

Expedited Bill No. 25-17
Concerning: Elections – Public Campaign
Financing - Amendments
Revised: June 26, 2017 Draft No. 1
Introduced: July 11, 2017
Enacted: July 25, 2017
Executive: August 1, 2017
Effective: August 1, 2017
Sunset Date: None
Ch. 23, Laws of Mont. Co. 2017

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

Lead Sponsors: Councilmember Navarro, Vice President Riemer and Councilmembers Katz and Elrich

AN EXPEDITED ACT to:

- (1) permit a candidate to correct a mistake in an application for certification within a certain time;
- (2) clarify that a candidate may receive a matching public contribution during the general election for certain unmatched qualifying contributions received during the primary election;
- (3) permit a candidate to use unspent funds returned to the County after an election as a credit against any repayment required for a public contribution mistakenly received; and
- (4) generally amend the law concerning public campaign financing for County elections.

By amending

Montgomery County Code
Chapter 16, Elections
Section 16-22 and 16-23

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Sections 16-22 and 16-23 are amended as follows:

16-22. Board determination.

(a) The Board must certify an applicant candidate if the Board finds that the candidate has received the required number of qualifying contributions and the required aggregate total dollars for the office no later than 10 business days after receiving:

(1) a declaration from the candidate agreeing to follow the regulations governing the use of a public contribution;

(2) a campaign finance report that includes:

(A) a list of each qualifying contribution received;

(B) a list of each expenditure made by the candidate during the qualifying period; and

(C) the receipt associated with each contribution and expenditure; and

(3) a certificate of candidacy for a covered office.

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

(c) A candidate may submit only one application for certification for any election. A candidate may correct any mistakes in the application for certification within the earlier of:

(1) 10 business days after receiving notice that the Board denied the application; or

(2) the end of the qualifying period.

(d) If the Board certifies a candidate, the Board must authorize the Director to disburse a public contribution to the candidate's publicly funded campaign account.

16-23. Distribution of public contribution.

* * *


- 28 (h) A participating candidate must submit a receipt for each qualifying
29 contribution to the Board to receive a public contribution. The Director
30 must deposit the appropriate public contribution into a participating
31 candidate's publicly funded campaign account within 3 business days
32 after the Board authorizes the public contribution.
- 33 (i) A candidate may receive a matching public contribution during the
34 general election for an unmatched qualifying contribution received
35 during the primary election after the candidate has received the maximum
36 public contribution for the primary election if the candidate is otherwise
37 eligible to receive matching public contributions during the general
38 election.
- 39 (j) If the Director mistakenly distributes a public contribution to a candidate
40 greater than the candidate was entitled to receive, the candidate must
41 repay the funds mistakenly distributed within 5 business days after being
42 notified of the mistake. Any unspent funds returned to the County after
43 an election may be used as a credit against any repayment required for a
44 public contribution mistakenly received.
- 45 (k) *Consumer Price Index adjustment.* The Chief Administrative Officer
46 must adjust the public contribution limits established in Subsection (a)(3)
47 and the eligible contribution limit established in Subsection (c), effective
48 July 1, 2018, and July 1 of each subsequent fourth year, by the annual
49 average increase, if any, in the Consumer Price Index for the previous 4
50 calendar years. The Chief Administrative Officer must calculate the
51 adjustment to the nearest multiple of 10 dollars, and must publish the
52 amount of this adjustment not later than March 1 of each fourth year.

53 **Sec. 2. Expedited Effective Date.**

54 The Council declares that this legislation is necessary for the immediate

55 protection of the public interest. This Act takes effect on the date on which it becomes
56 law.

Approved:

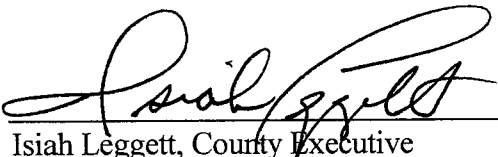


Roger Berlmer, President, County Council

7/26/17

Date

Approved:

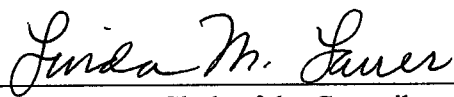


Isiah Leggett, County Executive

8/1/17

Date

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council

8/2/17

Date