIONS TO IMPROVE THE SYSTEM TO THE COUNTY EXECUTIVE, COUNTY COUNCIL AND PUBLIC.

ARTICLE 8 – ELECTIONS

TITLE 2 – BALTIMORE COUNTY FAIR ELECTION FUND

§ 8-2-101. DEFINITIONS.

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

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

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

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

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

11 (F) "COMMISSION" MEANS THE CITIZENS ELECTION FUND COMMISSION
12 REFERENCED IN SECTION 1013 OF THE BALTIMORE COUNTY CHARTER, TO BE
13 NAMED "THE BALTIMORE COUNTY FAIR ELECTION FUND COMMISSION".

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

17 (H) "CONTRIBUTION" HAS THE MEANING STATED IN TITLE 1, SUBTITLE 1
18 OF THE ELECTION LAW ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

19 (I) "COUNTY BOARD" MEANS THE BALTIMORE COUNTY BOARD OF
20 ELECTIONS.

21 (J) "COUNTY RESIDENT" MEANS A NATURAL PERSON WHO RESIDES IN
22 BALTIMORE COUNTY.

1 (K) "DIRECTOR" MEANS THE DIRECTOR OF BUDGET AND FINANCE OR
2 THEIR DESIGNEE.

3 (L) "ELECTION CYCLE" HAS THE MEANING STATED IN TITLE 1, SUBTITLE 1
4 OF THE ELECTION LAW ARTICLE OF THE ANNOTATED CODE OF MARYLAND.

5 (M) "ELIGIBLE CONTRIBUTION" MEANS AN AGGREGATE DONATION IN A
6 FOUR-YEAR ELECTION CYCLE FROM AN INDIVIDUAL, INCLUDING AN
7 INDIVIDUAL WHO DOES NOT RESIDE IN THE COUNTY, THAT DOES NOT EXCEED
8 THE CONTRIBUTION LIMIT AS ESTABLISHED IN THIS TITLE.

9 (N) "FUND" MEANS THE CITIZENS ELECTION FUND REFERENCED IN
10 SECTION 1013 OF THE BALTIMORE COUNTY CHARTER, TO BE NAMED "THE
11 BALTIMORE COUNTY FAIR ELECTION FUND".

12 (O) "PARTICIPATING CANDIDATE" MEANS A CERTIFIED CANDIDATE WHO
13 HAS RECEIVED A PUBLIC CONTRIBUTION FROM THE FUND DURING THE
14 CURRENT ELECTION CYCLE.

15 (P) "PRINCIPAL POLITICAL PARTIES" HAS THE MEANING STATED IN TITLE
16 1, SUBTITLE 1 OF THE ELECTION LAW ARTICLE OF THE ANNOTATED CODE OF
17 MARYLAND.

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

20 (R) "QUALIFYING CONTRIBUTION" MEANS AN ELIGIBLE MONETARY
21 CONTRIBUTION IN SUPPORT OF AN APPLICANT CANDIDATE THAT IS:

22 (1) MADE BY A COUNTY RESIDENT;

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

3 (3) ACKNOWLEDGED BY A RECEIPT.

4 (S) "QUALIFYING PERIOD" MEANS:

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

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

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

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

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15 § 8-2-102. BALTIMORE COUNTY FAIR ELECTION FUND.

16 (A) THERE IS A NON-LAPSING BALTIMORE COUNTY FAIR ELECTION FUND.

17 (B) THE FUND SHALL CONSIST OF:

18 (1) MONEY APPROPRIATED TO THE FUND;

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

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

23 (4) ANY FINES COLLECTED UNDER § 8-2-112 OF THIS TITLE; AND

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

2 (C) THE FUND SHALL INCLUDE A SUBFUND WITHIN THE SYSTEM TO
3 WHICH CITIZENS MAY MAKE VOLUNTARY CONTRIBUTIONS AND FROM WHICH
4 DISBURSEMENTS SHALL BE MADE TO A PARTICIPATING CANDIDATE'S CITIZEN
5 FUNDED CAMPAIGN ACCOUNT BEFORE DISBURSEMENTS ARE MADE FROM THE
6 FUND RECEIVING THE APPROPRIATION PROVIDED FOR UNDER SUBSECTION (B)
7 OF THIS SECTION.

