



Montgomery County's Public Election Fund

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Montgomery County’s Public Election Fund

OLO Report 2024-16

EXECUTIVE SUMMARY

October 22, 2024

The Council asked the Office of Legislative Oversight (OLO) to review the impacts and effectiveness of Montgomery County’s public campaign finance program – the Public Election Fund (PEF) – established in 2014 under parameters set out in state law. OLO was asked to identify relevant amendments to consider for updates to the County’s PEF law, examine public campaign finance programs in other jurisdictions, and summarize data on the Public Election Fund since its first use in the 2018 elections.

Public Campaign Finance

Campaign spending in the United States has ballooned in recent years – with \$14.4 billion spent for presidential and congressional candidates in 2020. The Pew Research Center found that two-thirds of Americans support more limits on campaign spending and a reduction in the role of money in politics.

Campaign finance laws set guidelines for, among other things, how candidates for public elected office are allowed to raise and spend money, who can contribute to candidates, and public reporting requirements to verify candidates are following the laws.

Public campaign finance programs provide candidates public funds to campaigns expenses – often by matching contributions raised by candidates with public funds to multiply the effect of individual contributions. Public finance programs are voluntary and candidates that do not want to participate follow a jurisdiction’s traditional campaign finance laws. Common characteristics of public finance programs include:

- ✓ Lower contribution limits and different limits on campaign fundraising and spending
- ✓ Minimum requirements a candidate must satisfy to qualify for public funding
- ✓ A formula establishing how much public funding a candidate can receive
- ✓ Additional reporting requirements

In the U.S., at least 14 states and 26 local jurisdictions have active public campaign finance programs.

Public Election Fund: Funding and Participation

In the 2018 elections, 40 candidates signed up to participate in the PEF in Montgomery County; 23 were certified to receive public funding. In 2022, 30 candidates signed up to participate; 20 were certified to receive public funding.

The Public Election Fund currently has \$4.6M in advance of the 2026 elections. The County distributed \$5.3M to candidates in 2018 and \$3.7M to candidates in 2022.

Number of Candidates by Funding Source, 2018 and 2022 Election Cycles

	Total	Traditional Funding	PEF Applied	PEF Certified*
2018	69*	29	40	23
2022	65*	37	30	20

PEF Fund Balances and Distributed Funds, 2018 and 2022 Election Cycles

	Opening Balance	PEF Funds Distributed	Ending Balance
2018	\$11.0M	(\$5.3M)	\$1.8M*
2022	\$5.0M	(\$3.7M)	\$3.8M
Est. funding avail.	\$4.6M		

*Includes candidates participating in PEF (not all on the primary ballot), initially registered as a candidate, and on ballot for primary election

**“Certified” means a candidate met all the requirements to receive public funding from the PEF

* In 2018, the County transferred \$4M appropriated for the PEF back to the General Fund

Public Election Fund: Qualifying to Receive Public Funds

The PEF program matches contributions raised by candidates with public funds. Candidates for County Executive and County Council in Montgomery County can participate. The following describes the roles and responsibilities of stakeholders.

Participating Candidates	<ul style="list-style-type: none"> • Raise a minimum # of contributions from County residents that total a minimum dollar amount • Contributions from individuals only, limited to \$250 per donor per election cycle • First \$150 of qualifying contributions matched with public funds • File campaign finance reports with state w/ pdf copies of contribution and spending receipts
State Board of Elections	<ul style="list-style-type: none"> • Certifies candidates to receive public funds if they meet County’s minimum requirements • Calculates public funds due to a candidate • Notifies director of Department of Finance amount of public money due to a candidate
Director of Finance	<ul style="list-style-type: none"> • Transfers funds from the County to candidate bank accounts • Tracks PEF fund balance and candidate participation
Consumer Protection	<ul style="list-style-type: none"> • Liaison for the PEF program between County Government, candidates, and the public

Candidate for	Qualifying Minimum Contributions to Qualify for Public Funding		Maximum Public Funds Per Candidate per Election
	Minimum #	Minimum \$	Maximum \$
County Executive	500	\$40,000	\$750,000
At-Large Councilmember	250	\$20,000	\$250,000
District Councilmember	125	\$10,000	\$125,000

Matching Formula

Number of Public Dollars Received per One Contributed Dollar

Candidate for	Contribution Amount			
	\$1 - \$50	\$51 - \$100	\$101 - \$150	\$151-\$250
County Executive	\$6:\$1	4:1	2:1	0
Councilmember	\$4:\$1	3:1	2:1	0

Public Election Fund: Stakeholder Feedback

OLO interviewed some PEF program participants; staff from the County’s Office of Consumer Protection, Office of the County Attorney, and Department of Finance; County Council central staff; State Board of Elections staff; and a former Public Election Fund Committee member. OLO administered a survey to candidates (and campaign staff) in the 2022 elections.

Overall Program Feedback

- Campaigns’ interactions with County staff and State Board of Elections staff were generally good
- Candidates who did not participate in public financing chose not to for various reasons
- There are areas in the County law that need clarification before the next election

Program Participation

- A requirement to pay back all PEF funds, even if already spent by a candidate, make it difficult to drop out of the PEF
- Some prohibitions on candidates, especially around coordination with other candidates and organizations/advocacy groups, can make the process difficult
- The state’s online campaign finance reporting system – the Maryland Campaign Reporting Information System (MDCRIS) – is difficult to use, not intuitive, and the process for uploading receipts is arduous

Public Campaign Finance Programs in Other Maryland Jurisdictions

Five other Maryland jurisdictions have adopted local legislation to establish public campaign finance programs with the same general structure as Montgomery County. Several program components, however, vary from jurisdiction to jurisdiction. In 2022, candidates were able to participate in public funding in Montgomery County, Howard County, and Baltimore City. Prince George’s County, Baltimore County, and Anne Arundel County plan to implement their programs in 2026.

Eligible Offices		Contribution Limits: Public Funding (Traditional Funding)	Qualifying Contributions Min. #, Min. \$	Maximum Public Funds*		Campaign Expenditure Limits	Law Allows Candidate Affiliation
Montgomery County	County Executive	\$250 (\$6K)	500, \$40K	\$750K		X	X
	At-Large CM	\$250 (\$6K)	250, \$20K	\$250K			
	District CM	\$250 (\$6K)	125, \$10K	\$125K			
				Per Election			
Howard County	County Executive	\$250 (\$6K)	500, \$40K	\$700K		X	✓
	Councilmember	\$250 (\$6K)	125, \$10K	\$85K			
				Per Election Cycle			
Baltimore City	Mayor	\$150 (\$6K)	500, \$40K	Matching Funds \$1.5M	Qualifying Boost \$200K	X	✓
	Council President	\$150 (\$6K)	250, \$15K	\$375K	\$50K		
	Comptroller	\$150 (\$6K)	250, \$15K	\$200K	\$50K		
	City CM	\$150 (\$6K)	150, \$5K	\$125K	--		
				Per Election Cycle	One Time		
Prince George’s County	County Executive	\$250 (\$6K)	500, \$40K	\$750K		X	✓
	At-Large CM	\$250 (\$6K)	250, \$15K	\$200K			
	District CM	\$250 (\$6K)	150, \$7.5K	\$75K			
				Per Election Cycle			
Baltimore County	County Executive	\$250 (\$6K)	550, \$50K	\$750K		\$1,400,000	✓
	Councilmember	\$250 (\$6K)	150, \$15K	\$80K			
				Per Election		Per Election	
Anne Arundel County	County Executive	\$250 (\$6K)	500, \$40K	\$750K		X	X
	Councilmember	\$250 (\$6K)	75, \$7.5K	\$125K			
				Per Election Cycle			

* “Per election” means the program component applies to each election in an election cycle – the primary election and the general election separately. “Per election cycle” means the program component applies to the entire cycle – the primary and the general election together.

Public Campaign Finance Programs in Local Jurisdictions Outside Maryland

OLO analyzed seven local public campaign finance programs in:

- District of Columbia
- Tucson, Arizona
- Miami-Dade County, Florida
- Denver, Colorado
- New York City, New York
- San Francisco, California
- Seattle, Washington

Program components varied widely from jurisdiction to jurisdiction.

- All seven jurisdictions require candidates to raise a certain number of qualifying contributions to meet the requirements to receive public funds. In six of the seven jurisdictions, qualifying contributions must be from individuals living in a candidate's jurisdiction. Only one jurisdiction permits qualifying contributions from businesses.
- Five of the seven jurisdictions set maximum campaign expenditure limits for publicly funded candidates.
- Five of the seven jurisdictions require publicly funded candidates to submit copies of individual contribution and spending receipts with requests for public funds. One jurisdiction requires candidate to submit receipts in a post-election audit.

