

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
Legislative Session 2019, Legislative Day No. 4

Bill No. 3-19

Mr. Tom Quirk, Chairman
By Request of County Executive

By the County Council, February 19, 2019

A BILL
ENTITLED

AN ACT concerning

County Charter – Citizens' Election Fund System

FOR the purpose of requiring the County Council to establish a Citizens' Election Fund System for candidates for County Council and County Executive; providing that the law shall allow candidates to choose whether to participate in the system, establishing a Citizens' Election Fund Commission; requiring the commission to make a certain calculation; providing for the funding of the system; requiring the creation of a certain subfund; authorizing voluntary contributions; providing for the order of certain disbursements; authorizing the County Executive to not fund the system under certain circumstances; and generally relating to the establishment of a Citizens' Election Fund System.

By adding

Section 1013
Article X. Miscellaneous
Baltimore County Charter

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.

SECTION 1. BE IT ENACTED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that under the authority granted to it by Section 1202 of the Baltimore County Charter, the Baltimore County Charter shall read as follows:

Article X. Miscellaneous

SECTION 1013. CITIZENS' ELECTION FUND SYSTEM.

(A) (1) THE COUNTY COUNCIL SHALL, BY LAW, ESTABLISH A CITIZENS' ELECTION FUND SYSTEM FOR CANDIDATES FOR COUNTY COUNCIL AND COUNTY EXECUTIVE BEGINNING WITH THE GENERAL ELECTION TO BE HELD IN 2026.

(2) THE LAW SHALL INCLUDE, BUT NOT BE LIMITED TO, PROVISIONS THAT:

(I) ALLOW CANDIDATES TO CHOOSE WHETHER TO PARTICIPATE IN THE CITIZENS' ELECTION FUND SYSTEM;

(II) ESTABLISH A CITIZENS' ELECTION FUND COMMISSION CONSISTING OF SEVEN COUNTY RESIDENTS APPOINTED BY THE COUNTY COUNCIL AND TWO COUNTY RESIDENTS APPOINTED BY THE COUNTY EXECUTIVE, AND PROVIDE FOR THE QUALIFICATIONS, TERMS, AND OFFICERS OF THE COMMISSION; ~~AND~~

(III) REQUIRE THE COMMISSION TO CALCULATE, NOT LATER THAN 180 DAYS PRIOR TO THE END OF THE FISCAL YEAR, THE TOTAL AMOUNT ESTIMATED FOR THE FULL ELECTION CYCLE AND THE AMOUNT TO BE INCLUDED IN THE

CURRENT EXPENSE BUDGET FOR THE ENSUING FISCAL YEAR TO FULLY FUND
THE CITIZENS' ELECTION FUND ~~SYSTEM.~~ SYSTEM; AND

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

(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, IN EACH
FISCAL YEAR THE COUNTY EXECUTIVE SHALL INCLUDE IN THE ANNUAL
BUDGET AND APPROPRIATION ORDINANCE REQUIRED BY ARTICLE VII OF
THE CHARTER THE AMOUNT NECESSARY TO FULLY FUND THE CITIZENS'
ELECTION FUND SYSTEM FOR THE ENSUING FISCAL YEAR, AS
CALCULATED BY THE COMMISSION.

(C) THE EXECUTIVE IS NOT REQUIRED TO INCLUDE IN THE ANNUAL BUDGET
AND APPROPRIATION ORDINANCE THE AMOUNT REQUIRED BY SUBSECTION
(B)(4) OF THIS SECTION IF:

(1) ~~DURING FOR~~ THE CURRENT FISCAL YEAR, FUNDS HAVE BEEN OR ARE
BEING TRANSFERRED FROM THE REVENUE STABILIZATION RESERVE
ACCOUNT TO THE A GENERAL FUND IN THE CURRENT EXPENSE BUDGET
REVENUE ACCOUNT PURSUANT TO § 10-8-101 OF THE BALTIMORE
COUNTY CODE, AS AMENDED; OR

- (2) NOT LATER THAN 120 DAYS PRIOR TO THE END OF THE FISCAL YEAR, THE EXECUTIVE CERTIFIES TO THE COUNTY COUNCIL THAT THE COUNTY'S FISCAL CONDITION MAKES IT IMPRUDENT TO INCLUDE THE AMOUNT, AND THE COUNTY COUNCIL APPROVES THE CERTIFICATION BY A VOTE OF NOT LESS THAN A MAJORITY PLUS ONE OF ITS MEMBERS.

SECTION 2. AND BE IT FURTHER ENACTED, that pursuant to Section 1202 of the Baltimore County Charter, the question of whether or not the Charter is to be amended as proposed by this Act shall be submitted to the voters of Baltimore County at the general election on November 3, 2020, and that this Act shall be published in at least two newspapers of general circulation in the County for five successive weeks prior to the election.

SECTION 3. AND BE IT FURTHER ENACTED, that upon ratification by the voters of Baltimore County, this Act shall become effective from and after the thirtieth day following said election.