8 (D) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, IN EACH
9 FISCAL YEAR THE COUNTY EXECUTIVE SHALL INCLUDE IN THE ANNUAL
10 BUDGET AND APPROPRIATION ORDINANCE REQUIRED BY ARTICLE VII OF THE
11 CHARTER THE AMOUNT NECESSARY TO FULLY FUND THE BALTIMORE COUNTY
12 FAIR ELECTION FUND FOR THE ENSUING FISCAL YEAR, AS CALCULATED BY THE
13 COMMISSION.

14 (E) THE COUNTY EXECUTIVE IS NOT REQUIRED TO INCLUDE IN THE
15 ANNUAL BUDGET AND APPROPRIATION ORDINANCE THE AMOUNT REQUIRED BY
16 SUBSECTION (D) OF THIS SECTION IF:

17 (1) FOR THE CURRENT FISCAL YEAR, FUNDS HAVE BEEN OR ARE
18 BEING TRANSFERRED FROM THE REVENUE STABILIZATION ACCOUNT TO A
19 GENERAL FUND REVENUE ACCOUNT PURSUANT TO § 10-8-101 OF THE
20 BALTIMORE COUNTY CODE; OR

21 (2) NOT LATER THAN 120 DAYS PRIOR TO THE END OF THE FISCAL
22 YEAR, THE COUNTY EXECUTIVE CERTIFIES TO THE COUNTY COUNCIL THAT THE
23 COUNTY'S FISCAL CONDITION MAKES IT IMPRUDENT TO INCLUDE THE AMOUNT,

1 AND THE COUNTY COUNCIL APPROVES THE CERTIFICATION BY A VOTE OF NOT
2 LESS THAN A MAJORITY PLUS ONE OF ITS MEMBERS.

3
4 § 8-2-103. COLLECTING QUALIFYING CONTRIBUTIONS.

5 (A) BEFORE RAISING A CONTRIBUTION GOVERNED BY THIS TITLE, AN
6 APPLICANT CANDIDATE SHALL FILE NOTICE OF INTENT WITH THE STATE BOARD
7 IN THE MANNER THAT THE STATE BOARD REQUIRES AND ESTABLISH A CITIZEN
8 FUNDED CAMPAIGN ACCOUNT.

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

11 (I) ELIGIBLE CONTRIBUTIONS OF MORE THAN \$250 IN THE
12 AGGREGATE DURING AN ELECTION CYCLE; OR

13 (II) A LOAN.

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

17 (I) THE APPLICANT CANDIDATE;

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

19 (III) A SPOUSE;

20 (IV) A PARENT; OR

21 (V) A SIBLING.

22
23 § 8-2-104. REQUIREMENTS FOR CERTIFICATION.

1 (A) ~~AN APPLICATION TO APPLY~~ FOR CERTIFICATION:

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

4 (2) THE STATE BOARD MAY ONLY ACCEPT AN APPLICATION
5 DURING THE QUALIFYING PERIOD.

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

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

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

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

17 (II) A CAMPAIGN FINANCE REPORT THAT CONTAINS THE
18 INFORMATION THAT THE STATE BOARD REQUIRES FOR A CAMPAIGN FINANCE
19 REPORT AND THAT INCLUDES, BUT IS NOT LIMITED TO:

20 A. A LIST OF EACH QUALIFYING CONTRIBUTION
21 RECEIVED;

22 B. A LIST OF EACH EXPENDITURE MADE BY THE
23 CANDIDATE DURING THE QUALIFYING PERIOD;

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

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

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

8 (6) IF AN APPLICATION IS DENIED, THE APPLICANT MAY REVISE THE
9 APPLICATION ONCE IF SUBMITTED BEFORE THE DEADLINE.