Contribution Limits: Public Funding vs. Traditional Campaign Financing

In most jurisdictions outside of Maryland that OLO analyzed, traditionally funded candidates can raise \$1-\$2 for every \$1 raised by a publicly funded candidate. In the District of Columbia, traditionally funded candidates can raise \$10 for every \$1 raised by a publicly funded candidate. In Montgomery County, traditionally funded candidates can raise \$24 for every \$1 raised by a publicly funded candidate.

OLO Recommendations

Based on OLO's review of the workings of the County's public campaign finance law and laws in other jurisdictions, OLO has five primary recommendations for Council action or consideration:

- #1.** Alter the PEF law to clarify the language around CPI-based adjustments to program limits and remove the requirement in the law for a Public Election Fund Committee.
- #2.** Ask the Executive to clarify the scope of the audit requirement in executive regulations.
- #3.** Review and potentially revise the maximum contribution limit for publicly funded candidates in Montgomery County.
- #4.** Discuss and consider whether differences in the programs in the other Maryland jurisdictions could enhance Montgomery County's PEF if implemented here.
- #5.** Ask the State Board of Elections for clarification of how the boundaries set in state and County law impact outside organizations' campaign activities and interactions with PEF candidates.

For a complete copy of OLO-Report 2024-16, go to:

<https://www.montgomerycountymd.gov/OLO/Reports/CurrentOLOReports.html>

OLO Report 2024-16

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Appendix A OLO Survey on Montgomery County Public Election Fund

Introduction

Publicly funded campaign finance programs can create an incentive for candidates to connect with and receive contributions from the constituents they seek to represent. By agreeing to program restrictions on campaign fundraising and spending, such as accepting only small contributions from individual donors, candidates can receive public funds from the government – helping to “level the playing field” with traditionally funded candidates who often receive fewer, but larger contributions.

These programs can also encourage a wider range of candidates to run for elected office, limit the power of special interest groups, and put more focus on voter engagement and policy, instead of fundraising.¹ Because programs use taxpayer resources, programs should be designed and implemented effectively – to make it as easy as possible for candidates to participate while minimizing the potential for misuse of public funds.

For this report, the Council asked the Office of Legislative Oversight (OLO) to review the impacts and effectiveness of Montgomery County’s Public Election Fund (PEF). OLO was asked to identify relevant amendments to consider to update the County’s PEF law, research public financing laws from other jurisdictions, and summarize data on the use of the public campaign finance law since its first use in the 2018 elections.

The report is organized as follows:

- **Chapter 1 – Background on Campaign Finance Programs** describes the purpose of campaign finance programs;
- **Chapter 2 – Public Campaign Finance Law in Maryland and Montgomery County** summarizes the state and local laws that create and govern the County’s public campaign finance program – the Public Election Fund;
- **Chapter 3 – Implementation of the Public Election Fund Law** describes implementation of the PEF by state and County staff;
- **Chapter 4 – Public Election Fund Statistics** provides data analysis of PEF’s budget, funding changes, and distributions to candidates since its inception;
- **Chapter 5 – Local Public Campaign Finance Programs in Maryland** compares the six public campaign finance programs in local Maryland jurisdictions;

¹ [The Pros and Cons of Publicly Funded Elections](#), by GoodParty.org, May 22, 2024.

- **Chapter 6 – Public Campaign Finance Programs in Jurisdictions Outside Maryland** describes the components of public campaign finance programs in local jurisdictions outside Maryland and compares them to Montgomery County’s PEF;
- **Chapter 7 – Stakeholder Comments** summarizes feedback that OLO received on the Public Election Fund program;
- **Chapter 8 – Findings** summarizes the report’s findings; and
- **Chapter 9 – Recommendations** outlines OLO recommendations for Council action.

OLO staff members Leslie Rubin and Blaise DeFazio conducted this study with assistance from Kristen Latham, Stephen Roblin, Natalia Carrizosa, and Karen Pecoraro. OLO received a high level of cooperation from everyone involved in this study and appreciates the information and insights shared by all who participated. In particular, OLO thanks:

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Other

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Methodology. To prepare this report, OLO gathered information through document reviews, data analysis, and interviews with staff from the County and the Maryland State Board of Elections. OLO also disseminated a survey to candidates who ran for County Executive or County Council in Montgomery County in the 2022 elections.

This report includes descriptions of campaign finance laws from jurisdictions in other states. While OLO has endeavored to accurately reflect the substance of the laws based on the sources reviewed, OLO notes that the descriptions of these laws have not been reviewed for accuracy by legal professionals versed in those laws.

Chapter 1. Background on Campaign Finance Programs

Every state in the U.S. and many local jurisdictions have laws governing elections at the federal, state, and local levels. Maryland law on elections emphasizes that the laws are established to ensure the public have confidence and trust in elections that occur in the state:¹

The intention of this article [of law] is that the conduct of elections should inspire public confidence and trust by assuring that:

- (1) all persons served by the election system are treated fairly and equitably;
- (2) all qualified persons may register and vote and that those who are not qualified do not vote;
- (3) those who administer elections are well-trained, that they serve both those who vote and those who seek votes, and that they put the public interest ahead of partisan interests;
- (4) full information on elections is provided to the public, including disclosure of campaign receipts and expenditures;
- (5) citizen convenience is emphasized in all aspects of the election process;
- (6) security and integrity are maintained in the casting of ballots, canvass of votes, and reporting of election results;
- (7) the prevention of fraud and corruption is diligently pursued; and
- (8) any offenses that occur are prosecuted.

Among other major topics, Maryland election law sets out rules and processes for:

- **Voter registration and voting** – who is allowed to vote in elections and how people cast votes;
- **Candidates** – who is eligible to run for office and processes that candidates must follow;
- **Elections** – establishing processes for conducting elections; and
- **Campaign finance** – governing “the raising and spending money in connection with an effort to promote or assist in the promotion of the success or defeat of a candidate, political party, or question.”²

The focus of this Office of Legislative Oversight (OLO) report is on campaign finance. Readers should note that campaign finance laws, in general, are exceedingly complex and vary

¹ Md. Code Ann., [Election Law](#) § 1-201.

² [Summary Guide to Maryland Candidacy and Campaign Finance Laws](#), Maryland State Board of Elections § 1.2.

Background on Campaign Finance Programs

significantly from state to state, and even from state to local jurisdictions within a state. In Maryland, candidates in local jurisdictions primarily follow campaign finance laws established in state law. In some states, local jurisdictions enact their own campaign finance laws that may differ from state law.

This chapter is organized as follows:

- Section A provides a brief overview of campaign finance; and
- Section B describes public campaign finance programs and which jurisdictions have them.

A. Campaign Finance

To run a campaign for elected office, candidates spend funds on campaign staff, office space, advertisements, bumper stickers, yard signs, polling, and food, among other things. Jurisdictions often have extensive campaign finance laws that dictate:

- Who can contribute to a campaign (e.g., individuals, businesses and organizations, unions);
- How much one can contribute to a campaign;
- How a campaign is allowed to spend funds; and
- How a campaign is required to report the funds it collects and spends.

The rules vary widely from state to state:

- In Maryland, the most that a state or local candidate can receive from an individual/business/union in an election cycle is \$6,000.
- In Washington, D.C., the limit is \$2,000.
- In Miami-Dade County, Florida, the limit is \$1,000.
- In Seattle, Washington, the limit is \$1,190 but candidates cannot take contributions from businesses, unions, or associations.

In addition to donating to candidate's campaigns, individuals can also donate money to political action committees (PACs), organizations that raise money to campaign for or against certain candidates, ballot issues, and/or legislation. In many circumstances, individuals can donate to PACs and PACs can spend unlimited amounts of money to campaign for or against a candidate or issue, leading to historical amounts of spending on federal, state, and local elections in the United States. Political spending for president and congressional candidates in the 2020 election was

approximately \$14.4 billion, the most of any federal election.³ Stakeholders assert that “a handful of wealthy special interests dominate political funding, often through super PACs and shadowy nonprofits that shield donors’ identities.”⁴

In 2018, the Pew Research Center found that two-thirds of Americans support more limits on campaign spending and a reduction in the role of money in politics.⁵ One approach to limiting money in political campaigns is through public campaign finance programs.

