

**A009-0506**

10 AN ACT CONCERNING

20 **The Establishment of State Financed Campaigns and Elections at the Federal, State and Local Levels**  
30 **in the State of Maryland**

40 FOR the purpose of the creation of an act that establishes publicly financed federal, state, and local  
50 campaigns and elections in the State of Maryland in accordance to Maryland's historic democratic  
60 tradition.

70 SECTION 1: BE IT ENACTED BY THE MARYLAND STUDENT LEGISLATURE

80 That the laws of Maryland read as follows:

90 Article - Publicly Financed Campaigns and Elections - General

100 (a) That any candidate or political party who obtains the signatures of ten (10%) of the population in an  
110 electoral district reserves the right to request a public financed campaign and election when the individual  
120 is running for office at the federal, state and local level in the State of Maryland.

130 (b) That the candidate receives their party nomination after primary elections.

140 (c) The candidate must be a Maryland resident who has resided in the state for no more than two (2) years.

150 (d) Publicly financed campaigns and elections will be open to all parties and individuals. Funds will not  
160 be withheld based on their political beliefs, sexual orientation, race or religion.

170 (e) All funds that are not exhausted immediately following an election must be returned to state coffers  
180 within fourteen (14) days. Campaign funds cannot be allocated to another person's campaign after an  
190 election and cannot be donated to charity.

200 (f) Publicly financed campaigns can begin eight (8) months before the date of an election.

210 (g) Individuals running for office must forgo the right to privately raise money for campaigns or political  
220 action committees.

230 (h) Once a candidate declares that they will accept a publicly financed campaign, they cannot stop during  
240 the campaign cycle and forgo the funding and begin to accept campaign funds from private sources.

250 (i) Those candidates that meet the above-mentioned guidelines and are eligible to run for office in the State  
260 of Maryland and decide to participate in a publicly financed United States Senate race are eligible to  
270 receive One Million Two Hundred Thousand dollars (\$1,200,000) toward their campaign.

280 (j) Those candidates that meet the above-mentioned guidelines and are eligible to run for office in the State  
290 of Maryland and decide to participate in a publicly financed United States House of Representatives race  
300 are eligible to receive Seven Hundred Thousand dollars (\$700,000) toward their campaign.

310 (k) Those candidates that meet the above-mentioned guidelines and are eligible to run for office in the State  
320 of Maryland and decide to participate in a publicly financed Governor's race are eligible to receive One  
330 Million Two Hundred and Fifty Thousand dollars (\$1,250,000) toward their campaign.

340 (l) Those candidates that meet the above-mentioned guidelines and are eligible to run for office in  
350 the State of Maryland and decide to participate in a publicly financed state level election other  
360 than the House of Delegates or the Senate are eligible to receive Seven Hundred Thousand dollars  
370 (\$700,000) toward their campaign.

380 (m) Those candidates that meet the above-mentioned guidelines and are eligible to run for office in the  
390 State of Maryland and decide to participate in a publicly financed state level election, either running for the  
400 House of Delegates or the Senate are eligible to receive Eighty Thousand dollars (\$80,000) toward their  
410 campaign.

420 (n) Those candidates that meet the above-mentioned guidelines and are eligible to run for office in the  
430 State of Maryland and decide to participate in a publicly financed local level election, either at the county  
440 or municipal level are eligible to receive Fifty Thousand dollars (\$50,000) toward their campaign.

450 (o) The activities that come under the aegis of a publicly financed campaign and election in the State of  
460 Maryland and are regulated by the above-mentioned guidelines include public communication; which  
470 refers to such communication that clearly identifies a specific candidate and either promotes, supports,  
480 attacks or opposes a candidate for office in the State of Maryland. The media is exempt from such  
490 regulation. Other activities that are in the category of a publicly financed campaign and election are voter  
500 registration drives, and voter identification or get out the vote drives. Internet activity such as maintaining  
510 websites and or blogs do not fall under aforesaid regulation.

## 520 Article - Publicly Financed Campaigns and Elections - Penalties

530 (a) Candidates who accept public financed campaigns eight (8) months before a campaign cycle begins  
540 and subsequently solicits funds from private sources faces the following penalties:

550 (1) The inability to participate in an election if such facts are ascertained by the Maryland State  
560 Board of Elections and the Maryland Attorney General's Office.

570 (2) If the information is discovered that a candidate received public funds to finance a campaign  
580 and also illegally received campaign funds from private sources, the candidate who committed  
590 such fraud must either resign in thirty (30) days after an investigation is completed and or is  
600 impeached by the perspective house in the legislature that the politician resides in or by their  
610 contemporaries in the same level of office in their district, so as long as it does not conflict with  
620 federal laws. If found guilty, the politician cannot participate in any federal, state and local  
630 elections in the State of Maryland for a period of four (4) years. The Maryland State Board of  
640 Elections and the Maryland Attorney General's Office can also launch suit against a politician for  
650 defrauding the public and can serve a maximum prison sentence of ten (10) years in prison and or  
660 a maximum fine of Two Hundred and Fifty Thousand dollars (\$250,000).

670 (3) If the information is discovered that a candidate received public funds to finance a campaign  
680 and subsequently accepted private funds and has retired from office, the former politician can be  
690 prosecuted by the Maryland Attorney General's Office with the assistance of the Maryland State  
700 Board of Elections for defrauding the public. If the former politician is found guilty, the former  
710 politician cannot participate in any federal, state and local elections in the State of Maryland for a  
720 period of four (4) years. If found guilty, the former politician can serve a maximum prison  
730 sentence of ten (10) years in prison and or a maximum fine of Two Hundred and Fifty thousand  
740 dollars (\$250,000).

750 (4) If an investigation launched by the Maryland State Board of Elections and or the Maryland  
760 Attorney General's Office determines that a private or public party that knowingly contributed  
770 illegally to a campaign of a politician who is either running for a federal, state, or local level office  
780 in the State of Maryland can be prosecuted by the Maryland Attorney General's Office for fraud.  
790 The parties involved can serve a maximum prison sentence of ten (10) years in prison and or a  
800 maximum fine of Two Hundred and Fifty Thousand dollars (\$250,000).

## 810 Article - Publicly Financed Campaigns and Elections - Revenue Source

820 (a) Campaign finances will be derived from the following three sources of funds:

830 (1) The General Fund of the State of Maryland,

840 (2) an optional Five dollar (\$5.00) tax deduction on the State of Maryland payroll tax forms,

850 (3) and by an increase in the lobbyist registration fees collected by the State of Maryland from  
860 Fifty dollars (\$50.00) to Two Hundred dollars (\$200.00).

870 SECTION 2: AND BE IT FURTHER ENACTED that the Attorney General upon careful evaluation of the  
880 above mentioned sections be authorized to make any technical corrections necessary to ensure agreement  
890 within the text of the Constitution and the Standing Rules of Order of the Maryland General Assembly.

900 SECTION 3: AND BE IT FURTHER ENACTED that this act shall take effect the day after Election Day,  
910 November, 7<sup>th</sup>, 2006.

920 MANDATES: Governor Robert L. Ehrlich  
930 Lt. Governor Michael S. Steele  
940 Attorney General J. Joseph Curran, Jr.  
950 Senate President Thomas V. "Mike" Miller, Jr.  
960 Speaker of the House of Delegates Michael E. Busch

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