10 (B) TO QUALIFY AS A CERTIFIED CANDIDATE:

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

13 (I) ~~500~~ 550 QUALIFYING CONTRIBUTIONS; AND

14 (II) AN AGGREGATE TOTAL OF ~~\$40,000~~ \$50,000 IN QUALIFYING
15 CONTRIBUTIONS.

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

18 (I) ~~425~~ 150 QUALIFYING CONTRIBUTIONS; AND

19 (II) AN AGGREGATE TOTAL OF ~~\$40,000~~ \$15,000 IN QUALIFYING
20 CONTRIBUTIONS.

21 (C) AN APPLICANT CANDIDATE SHALL DEPOSIT ALL CONTRIBUTIONS
22 RECEIVED INTO THE CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT AND
23 SHALL DELIVER TO THE STATE BOARD A COPY OF THE RECEIPT FOR EACH

1 QUALIFYING CONTRIBUTION THAT IDENTIFIES THE CONTRIBUTOR'S NAME AND
2 RESIDENTIAL ADDRESS THAT IS SIGNED BY THE CONTRIBUTOR DIRECTLY OR BY
3 A DIGITAL SIGNATURE USING A METHOD APPROVED BY THE STATE BOARD.
4

5 §8-2-105. STATE BOARD DETERMINATION.

6 (A) WITHIN 10 DAYS AFTER THE STATE BOARD RECEIVES A COMPLETE
7 APPLICATION FOR CERTIFICATION, THE STATE BOARD SHALL CERTIFY AN
8 APPLICANT CANDIDATE WHO QUALIFIES FOR CERTIFICATION.

9 (B) THE DECISION BY THE STATE BOARD WHETHER TO CERTIFY A
10 CANDIDATE IS FINAL.

11 (C) IF THE STATE BOARD CERTIFIES A CANDIDATE, THE STATE BOARD
12 SHALL SO NOTIFY THE DIRECTOR. AFTER NOTIFICATION, THE DIRECTOR SHALL
13 DISBURSE A PUBLIC CONTRIBUTION TO THE CANDIDATE'S CITIZEN FUNDED
14 CAMPAIGN ACCOUNT.
15

16 § 8-2-106. DISTRIBUTION OF PUBLIC CONTRIBUTION.

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

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

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

1 (2) A CERTIFIED CANDIDATE MAY CONTRIBUTE TO COLLECT
2 QUALIFYING CONTRIBUTIONS AND RECEIVE MATCHING PUBLIC CONTRIBUTION
3 UP TO A PRIMARY OR GENERAL ELECTION.

4 (3) THE DIRECTOR SHALL NOT DISBURSE A PUBLIC CONTRIBUTION
5 TO A CERTIFIED CANDIDATE IN AN ELECTION IN WHICH THE CANDIDATE IS THE
6 SOLE INDIVIDUAL WHO HAS FILED A CERTIFICATE OF CANDIDACY FOR THAT
7 OFFICE.

8 (B) (1) TO RECEIVE A PUBLIC CONTRIBUTION, A PARTICIPATING
9 CANDIDATE SHALL SUBMIT A RECEIPT TO THE STATE BOARD FOR EACH
10 QUALIFYING CONTRIBUTION.

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

13 (3) THE DIRECTOR SHALL DISBURSE THE APPROPRIATE PUBLIC
14 CONTRIBUTION TO A PARTICIPATING CANDIDATE'S CITIZEN FUNDED CAMPAIGN
15 ACCOUNT WITHIN FIVE DAYS AFTER THE STATE BOARD AUTHORIZES THE
16 PUBLIC CONTRIBUTION.

17 (C) AN INDIVIDUAL CONTRIBUTION OF LESS THAN \$5 SHALL NOT BE
18 CONSIDERED WHEN CALCULATING THE PUBLIC CONTRIBUTION UNDER THIS
19 SECTION.