B. Public Campaign Finance Programs

The Brennan Center for Justice, a strong advocate of public campaign finance, describes programs this way:

Public financing programs — which are all optional — give candidates who can demonstrate sufficient community support an alternative to fundraising from wealthy donors or special interests. Small donor match systems use public funds to match low-dollar contributions from state or local residents to participating candidates. These programs help candidates build broad bases of support, allow elected officials to spend more time connecting with their constituents, and amplify the voices of everyday voters.⁶

According to the Brennan Center, at least 14 states and 26 local jurisdictions have active public campaign finance programs.⁷ The oldest state-run programs were established in 1974 (Maryland, Minnesota, New Jersey) and the oldest local program was established in 1985 (Tucson, AZ). The table on the next page lists these jurisdictions.

³ Karl Evers-Hillstrom, “[Most expensive ever: 2020 election cost \\$14.4 billion](#),” Open Secrets (2021).

⁴ “[Why It Matters](#),” Brennan Center for Justice.

⁵ Bradley Jones, “[Most Americans want to limit campaign spending, say big donors have greater political influence](#),” PEW Research Center (2018).

⁶ Mariana Paez and Ian Vandewalker, “[Small Donor Public Financing Explained](#),” Brennan Center for Justice (2023).

⁷ “[Guide to Public Financing Programs Nationwide](#),” Brennan Center for Justice (2024).

Table 1. Jurisdictions with Public Campaign Finance Programs

States	Estab.	Program Type	Eligible Offices
Arizona	1998	Full grants	Statewide offices, legislature
Connecticut	2005	Full grants	Statewide offices, legislature
Florida	1986	Small donor multiple match	Statewide offices
Hawaii	1979	Small donor single match	Statewide offices, legislature, county offices
Maine	1996	Full grants	Governor, legislature
Maryland	1974	Small donor progressive match	Governor
Massachusetts	1975	Small donor single match	Statewide offices
Michigan	1976	Small donor multiple match and partial grants	Governor
Minnesota	1974	Partial grants and refunds	Statewide offices, legislature
New Jersey	1974	Multiple match	Governor
New Mexico	2003	Full grants	Statewide judicial offices, district judges
New York	2020	Small donor progressive match	Statewide offices, legislature
Rhode Island	1988	Progressive match	Statewide offices
Vermont	1997	Full grants	Governor, lieutenant governor
Local Jurisdictions	Estab.	Program Type	Eligible Offices
Albuquerque, NM	2005	Full grants	Mayor, city council
Anne Arundel County, MD	2023	Small donor progressive match*	County executive, county council
Austin, TX	1992	Partial grants	Mayor, city council
Baltimore City, MD	2018	Small donor progressive match	Most citywide offices, city council
Baltimore County, MD	2020	Small donor progressive match*	County council, county executive
Berkeley, CA	2016	Small donor multiple match	Citywide offices, city council
Boulder, CO	2000	Single match	City council
Denver, CO	2018	Small donor multiple match	Citywide offices, city council, judges
Evanston, IL	2023	Small donor multiple match*	Mayor
Howard County, MD	2017	Small donor progressive match	County executive, county council
Long Beach, CA	1994	Progressive match	Citywide offices, city council
Los Angeles, CA	1990	Small donor multiple match	Citywide offices, city council
Miami-Dade County, FL	2000	Partial grants	Mayor, board of county commissioners
Montgomery County, MD	2014	Small donor progressive match	County executive, county council
New Haven, CT	2006	Small donor multiple match and partial grants	Mayor
New York City, NY	1988	Small donor multiple match	Citywide offices, city council, borough presidents
Oakland, CA	1999	Vouchers*	Citywide offices, city council, school board directors
Portland, ME	2022	Full grants	Mayor, city council, school board members
Portland, OR	2016	Small donor multiple match	Mayor, city commissioners, auditor
Prince George's County, MD	2018	Small donor progressive match*	County council, county executive
Richmond, CA	2003	Lump sum match	Mayor, city council
San Francisco, CA	2000	Partial grants and small donor multiple match	Mayor, board of supervisors
Santa Fe, NM	1987	Partial grants and small donor multiple match	Mayor, city council, municipal judge
Seattle, WA	2015	Vouchers	Citywide offices, city council
Tucson, AZ	1985	Single match	Mayor, city council
Washington D.C.	2018	Partial grants and small donor multiple match	Citywide offices, city council

*Currently being implemented

Source: Brennan Center

The goal of all public campaign finance programs is to provide public funding for candidates running for public office. Three primary types of programs have emerged in the United States:

- **Donor matching programs** match (typically small dollar) contributions from individuals raised by a candidate with public funds;
- **Block grant programs** provide eligible candidates a lump sum of public funds to run their campaigns; and
- **Voucher programs** provide vouchers for a set dollar amount to people who give vouchers to a candidate and the candidate can exchange the vouchers for public funds.

Programs differ significantly from jurisdiction to jurisdiction – in how they are structured, in what offices are eligible for public financing, in who can donate to candidates, and in campaign spending restrictions on participating candidates.

Montgomery County instituted a public campaign finance program in 2014, and candidates received funding from the program in the 2018 and 2022 elections for County Executive and County Council. Montgomery County’s program (and other Maryland jurisdictions) is a small dollar matching program. To qualify for public funding in Montgomery County, candidates are required: (1) to raise a minimum number of contributions from County residents only; (2) with a maximum contribution limit of \$250 per donor; and (3) that total a minimum amount of money. For candidates who meet these (and other) requirements, the County matches contributions with public funds. More details of the program are discussed in Chapters 2 and 3.

Glossary

Campaign Contributions – something of value given by an individual or entity to a campaign to support a candidate’s run for elected office, typically in the form of money. Sometimes given in the form of property, goods, or services – referred to as “in-kind” contributions

Campaign Finance Reports – periodic reports filed with a state or local government by candidates that include detailed information about funds being raised for and being spent by a campaign.

Contribution Limits – the maximum amount of value (typically includes both cash and in-kind contributions) an individual or entity can donate to a candidate in an election or election cycle.

Campaign Expenditure Limits – a limit on the amount of money that a candidate may spend in a campaign for public office.

Background on Campaign Finance Programs

Election Cycle – in Maryland the election cycle begins on January 1 in the year following a gubernatorial election (held in November) and continues through December 31, four years later. Each election cycle typically includes two elections – a primary election and a general election. The current 2026 election cycle began on January 1, 2023 and continues through December 31, 2026.

Matching Funds – in the context of public campaign funding, jurisdictions will often “match” a dollar of a contribution raised by a candidate with a certain number of public dollar dollars (e.g., \$5:\$1) to multiply the impact of the contributed dollar.

Public Campaign Finance Programs – programs that provide public funding for candidates to pay for campaign expenses to qualified candidates who agree to campaign fundraising and spending restrictions.

Receipts – candidates typically are required to provide receipts to donors who make contributions to their campaigns.

Traditional Campaign Financing – the operation of a campaign for elected office under the general campaign finance laws/rules in a jurisdiction.

Chapter 2. Public Campaign Finance Law in Maryland and Montgomery County

The rules and regulations for running elections in Maryland are governed primarily by state law and regulations¹ while County election law governs limited aspects of elections, such as criteria governing special elections.² Regarding public campaign finance, the Maryland legislature enacted a law in 2013 authorizing a county to establish a public campaign finance program for candidates for executive and legislative branch offices.³ State law outlines parameters for local programs and requires program oversight by the Maryland State Board of Elections (“State Board”).

Montgomery County Public Campaign Finance Program. In 2014, the Montgomery County Council enacted Bill 16-14 establishing a public campaign finance program⁴ to provide public funding for candidates for the offices of County Executive or Councilmember, called the Public Election Fund (PEF).⁵ The purpose of the law is “to encourage greater voter participation in County elections, increase opportunities for more residents to run for office, and reduce the influence of large contributions from businesses, political action groups, and other large organizations.”⁶ The County law:⁷

- Outlines the operation of the County’s Public Election Fund program to provide public financing for County Executive and County Council candidates by matching campaign contributions raised by candidates with public funds;
- Requires participation by a candidate to be “strictly voluntary”;
- Establishes parameters on the campaign finance activity of a candidate who accepts public campaign financing;
- Gives regulation and oversight authority to the Maryland State Board of Elections; and
- Establishes penalties for violation of the law.

¹ See Md. Code Ann., [Elections](#) § 1-101, et seq.

² See Montgomery County Code (MCC) Ch. 16, [Elections](#), § 16-1, et seq.

³ Campaign Finance Reform Act of 2013 (Chapter 419 of the 2013 Laws of Maryland. House Bill 1499); Md. Code Ann., Elections § 13-505. State law allows for county public campaign financing for county executive and legislative branch elected offices only. County public campaign finance programs do not include state elected offices such as sheriff, school board members, and state’s attorneys.