20 (D) (1) FOR A CERTIFIED CANDIDATE FOR COUNTY EXECUTIVE, THE
21 PUBLIC CONTRIBUTION SHALL EQUAL:

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

1 (II) \$4 FOR EACH \$1 OF A QUALIFYING CONTRIBUTION
2 RECEIVED FOR THE SECOND \$50 OF EACH QUALIFYING CONTRIBUTION;
3 (III) \$2 FOR EACH \$1 OF A QUALIFYING CONTRIBUTION
4 RECEIVED FOR THE THIRD \$50 OF EACH QUALIFYING CONTRIBUTION; AND
5 (IV) \$0 FOR EACH \$1 OF A QUALIFYING CONTRIBUTION
6 RECEIVED BEYOND THE THIRD \$50 OF EACH QUALIFYING CONTRIBUTION.

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

9 (I) \$4 FOR EACH \$1 OF A QUALIFYING CONTRIBUTION
10 RECEIVED FOR THE FIRST \$50 OF EACH QUALIFYING CONTRIBUTION;
11 (II) \$3 FOR EACH \$1 OF A QUALIFYING CONTRIBUTION
12 RECEIVED FOR THE SECOND \$50 OF EACH QUALIFYING CONTRIBUTION;
13 (III) \$2 FOR EACH \$1 OF A QUALIFYING CONTRIBUTION
14 RECEIVED FOR THE THIRD \$50 OF EACH QUALIFYING CONTRIBUTION; AND
15 (IV) \$0 FOR EACH \$1 OF A QUALIFYING CONTRIBUTION
16 RECEIVED BEYOND THE THIRD \$50 OF EACH QUALIFYING CONTRIBUTION.

17 (3) THE TOTAL PUBLIC CONTRIBUTION PAYABLE TO A CERTIFIED
18 CANDIDATE FOR ~~THE ELECTION CYCLE, INCLUDING THE~~ EITHER A PRIMARY OR
19 GENERAL ELECTION; SHALL NOT EXCEED:

20 (I) \$750,000 FOR A CANDIDATE FOR COUNTY EXECUTIVE; AND
21 (II) \$80,000 FOR A CANDIDATE FOR COUNTY COUNCIL.

22 (4) THE DIRECTOR SHALL NOT DISTRIBUTE A PUBLIC
23 CONTRIBUTION BASED ON A CONTRIBUTION UNDER § ~~8-2-104(B)(2)~~ 8-2-103(B)(2)

1 OF THIS SECTION OR AN IN-KIND CONTRIBUTION OF PROPERTY, GOODS OR
2 SERVICES.

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

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

13 (7) THE DIRECTOR SHALL DISTRIBUTE A PUBLIC CONTRIBUTION TO
14 A CERTIFIED CANDIDATE NOMINATED BY PETITION OR BY A PARTY THAT IS NOT
15 A PRINCIPAL PARTY FOR THE GENERAL ELECTION ONLY IF THE CANDIDATE'S
16 NOMINATION IS CERTIFIED BY THE COUNTY BOARD.

17 (E) (1) A CERTIFIED CANDIDATE FOR COUNTY EXECUTIVE MAY NOT
18 MAKE EXPENDITURES FOR EITHER A PRIMARY OR GENERAL ELECTION OF MORE
19 THAN \$1,400,000 FROM THEIR CITIZEN FUNDED CAMPAIGN ACCOUNT.

20 (2) A CERTIFIED CANDIDATE FOR COUNTY COUNCIL MAY NOT
21 MAKE EXPENDITURES FOR EITHER A PRIMARY OR GENERAL ELECTION OF MORE
22 THAN \$150,000 FROM THEIR CITIZEN FUNDED CAMPAIGN ACCOUNT.
23

1 § 8-2-107. RETURN OF UNSPENT FUNDS.

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

7 (B) WITHIN 30 DAYS AFTER THE COUNTY BOARD CERTIFIES THE RESULTS
8 OF THE GENERAL ELECTION, A PARTICIPATING CANDIDATE SHALL RETURN TO
9 THE FUND ANY UNSPENT MONEY IN THE CANDIDATE'S CITIZEN FUNDED
10 CAMPAIGN ACCOUNT.

11
12 § 8-2-108. USE OF PUBLIC CONTRIBUTION.