⁴ MCC, Ch. 16, Article IV. Public Campaign Financing. [MCC §§ 16-18 to 16-32](#).

⁵ The Council approved Executive regulations to implement the bill on October 6, 2015.

⁶ [Summary Guide: Public Election Fund, Montgomery County, Maryland](#), MD State Board of Elections, at p. 5 (June 2021).

⁷ Sept. 26, 2014 Memorandum from Robert H. Drummer to County Council, “[Action: Bill 16-14, Elections – Public Campaign Financing](#).” See also Md. Code Ann., Elections § 13-505.

Responsibility for implementation of the PEF is shared between the state and Montgomery County governments. The criteria candidates must meet to receive public funds are outlined in County law; however, the determination of whether a candidate has met those criteria is governed and overseen by the Maryland State Board of Elections.⁸ Further, the State Board determines how much money candidates should receive from the PEF while the County Department of Finance is responsible for distributing funds to candidates. The next election where candidates can participate in the PEF is in 2026.

This chapter summarizes the law establishing the County's PEF and describes how it functions. It is organized as follows:

- **Section A** describes key parts of the state law allowing local public campaign financing;
- **Section B** provides an overview of Montgomery County's Public Election Fund;
- **Section C** describes candidates' participation in the PEF program;
- **Section D** highlights relevant deadlines for participation in the PEF program;
- **Section E** summarizes administrative components of the PEF program;
- **Section F** describes changes made to the law since it was enacted; and
- **Section G** lists whether requirements for the PEF program are found in state or County law.

Note that this chapter describes the PEF as it functions in typical elections and does not describe alternate requirements for administration of the PEF for special elections. The chapter also does not describe every aspect of campaign financing in general or public campaign financing in Montgomery County.

A. The State Law

Maryland state law and regulations⁹ set out criteria that local jurisdictions must follow when creating public campaign financing programs, including requiring that counties receive approval from the State Board of Elections before implementing a public campaign finance system.¹⁰ Some of the parameters set out in state law for local public campaign financing include:

- County law must limit participation to candidates for county executive and legislative branch offices;¹¹

⁸ Code of Maryland Regulations (COMAR) § 33.13.14.04(B).

⁹ COMAR Title 33, Subtitle 13, [Chapter 14, Public Financing, §§ 33.13.14.01 to 33.13.14.09](#).

¹⁰ COMAR § 33.13.14.02(C).

¹¹ Md. Code Ann., Elections § 13-505(b).

- County law must authorize regulation and oversight by the State Board of Elections “to ensure conformity with state law and policy to the extent practicable;”¹²
- Local administration of the fund must be by the chief financial officer in a county;¹³
- The governing body of a county must provide funding and staff necessary to operate and administer a public campaign finance system;¹⁴
- County programs must prohibit a candidate’s use of public funds for other campaigns and prohibit a participating candidate’s transfer of campaign funds between campaigns;¹⁵ and
- Local campaign finance programs may “provide for more stringent regulation of campaign finance activity by candidates who choose to accept public campaign financing, including contributions, expenditures, reporting, and campaign material, than is provided for by State law.”¹⁶

In addition, Maryland regulations dictate:

- The State Board of Elections determines whether a candidate qualifies for public financing based on criteria set out in local laws;
- Participating candidates must establish campaign committees exclusively for the purpose of receiving public funding while running for county elective office; and
- Candidates cannot be part of a slate committee.¹⁷

B. Overview of Montgomery County Public Election Fund

The County’s Public Election Fund (PEF) program provides public funds to participating candidates to match contributions raised by candidates (e.g., a candidate will get multiple dollars in matching funds for every dollar of a contribution). To become certified to receive public funding, the program requires candidates to demonstrate a minimum level of public support and effort devoted to a campaign. To become certified, candidates must raise a minimum number of

¹² Md. Code Ann., Elections § 13-505(c)(7).

¹³ Md. Code Ann., Elections § 13-505(c)(6).

¹⁴ Md. Code Ann., Elections § 13-505(b)(3).

¹⁵ Md. Code Ann., Elections § 13-505(c)(5).

¹⁶ Md. Code Ann., Elections § 13-505(d).

¹⁷ COMAR § 33.13.14.03(C). A slate committee is a political committee where “two or more candidates who join together to conduct and pay for joint campaign activities.” Md. Code Ann., Elections § 1-101(o). Maryland regulations, however, do allow county publicly financed candidates to “affiliate” with candidates on campaign materials if: 1) the publicly financed candidate directly pays its cost share for campaign materials, and 2) the campaign materials include the authority line of the publicly financed campaign. COMAR § 33.13.14.03(F).

contributions from individuals who live in the County and the contributions must add up to a minimum dollar amount. Candidates who participate in the program but who do not manage to raise the minimum number of required contributions or meet the minimum dollar amount are not certified to receive public funding.

The maximum contribution a participating candidate can accept is \$250 and can only be from individuals. Contributions (both financial and in-kind contributions of property, goods, and services) from political action committees, corporations, organizations, and labor unions are prohibited.

The PEF is accessible to candidates for the offices of County Executive, At-Large Councilmember, and District Councilmember and is overseen locally by the Director of the Department of Finance (or designee). Public financing is only available for candidates in contested elections – where there are more candidates running for office than the number that can be elected.¹⁸ Following state law requirements, candidates who participate in the PEF cannot be part of a slate – where two or more candidates join together to conduct joint campaign activities.¹⁹

The remainder of this section provides more details about the PEF, including how it is funded, the amount of funding available to candidates, and appropriate use of funds by candidates.

1. Funding of Public Election Fund

To fund the program, the Council first appropriates funds to a County non-departmental account (NDA). Most funds in the NDA are transferred to a separate restricted Public Election Fund to be distributed to candidates certified to receive matching funds. When needed, the Council appropriates funds in the PEF NDA to pay for administration of the PEF. The PEF includes funds appropriated by the County Council, unspent funds returned to the PEF by candidates, interest earned on PEF funds, and voluntary contributions.²⁰ See Chapter 4 for data on the PEF.

County law requires the Director of Finance to determine whether there are sufficient funds in the PEF to meet the anticipated need in the upcoming election by July 1 in the calendar year before an election.²¹ If the director determines there aren't enough funds, the director must reduce

¹⁸ MCC § 16-23(a). If a candidate certified in the PEF is in an election that becomes uncertified (e.g., all other candidates withdraw from the elections), the PEF candidate cannot receive additional funds from the PEF.

¹⁹ MCC § 16-26(d).

²⁰ MCC § 16-19(a), (b).

²¹ MCC § 16-23(d).

matching fund payments made to candidates.²² The director will need to make this determination for the 2026 election by July 1, 2025.

2. Amount of Matching Funds

The County provides matching funds for contributions from County residents to candidates who are certified by the State Board of Elections in the PEF. While candidates can receive contributions up to \$250 per donor, and the PEF program provides matching funds only for the first \$150 of a contribution.

The formula for matching funds is based on a progressive ratio – with more matching funds provided for the first \$50 of a contribution (6x) to, e.g., a candidate for County Executive than for the second \$50 (4x) or third \$50 (2x). There law includes separate matching fund ratios for candidates for County Executive and for candidates for Councilmember. The matching fund ratios are shown in Table 2 and examples of matching fund calculations are shown in Table 3.

Table 2. Public Election Fund Formula for Matching Funds

	Matching Ratio (\$)	Contribution
	Public Funds:Contribution	Amount
County Executive	\$6:\$1	\$1 - \$50
	4:1	\$51 - \$100
	2:1	\$101 - \$150
	0	\$151-\$250
At-Large CM and District CM	\$4:\$1	\$1 - \$50
	3:1	\$51 - \$100
	2:1	\$101 - \$150
	0	\$151-\$250

Source: MCC § 26-23

²² MCC § 16-23(d).

Table 3. Examples of Matching Funds for County Executive and Councilmember Candidates

County Executive

Contribution	1st Match \$1-\$50 x 6	2nd Match \$51-\$100 x 4	3rd Match \$101-\$150 x 2	No Match \$151-\$250 x 0	Matching Funds	Contribution + Match
\$2	\$12	--	--	--	\$12	\$14
\$24	\$144	--	--	--	\$144	\$168
\$50	\$300	--	--	--	\$300	\$350
\$100	\$300	\$200	--	--	\$500	\$650
\$150	\$300	\$200	\$100	--	\$600	\$750
\$250	\$300	\$200	\$100	\$0	\$600	\$850

Councilmember

Contribution	1st Match \$1-\$50 x 4	2nd Match \$51-\$100 x 3	3rd Match \$101-\$150 x 2	No Match \$151-\$250 x 0	Matching Funds	Contribution + Match
\$2	\$8	--	--	--	\$8	\$10
\$24	\$96	--	--	--	\$96	\$120
\$50	\$200	--	--	--	\$200	\$250
\$100	\$200	\$150	--	--	\$250	\$350
\$150	\$200	\$150	\$100	--	\$450	\$600
\$250	\$200	\$150	\$100	\$0	\$450	\$700

Source: OLO

The State Board calculates the amount of matching funds a candidate is entitled to receive and sends notice to the Director of the Department of Finance authorizing the director to disburse funds to a candidate.²³ The director has three business days to deposit the funds into a candidate’s publicly funded campaign account.²⁴

County law sets a maximum amount that a candidate can receive in matching funds for each election in an election cycle – meaning a candidate can receive up to that amount in a primary election *and* up to that amount again in a general election. The maximums are:

- County Executive: \$750,000 per election;
- At-Large Councilmember: \$250,000 per election; and
- District Councilmember: \$125,000 per election.

²³ MCC § 16-22(d).

²⁴ MCC § 16-23(g).

3. Allowable Use of Funds

Candidates in the PEF may use eligible contributions and public matching funds only for expenses incurred for the election. The law places limits on whether or how candidates are permitted to use funds raised before the candidate seeks certification in the PEF. The State Board has the authority to determine whether the use of campaign finance funds in a specific way is permissible. The Board's determination is final.²⁵

Unlike some jurisdictions in other states, Maryland and Montgomery County do not have limits on the maximum amount of money that can be spent on a campaign. Candidates can spend as much money as they have available that complies with state and local campaign finance laws. Residents can file complaints alleging impermissible receipt of or use of funds with the State Board²⁶ and candidates must allow the State Board "reasonable access" to records from their publicly funded campaign account at the Board's request.²⁷

C. Participation in the Public Election Fund Program

All candidates for public office in Maryland must follow general (and extensive) requirements set out in state election law. For example, all candidates must follow donor contribution limits. The contribution limit from an individual donor to a candidate participating in the PEF is \$250. The contribution limit from an individual donor to a candidate using traditional financing is \$6,000. Participation in the PEF is entirely voluntary and includes stricter rules for candidates who participate. Candidates who do not seek to participate in the PEF do not have to follow the stricter rules established for candidates who do.

The County's PEF law uses terms to describe candidates based on whether or where they are in the process of participating in the PEF:

- An **Applicant Candidate** has provided notice to the State Board of intent to participate in the PEF and is seeking to become certified to receive funds by raising the minimum number and minimum dollar amount of required contributions;
- A **Certified Candidate** has fulfilled requirements established in County law for certification, submitted a request for certification to the State Board, and been approved by the State Board to receive public funds from the PEF;

²⁵ COMCOR § 16.21.01.05(E).

²⁶ MCC § 16-24(b).

²⁷ MCC § 16-24(c).

- A **Non-Certified Candidate** has provided notice of intent to participate in the PEF but: 1) did not apply to the State Board for certification; or 2) applied but failed to meet certification requirements established in County law; and
- A **Participating Candidate** has been certified by the State Board and has received funds from the PEF.²⁸

In Montgomery County, **certified candidates** can receive public funds from the PEF. All certified candidates begin as **applicant candidates** who give notice to the State Board of Elections that they wish to participate in the PEF.

1. Becoming a Candidate

In Montgomery County, individuals can become a candidate for public office by filing a certificate of candidacy with the Montgomery County Board of Elections.²⁹ The fee to file a certificate of candidacy for County Executive or Councilmember is \$25.³⁰ To run as a candidate for an office of a political party (e.g., as a Republican Candidate for a Councilmember seat), a candidate must be a registered voter affiliated with that political party.³¹

2. Meeting Candidate Certification Requirements

To become an applicant candidate in the PEF, a candidate must:

- Register a Public Finance Committee in the State Board’s electronic filing system – the Maryland Campaign Reporting Information System (MDCRIS);
- File a Notice of Intent to qualify for public funding with the State Board of Elections;
- Open a publicly funded campaign account at a bank;³²
- Receive approval of the candidate’s Public Finance Committee from the State Board;
- Raise a minimum number of and dollar amount of “qualifying contributions” from County residents. Candidates are not allowed to take contributions before receiving approval from the State Board to participate in the PEF;³³ and
- File required report(s) and documentation with the State Board.

²⁸ MCC § 16-18.

²⁹ Md. Code Ann., Elections §§ 5-301(a); 5-302(c).

³⁰ Md. Code Ann., Elections § 5-401(b). The Board of Elections may waive the filing fee in certain circumstances.

³¹ Md. Code Ann., Elections § 5-203(a).

³² Md. Code Ann., Elections § 5-505(c)(4); MCC § 16-20(a).

³³ MCC §§ 16-20(a), 16-21.

When a PEF applicant candidate has successfully completed all these requirements, the candidate can apply to the State Board to be certified in the PEF. The period when candidates can become certified (the “qualifying period”) runs from January 1 in the year following an election until 45 days before the primary election. For the next election, the qualifying period runs from January 1, 2023, to 45 days before the 2026 primary election.³⁴

Minimum Contributions. Table 4 lists the minimum number and dollar amount of qualifying contributions required to become certified in the PEF. Qualifying contributions must be from Montgomery County residents and must be at least \$5 and no more than \$250.

Table 4. Required Minimum Number of Qualifying Contributions and Minimum Dollar Amount of Contributions to Become a Certified Candidate

	Min. # of Qualifying Contributions	Min. \$ of Qualifying Contributions
County Executive	500	\$40,000
At-Large Councilmember	250	\$20,000
District Councilmember	125	\$10,000

Source: MCC § 16-21

For each office, the average contribution per donor required for a candidate to reach the minimum dollar amount is \$80.

Required Documents. All candidates for public office are required to submit periodic campaign finance reports during an election cycle with the State Board. Examples of data reported include campaign cash balance, incoming funds by source (e.g., individual contributions, loans, etc.), value of in-kind contributions, expenditures by category (e.g., salaries, media, fundraising expenses, etc.), and outstanding loans, among others.

The State Board requires additional documentation for candidates seeking to be certified to receive public funds from the PEF:

- A campaign finance report listing all qualifying contributions and all campaign expenditures;
- Valid receipts for all qualifying contributions and expenditures;
- A declaration of intent to follow the regulations for the PEF; and
- A certificate of candidacy.³⁵

³⁴ MCC § 16-21(c).

³⁵ MCC § 16-22(a); *Summary Guide: Public Election Fund, Montgomery County, Maryland*, at p. 20.

Application Review. When a candidate has submitted to the State Board the required documentation to qualify for PEF certification, the State Board reviews applications and determines whether a candidate has met the certification requirements established in County law. Candidates can only apply to the State Board for certification in the PEF once in any election cycle, and the State Board’s decision is final.³⁶ If the State Board denies a candidate’s certification, County law allows the candidate to correct mistakes in an application or supply documentation of additional qualifying contributions within 10 days of the State Board’s denial (or by the end of the qualifying period, whichever is earliest).³⁷ Within 10 business days of applying for certification, the State Board must certify a candidate to receive PEF funds if a candidate has met the requirements in County law and submitted all of the required documentation.³⁸

Certification in the PEF does not require a candidate to take PEF funds. A candidate can withdraw an application for certification any time before receiving public funds in their campaign account.³⁹ If a candidate is certified to receive funds from the PEF for the primary election and the candidate moves on to the general election, the candidate does not need to be recertified to continue to receive matching funds for the general election.

Qualifying and Other Contributions. The maximum contribution that PEF candidates can accept from individuals is \$250 in a four-year election cycle, including the value of “in-kind” contributions from donors (i.e., contributions of property, goods, or services).⁴⁰ Candidates can accept contributions up to \$250 from individuals who do not live in Montgomery County (“eligible contributions”). However, only contributions from individuals who live in Montgomery County count toward a candidate’s certification in the PEF (“qualifying contributions”) and are matched with public funds. Neither contributions collected before a candidate files a notice of intent with the State Board to participate in the PEF nor in-kind contributions can count as qualifying contributions.

Candidates in the PEF are prohibited from taking contributions (monetary or in-kind) from private groups or organizations including political action committees, corporations, nonprofit organizations, and labor organizations.⁴¹ The PEF does not provide matching funds for in-kind contributions, loans, contributions from the candidate or candidate’s spouse, or contributions from donors who live outside the County.

³⁶ MCC § 16-22(b).