13 (A) A PARTICIPATING CANDIDATE SHALL ONLY MAKE EXPENDITURES
14 FROM THE CITIZEN FUNDED CAMPAIGN ACCOUNT REGISTERED WITH THE STATE
15 BOARD FOR EXPENSES INCURRED FOR THE ELECTION.

16 (B) A PARTICIPATING CANDIDATE MAY NOT PAY IN ADVANCE FOR
17 PROPERTY, GOODS, OR SERVICES TO BE USED AFTER CERTIFICATION WITH NON-
18 QUALIFYING CONTRIBUTIONS RECEIVED BEFORE APPLYING FOR
19 CERTIFICATION.

20 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (C)(2) OF THIS
21 SUBSECTION, THE DIRECTOR SHALL REDUCE THE PUBLIC CONTRIBUTION TO A
22 PARTICIPATING CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT BY THE
23 TOTAL AMOUNT OF ALL EXPENDITURES MADE AFTER THE END OF THE

1 PREVIOUS ELECTION CYCLE FROM THE CANDIDATE'S NON-PARTICIPATING
2 CAMPAIGN ACCOUNT.

3 (2) EXPENDITURES MADE WITH CONTRIBUTIONS RECEIVED PRIOR
4 TO THE END OF THE PREVIOUS ELECTION CYCLE TOWARDS DEBTS ACCRUED
5 BEFORE THE END OF THE PREVIOUS ELECTION CYCLE SHALL NOT REDUCE THE
6 PUBLIC CONTRIBUTION TO A PARTICIPATING CANDIDATE'S CITIZEN FUNDED
7 CAMPAIGN ACCOUNT.

8 (D) A COMPLAINT ALLEGING AN IMPERMISSIBLE RECEIPT OR USE OF
9 FUNDS BY A PARTICIPATING CANDIDATE SHALL BE FILED WITH THE
10 COMMISSION.

11 (E) ON REQUEST OF THE COMMISSION, A PARTICIPATING CANDIDATE
12 SHALL PROVIDE THE COMMISSION WITH REASONABLE ACCESS TO THE
13 FINANCIAL RECORDS OF THE CANDIDATE'S CITIZEN FUNDED CAMPAIGN
14 ACCOUNT.

15
16 § 8-2-109. WITHDRAWAL.

17 (A) A PARTICIPATING CANDIDATE MAY WITHDRAW FROM PARTICIPATION
18 IF THE CANDIDATE FILES A STATEMENT OF WITHDRAWAL WITH THE STATE
19 BOARD AND THE COMMISSION IN THE FORM THAT THE STATE BOARD REQUIRES
20 AND TERMINATES CANDIDACY TO WITHDRAW FROM THE ELECTION
21 COMPLETELY OR WITHDRAWS PRIOR TO RECEIVING ANY PUBLIC
22 CONTRIBUTION.

1 (B) A PARTICIPATING CANDIDATE WHO WITHDRAWS UNDER SUBSECTION
2 (A) OF THIS SECTION:

3 (1) SHALL REPAY TO THE FUND THE FULL AMOUNT OF ANY PUBLIC
4 CONTRIBUTION RECEIVED, PLUS INTEREST ACCRUING FROM THE DATE OF
5 WITHDRAWAL AT THE SAME RATE AS THE CURRENT BANK PRIME LOAN RATE
6 AS REPORTED BY THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE
7 SYSTEM;

8 (2) SHALL REPAY THE FUND UNDER SUBSECTION (B)(1) OF THIS
9 SECTION BEFORE REPAYING ANY PERSONAL LOANS TO THE CANDIDATE'S
10 CAMPAIGN;

11 (3) SHALL BE PERSONALLY LIABLE FOR REPAYMENT IF THE FUNDS
12 REMAINING IN THE CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT AT
13 THE TIME OF WITHDRAWAL ~~OR~~ ARE INSUFFICIENT TO REPAY THE FUND UNDER
14 SUBSECTION (B)(1) OF THIS SECTION;

15 (C) THE COMMISSION MAY REDUCE ANY REPAYMENT UNDER
16 SUBSECTION (B)(1) OF THIS SECTION FOR A PARTICIPATING CANDIDATE WHO
17 MUST WITHDRAW FOR HEALTH REASONS OR OTHER CAUSE NOT WITHIN THE
18 CANDIDATE'S CONTROL AND MAY CONSIDER PERSONAL FINANCIAL HARDSHIP.