³⁷ MCC § 16-22(c).

³⁸ MCC § 16-22(a).

³⁹ MCC § 16-25(a).

⁴⁰ MCC §§ 16-18, 16-20.

⁴¹ MCC § 16-26(a).

- **Exceptions.** One exception to the limitations on contributions to PEF candidates is that candidates may accept *in-kind contributions* from a state or local political party central committee if:
 - The total amount of in-kind contributions is less than \$10,000 per election cycle; and
 - The funds used by the central committee for an in-kind contribution come from contributions from individuals that do not exceed the public contribution limit in the law (i.e., \$250 per election cycle).
- **Loans to Campaigns.** The candidate and/or the candidate’s spouse may loan the campaign up to a combined total of \$12,000 in an election cycle. No other individuals or organizations may make loans to a campaign.⁴²
- **Contribution Limits for Non-Participating Candidates.** For context, under state law, candidates not participating in the PEF can accept contributions of up to \$6,000 from individuals, businesses, organizations, political action committees, and other political entities in a four-year election cycle.⁴³

Changing Offices. Candidates sometimes decide to change the office they are running for after they register to run for an office. If a candidate who has been certified in the PEF decides to change the office they are running for, the candidate must withdraw from the election for the first office, repay all funds received from the PEF (if any), and apply to the State Board for certification for the new office (and can use qualifying contributions received for the first office to support certification for the subsequent office).⁴⁴

3. Submitting Documentation to the State Board of Elections

All candidates for public office in Maryland are required to periodically file campaign finance reports to the Maryland State Board of Elections identifying all contributions received and expenditures made by their campaign.⁴⁵ Candidates report this information through the online Maryland Campaign Reporting Information System (MDCRIS) system. County law includes an additional requirement for PEF candidates; they must upload individual pdf copies of receipts to MDCRIS for every qualifying contribution received and every expenditure.⁴⁶

⁴² MCC § 16-20(c).

⁴³ With limited exceptions.

⁴⁴ Code of Montgomery County Regulations (COMCOR) § 16.21.01.07(F).

⁴⁵ See [Summary Guide to Maryland Candidacy and Campaign Finance Laws, Chapter 11](#), Maryland State Board of Elections. See COMAR § 33.13.02.02A

⁴⁶ MCC § 16-23(g).

County PEF regulations state that candidates can submit contribution receipts to the State Board in person or electronically.⁴⁷ The State Board, however, requires all documents submitted for certification in the PEF be filed online through MDCRIS.⁴⁸ Every PEF contribution receipt must include:

- Full name of the candidate for a County elective office;
- Contributor's name;
- Contributor's residential address in Montgomery County;
- Amount of contribution;
- Date of receipt; and
- Signature of contributor or digital signature approved by the State Board.⁴⁹

Once a candidate is certified to receive funds from the PEF, they can continue to report to the State Board additional contributions received and receive additional matching funds. County regulations establish specific days when candidates can file subsequent requests for matching funds with the State Board. They are:

- With the submission of any regularly scheduled campaign finance report; or
- The first and third Tuesday of each month during the submission period, except if the regularly scheduled report is due within seven days prior to the first or third Tuesday.⁵⁰

4. Returning or Retaining of Unspent Funds

Following an election, PEF candidates have 90 days to return unspent funds to the PEF. Candidates may retain up to \$5,000 for post-election expenses if they file a declaration of intent to participate in the PEF in the following election by the following January 31 and if they keep the same campaign finance entity open.⁵¹

⁴⁷ COMCOR § 16.21.01.03(C).

⁴⁸ *Summary Guide: Public Election Fund, Montgomery County, Maryland*, at p.19-20.

⁴⁹ COMCOR § 16.21.01.02(F).

⁵⁰ COMCOR § 16.21.01.02(G).

⁵¹ MCC § 16-27.

D. Timeline Requirements for the Public Election Fund

This section outlines various periods and deadlines for participants in the PEF.

Public Election Fund Periods

Name	Definition	Date Required
Qualifying Period ⁵²	When candidates can collect contributions to become certified in the PEF	January 1 st of the year following an election until 45 days before the primary election
Receipt Submission Period ⁵³	When certified candidates can submit receipts for qualifying contributions to the State Board to receive matching funds	Begins 365 days before the primary election and ends on the date of the primary election or general election
Notification Period ⁵⁴	When the State Board can notify the Director of Finance to distribute funds from the PEF	Begins 365 days before the primary election and ends 10 days after the general election
Distribution Period ⁵⁵	When candidates can submit data on contributions to the State Board to receive matching funds from the PEF	Begins 365 days before the primary election and ends 30 days after the general election

Candidate Deadlines

Requirement	Dates Required	Dates Required for 2026 Election
Filing for candidacy with Montgomery County Board of Elections ⁵⁶	Last Tuesday in February of the election year	February 24, 2026
File Notice of Intent to Participate in the PEF with State Board ⁵⁷	April 15 th of year of election	April 15, 2026
Correct mistakes in application for certification ⁵⁸	Within 10 business days of notification that State Board denied application or by the end of the qualifying period, whichever is earlier	NA
Return to PEF of mistaken distribution of PEF funds ⁵⁹	Within five business days of notification	NA
Return of unspent funds to PEF following an election ⁶⁰	90 days after certification of the primary election or the general election by the County Board of Elections	NA

⁵² MCC § 16-18.

⁵³ COMCOR § 16.21.01.01(G).

⁵⁴ COMCOR § 16.21.01.01(C).

⁵⁵ MCC § 16-18.

⁵⁶ Md. Code Ann., Elections § 5-303.

⁵⁷ MCC § 16-20(a)(1).

⁵⁸ MCC § 16-22(c).

⁵⁹ MCC § 16-23(i).

⁶⁰ MCC § 16-27(a).

Public Campaign Finance Law in Maryland and Montgomery County

Process Deadlines for Certification and Disbursement of Funds

Requirement	Dates Required
State Board’s determination on candidate application for certification in PEF ⁶¹	No later than 10 business days after receiving an application
State Board’s review of subsequent submission of contribution receipts for matching funds	No official deadline - staff report the Board tries to complete no later than 10 business days after the Board receives the submission
Finance deposit of PEF funds into candidate’s bank account ⁶²	Within three business days of authorization by the State Board
State Board authorization to continue disbursement of funds to candidates for general election ⁶³	Within three business days of certification of primary election by the County Board of Elections

Administrative Deadlines

Requirement	Required Date
Director of Finance must determine whether the amount in the PEF is sufficient to meet the maximum public contributions in the next election ⁶⁴	July 1, 2025
Every four years the Chief Administrative Officer (CAO) must adjust the <i>public contribution limit</i> (currently \$250) by the annual average increase, if any, for the Consumer Price Index for the previous four calendar years ⁶⁵	Publish by March 1, 2026 Effective July 1, 2026
Every four years the CAO must adjust the maximum amount of <i>matching funds available</i> to a candidate by the annual average increase, if any, for the Consumer Price Index for the previous four calendar years ⁶⁶	Publish by March 1, 2026 Effective July 1, 2026
County law requires the County Executive to conduct an audit following a general election of the financial activity of PEF and of candidates’ campaign accounts ⁶⁷	Within a year of the certification of general election results ⁶⁸

Candidate Withdrawal from the Public Election Fund. For a variety of reasons, some candidates choose to end their candidacy for an elective office. If a participating candidate who has received PEF funds wants to withdraw from the PEF, the candidate must file a statement of withdrawal with the State Board and repay to the PEF *the full amount of funds received*, plus interest.⁶⁹ County law does not provide any exceptions to the requirement for full repayment of PEF funds, even if a candidate has spent the funds received from the PEF.

⁶¹ MCC § 16-22(a).

⁶² MCC §§ 16-23(e), (g). Finance deposits PEF funds into candidates’ bank accounts in the order they receive notices of authorization from the State Board

⁶³ MCC § 16-23(e).

⁶⁴ MCC § 16-23(J).

⁶⁵ MCC § 16-20(d); MCC § 16-23(j).

⁶⁶ MCC § 16-23(j).

⁶⁷ MCC § 16-28.

⁶⁸ COMCOR § 16.21.01.06(B).

⁶⁹ MCC § 16-25(b).

If a candidate does not file an official certificate of withdrawal of candidacy with the Board of Elections, the candidate’s name will remain on the primary election ballot.⁷⁰ In Maryland, the deadline for Montgomery County Council and Executive candidates to file a certificate of withdrawal to end their candidacy is no later than 10 days after the deadline to file for candidacy (i.e., 10 days after 9pm on February 24, 2026 – the last Tuesday in February).⁷¹

Penalties. Violations of the PEF are Class A civil violations under County law.⁷² The law also requires a certified or participating candidate to withdraw from the PEF “if the candidate intentionally or knowingly provides falsified information, misrepresents a material fact, or conceals relevant information to the Board or Director...”⁷³ Candidates required to withdraw from the PEF must repay to the PEF all matching funds given to the candidate.

E. Additional Administrative Parts of the Public Election Fund Law

This section summarizes additional administrative roles and responsibilities in the Public Election Fund law.

1. Executive Branch

Review of Limits. The law requires the County Chief Administrative Officer to adjust the maximum public contribution limit (currently \$250) and the limit on the maximum amount of matching funds available to candidates every four years based on changes in the Consumer Price Index (CPI). The law sets a deadline of March 1 of every fourth year for the CAO to publish the adjusted amounts with the amounts going into effect the following July 1.⁷⁴

For the next election in which the PEF can be used (2026), the CAO would be required to publish adjusted contribution and maximum funding limits by March 1, 2026, with limits effective July 1, 2026. State law sets the 2026 primary election on the last Tuesday in June (June 30, 2026), or two days before these adjustments would be scheduled to go into effect.⁷⁵

Audit. County law requires the County Executive to conduct an audit of PEF activity following a general election.⁷⁶ Specifically, County regulations say that “the County Executive or their

⁷⁰ Md. Code Ann., Elections §§ 5-501; 5-601.

⁷¹ Md. Code Ann., Elections §§ 5-303(a); 5-502.

⁷² MCC § 16-30(a).

⁷³ MCC § 16-30(c).

⁷⁴ MCC § 16-20(d); MCC § 16-23(j).

⁷⁵ Md. Code Ann., Elections § 8-201.

⁷⁶ MCC § 16-28.

designee will perform an audit to ensure that all candidates that participate in the public campaign finance program, and receiving public funds in their publicly funded campaign accounts, were in compliance with” the Public Election Fund law.⁷⁷ The audit must occur within a year of the certification of the general election results.⁷⁸

Public Election Fund Liaison. The County Executive must designate an employee as Public Election Fund liaison between the County Government and candidates, potential candidates, and the public.⁷⁹ See Chapter 3 for information about the work of the liaison in the Office of Consumer Protection.

2. Public Election Fund Committee

The public campaign finance law requires the County Council appoint a seven-member Public Election Fund Committee, which is responsible for estimating the resources necessary to annually fund the PEF. The Committee must recommend an annual appropriation for the fund to the Council by each January 30th. The Committee is also charged with public outreach and education responsibilities to raise awareness of the PEF. The Council designates the committee chair and vice-chair, and members serve 4-year terms. No more than three members may be from the same political party.⁸⁰

F. Recent Changes Made to the Public Election Fund Law

The Council has enacted four bills in recent years amending the original Public Election Fund law. This section summarizes the changes made.

Expedited Bill 25-17 (Enacted July 25, 2017)

Correcting Application for Certification⁸¹

Added a provision to allow a candidate to make corrections to their application to the State Board for certification in the PEF if their application is initially denied – within 10 days of receiving notice from the State Board or by the end of the qualifying period, whichever is earlier.

⁷⁷ COMCOR § 16.21.01.06.

⁷⁸ COMCOR § 16.21.01.06(B).

⁷⁹ MCC § 16-32.

⁸⁰ MCC § 16-31.

⁸¹ [Expedited Bill 25-17](#), at p.2; MCC § 16-22(c).

Matching Funds for General Election for Contributions Collected before Primary Election⁸²

Added a provision that if contributions raised by a candidate cannot be matched during the primary election because the candidate has received the maximum funding allowed for the primary and if the candidate moves on to the general election, the candidate may, if eligible, receive matching funds for those unmatched contributions.

Candidate Repayment of Matching Funds Received in Error⁸³

Added a provision that if a candidate mistakenly receives more public funds than entitled to, the candidate must return the funds within five business days of receiving notice.

Expedited Bill 31-17 (Enacted November 7, 2017)**Changed Language about Loans from Candidate or Candidate's Spouse⁸⁴**

Changed the language in the law to allow a candidate who is not married to donate or loan the candidate's campaign individually the same amount as permitted for a married candidate and spouse (\$12,000).

Expedited Bill 31-20 (Enacted October 6, 2020)**Raised Maximum Campaign Contribution Amount and Amended Matching Ratio⁸⁵**

Changed the law to increase the maximum contribution from individuals from \$150 to \$250. The matching ratio in the original law matched the entire amount of a maximum contribution (\$150). While increasing the maximum contribution to \$250, the law continued to provide matching funds only for the first \$150 of a contribution.

Clarified Definition of an "In-Kind Contribution"⁸⁶

Clarified that in-kind contributions of property, goods, or services are not eligible for public matching funds.

Clarified Process for Amending Application for Certification⁸⁷

Added that candidates can supplement their applications with additional qualifying contributions if the State Board initially denies the application.

⁸² Expedited Bill 25-17, at p.3; MCC § 16-23(h).

⁸³ Expedited Bill 25-17, at p.3; MCC § 16-23(i).

⁸⁴ [Expedited Bill 31-17](#), at p.2; MCC § 16-20(c).

⁸⁵ [Bill 31-20](#), at p.2, 6; MCC § 16-20(c); 16-23(a).

⁸⁶ Bill 31-20, at p.3; MCC § 16-18.

⁸⁷ Bill 31-20, at p.5; MCC § 16-22(c).

Status of Candidates Who Are Not Certified by State Board⁸⁸

Adding clarification that candidates who applied for certification in the PEF and where certification is denied by the State Board are considered “non-participants” and are not bound by the requirements of the PEF program.

Changed Requirements for Returning Unspent Funds⁸⁹

Extended the time candidates must return unspent PEF funds following an election from 30 to 90 days and allowed candidates to retain \$5,000 for post-election expenses if the candidate filed a declaration of intent to participate in the PEF in the following election.

Added Audit Requirement⁹⁰

Requires the County Executive to conduct an audit of the financial activity in the PEF following an election to ensure compliance with the law.

Added Additional Penalties for Violation of the Law⁹¹

Clarified how fines can be paid by candidates and added requirement that a candidate withdraw from the PEF for certain violations.

Changed Law re: Public Election Fund Committee and Expanded Responsibilities⁹²

Increased Committee membership from five to seven, stated that membership should reflect the diversity of the County, added responsibility for the committee to conduct public outreach and education activities, and added requirement of submitting an annual report to the Council.

Added Public Liaison Position in Executive Branch⁹³

Required the Executive to designate an employee as the PEF liaison to the public, candidates, and potential candidates.

Expedited Bill 45-21 (Enacted February 15, 2022)

Allowed In-Kind Contributions from State and Local Political Party Central Committees⁹⁴

Added that candidates can accept in-kind contributions of up to \$10K from both state and Montgomery County party central committees. Central Committee funds must come from individual contributions that don't exceed the maximum contribution in the PEF law (\$250).

⁸⁸ Bill 31-20, at p.5; MCC § 16-22(e).

⁸⁹ Bill 31-20, at p.7, 8, 10; MCC § 16-27.

⁹⁰ Bill 31-20, at p.11; MCC § 16-28.

⁹¹ Bill 31-20, at p.11-12; MCC § 16-30.

⁹² Bill 31-20, at p.12-13; MCC § 16-31.

⁹³ Bill 31-20, at p.13; MCC § 16-32.

⁹⁴ [Bill 45-21](#), at p.2; MCC § 16-26(a).

G. Sources of PEF Requirements in State and County Law

In its examination of the PEF, the Council has authority to amend County law but cannot change requirements set out in state laws or regulations without the state taking action. The information below shows the legal sources for various PEF requirements.