19
20 § 8-2-110. APPLICANT AND PARTICIPATING CANDIDATE RESTRICTIONS.

21 (A) AN APPLICANT CANDIDATE OR PARTICIPATING CANDIDATE SHALL
22 NOT ACCEPT:

1 (1) A PRIVATE CONTRIBUTION FROM ANY GROUP OR
2 ORGANIZATION, INCLUDING A POLITICAL ACTION COMMITTEE, A
3 CORPORATION, A LABOR ORGANIZATION, OR A STATE OR LOCAL CENTRAL
4 COMMITTEE OF A POLITICAL PARTY.

5 (2) PRIVATE CONTRIBUTIONS FROM AN INDIVIDUAL IN AN
6 AGGREGATE AMOUNT GREATER THAN \$250 DURING AN ELECTION CYCLE.

7 (B) AN APPLICANT CANDIDATE OR PARTICIPATING CANDIDATE SHALL
8 NOT:

9 (1) PAY FOR ANY CAMPAIGN EXPENSE WITH ANY CAMPAIGN
10 FINANCE ACCOUNT OTHER THAN THE CANDIDATE'S CITIZEN FUNDED
11 CAMPAIGN ACCOUNT AFTER FILING A NOTICE OF INTENT WITH THE STATE
12 BOARD TO SEEK PUBLIC FINANCING.

13 (2) BE A MEMBER OF A SLATE IN ANY ELECTION IN WHICH THE
14 CANDIDATE RECEIVES A PUBLIC CONTRIBUTION.

15 (3) ACCEPT A LOAN FROM ANYONE OTHER THAN THE CANDIDATE
16 OR THE CANDIDATE'S SPOUSE, PARENT, CHILD WHO IS AT LEAST 18 YEARS OLD,
17 OR SIBLING.

18 (4) TRANSFER MONEY TO THE CANDIDATE'S CITIZEN FUNDED
19 CAMPAIGN ACCOUNT FROM ANY OTHER CAMPAIGN FINANCE ENTITY, OR FROM
20 THE CANDIDATE'S CITIZEN FUNDED CAMPAIGN ACCOUNT TO ANY OTHER
21 CAMPAIGN FINANCE ENTITY.

1 (5) COORDINATE EXPENSES EXCEPT WITH OTHER PARTICIPATING
2 ~~CANDIDATE~~ CANDIDATES IF THE EXPENSES ARE SHARED EQUALLY AMONG THE
3 COORDINATING CANDIDATES.

4
5 § 8-2-111. VIOLATIONS.

6 (A) A VIOLATION OF THIS TITLE IS A CIVIL VIOLATION UNDER § 1-2-217 OF
7 THE COUNTY CODE AND SUBJECT TO THE FINE SET FORTH IN § 1-2-217(B)(1).

8 (B) THE CANDIDATE OR OFFICER FOUND TO BE RESPONSIBLE FOR THE
9 VIOLATION SHALL BE PERSONALLY RESPONSIBLE FOR THE FINE.

10
11 SECTION 2. AND BE IT FURTHER ENACTED, that this Act shall take effect 45 days
12 after the date of enactment.



LEGISLATION DETAIL

LEGISLATION _____

DISPOSITION _____

ENACTED _____

EFFECTIVE _____

AMENDMENTS _____

ROLL CALL - LEGISLATION

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Patoka
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

ROLL CALL - AMENDMENTS

MOTION		SECOND
AYE	NAY	
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Quirk
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<input type="checkbox"/>	<input type="checkbox"/>	Councilman Kach
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Jones
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Marks
<input type="checkbox"/>	<input type="checkbox"/>	Councilwoman Bevins
<input type="checkbox"/>	<input type="checkbox"/>	Councilman Crandell

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