Established in State Law

- Only candidates for executive and legislative branch offices can receive public funding
- A public election fund must be administered by a local jurisdiction’s chief financial officer
- Candidates must be in contested election to receive public funding
- Local governing body must establish eligibility criteria to receive public funding
- Local systems subject to regulation and oversight by the State Board of Elections
- Candidates prohibited from transferring campaign funds to any other candidate

Established in State Regulations

- Local governing body cannot implement a public campaign finance program without approval of the State Board of Elections
- State Board prescribes campaign finance reporting requirements
- State board determines whether candidates qualify for public funds (based on local law)
- Local governing body must establish permitted use of funds
- Limited coordination of in-kind contributions to candidates allowed from state and local central committees and prohibited from all other political committees
- Candidates cannot be part of a slate
- Candidates can “affiliate” with other candidates on campaign materials

Established in County Law

- Contribution dollar limits and matching formula
- Maximum funding available to candidates
- Minimum requirements for certification to receive public funds
- Deadlines for participation in public financing
- 10-day time limit for State Board to review candidates’ applications for certification
- Prohibition on contributions from PACs, corporations, organizations, and labor unions
- Requirement that CAO periodically adjust maximum contribution limit and total funding limits
- Requirement for candidates to submit contribution receipts with campaign finance reports
- Limits on loans to campaigns

Chapter 3. Implementation of the Public Election Fund Law

Implementation of the County’s Public Election Fund has been an ongoing process since before the Council passed the enabling legislation in 2014. County Government and State Board of Elections representatives report that staff from the Department of Finance, Office of the County Attorney, and State Board worked closely together and with Council central staff to develop and implement the county public campaign finance system, providing input on the initial drafting of the law and regulations, along with any changes to the law since 2015. Executive Branch representatives and Maryland State Board of Elections representatives report that they continue to work closely with each other to implement the law, identify potentially useful changes to the law, and support candidates seeking public funding.

Further, Executive Branch and State Board staff highlight that Montgomery County was the first jurisdiction in Maryland to develop a local public campaign finance system. The five local public campaign finance programs in Maryland developed since are based on Montgomery County’s system. The State Board and other jurisdictions have adapted Montgomery County’s processes, procedures, and documentation for use in the other jurisdictions. In 2019, Montgomery County received a NACo Achievement Award from the National Association of Counties for administration and management of the PEF.¹

This chapter summarizes information and details about the processes for implementing the PEF law, including the roles and responsibilities of both the state and the County. This chapter is organized as follows:

- Section A summarizes the state’s roles and responsibilities for the PEF program;
- Section B describes the County’s administration of the program;
- Section C describes PEF outreach and education to candidates and the public; and
- Section D describes the role of the County’s Public Election Fund Committee.

A. Maryland’s Roles and Responsibilities

State regulations require state approval of any county public campaign finance system. Executive Branch staff report that the State Board has provided no objections to the County’s system since its implementation.

¹ “[Public Election Fund](#),” NACo.

The State's Board of Elections is responsible for administering some aspects of the PEF program in Montgomery County. This section summarizes key administrative duties of the State Board.

1. Development of MDCRIS System

Based on requirements in state law, the County's public campaign finance system is subject to regulation and oversight by the State Board of Elections. County law outlines the parameters of the system, including how candidates can become qualified to receive public funds and how matching funds are calculated. The State Board reviews program documentation provided by candidates' campaigns and determines whether candidates have met County requirements to be certified to receive public funds.

State Board representatives explained that the state's online public campaign finance reporting system – Maryland Campaign Reporting Information System (MDCRIS) – was developed and built around 2011-2012 before the state authorized local public campaign finance programs and MDCRIS was not designed to be able to collect documentation outside of state-mandated campaign finance reports.² Following Montgomery County's adoption of a public campaign finance program, the State Board adapted MDCRIS to allow candidates seeking public campaign financing to submit required information and documentation to the Board through MDCRIS.

Prior to the 2018 election, the Council appropriated funds to help pay for changes to MDCRIS that would allow the State Board to collect and review PEF candidates' information and documentation through the system.³ The State Board has used this revised system for oversight of public finance programs subsequently developed in other Maryland jurisdictions.

2. Administration of MDCRIS System

In Maryland, all candidates in elections governed by state law report information to the State Board of Elections through MDCRIS. Examples of data reported include cash balance, receipts by source (e.g., individual contributions, funds from political committees, loans, etc.), value of in-kind contributions, expenditures by category (e.g., salaries, media, fundraising expenses, etc.), and outstanding loans, among others.

In addition to normal reporting requirements, candidates in Montgomery County's Public Election Fund are subject to additional requirements. Candidates must upload individual pdf files of contribution receipts and records to the State Board through MDCRIS. State Board staff use these

² Although Maryland has had a public campaign finance program for governor candidates since 1974, former Governor Larry Hogan was the first candidate in 20 years to use funds from the program for his 2014 gubernatorial campaign.

³ https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2016/161103/20161103_GO3.pdf (c)7

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data to certify candidates and to calculate matching fund awards to candidates. State Board staff report that County Finance staff are provided read-only access to the MDCRIS system during the election cycle so that County staff can review PEF-related documentation from candidates.

County staff report that because of the dated nature of the system, several aspects MDCRIS and the County's level of access do not function in a way that allows conventional tracking and verification of candidates' accounting information. For example:

- Staff must manually calculate some information to determine the amount of matching funds a candidate should receive; and
- County staff can only access data as currently recorded in the system. If a campaign incorrectly records information in the system on the name of a donor or the amount of a contribution and subsequently corrects the error in the system, the system does not allow staff to see a record of whether/when a correction was made or see the original reported information.

State Board staff are also able to change data in the system. Finance staff report that these limitations, among other things, have hindered the ability to fully audit the PEF following the 2022 election, as required by County law. See Section B below.

3. Review of Receipts and Calculation of Matching Funds

County Executive and County Council campaigns seeking public funding are required to upload a pdf of every contribution and expenditure receipt through MDCRIS. State staff then verify that every receipt record accurately matches every contribution and expenditure reported by a campaign. Receipts that the State Board determines are inadequate to verify a contribution are reported to campaigns and the campaigns must follow up and provide corrected documentation.

The State Board uses the documentation to determine whether a candidate has collected the required minimum number and dollar amount of contributions from County residents to become certified to receive PEF matching funds. The Board also uses this information to calculate the amount of matching funds a candidate should receive.

The State Board has programmed the MDCRIS system to calculate the amount of matching funds a certified candidate should receive. Once the amount is determined, the State Board notifies the County Director of Finance via a written memorandum. Finance staff report that the State Board works to review and approve requests for matching funds within 10 business days – or two full business weeks – which is the amount of time the State has to review an initial request for certification of a candidate in the PEF.

Limitations of MDCRIS in Determining Matching Funds. Finance staff highlight that the limitations of the MDCRIS system require state staff to manually reconcile some information that MDCRIS uses to calculate matching funds. One hypothetical example given to OLO is of a County Executive candidate participating in the PEF. The candidate receives a \$50 contribution from a donor. If the \$50 contribution is that donor's first to the PEF candidate, the County matches each dollar at a \$6:\$1 ratio. If the donor has previously contributed \$50 in the election cycle, however, and sends a second \$50 contribution, the County matches the second \$50 at a \$4:\$1 ratio. The state must keep track of the cumulative amounts that donors give to candidates to accurately calculate matching funds. Given MDCRIS' limitations, state staff often review data on cumulative contributions by hand to verify that candidates receive accurate matching funds.

4. Authorization to Distribute Matching Funds

The State Board is required to authorize the County Finance Director to distribute PEF funds to candidates. The County Government does not have authority to review matching fund distribution amounts calculated by the State Board. Finance staff give the State Board's memoranda to the Director of Finance (or designee) who signs off on transferring matching funds to a candidate. Finance has three business days to transfer funds to candidates and does so through automated clearing house (ACH) transactions, which transfer funds directly from the County's PEF fund to a candidate's bank account.

Finance staff report that candidates' campaign staff frequently contact the department asking when matching funds will be paid to a campaign. Finance staff report that they comply with the requirement to transfer funds to candidates within three business days and the bulk of the time required to process a matching fund request lies with the State Board's 10-day review of candidates' documents.

5. Interpretation of County Law

State regulations require the State Board make a determination of whether a candidate has qualified for public financing based on the criteria established in County law. Executive Branch representatives report that if the State Board has a question about interpretation of Montgomery County's law, the State Board will reach out to the Office of the County Attorney to get the County's interpretation. Staff in the Office of the County Attorney will typically discuss questions from the state with Department of Finance staff and report back to the State Board how the County interprets its law.

B. County Administration of the Public Election Fund

As noted in Chapter 2, the Director of Finance is responsible for establishing and overseeing a “continuing and non-lapsing” Public Election Fund and for distributing funds to candidates. Department of Finance staff have worked and continue to work extensively with staff from other Maryland jurisdictions as the other jurisdictions implement public campaign finance programs. Finance staff also report that the U.S. Government Accountability Office (GAO) is in the process of writing a report on best practices in local campaign finance programs. Finance staff provided extensive information about the PEF Fund to the GAO during its research process.

The remainder of this section summarizes the roles and responsibilities of County Government in the administration of the PEF program.

1. Appointing a PEF Liaison

County staff receive numerous inquiries about the PEF program from candidates, potential candidates, the state, the press, and the public. For the 2018 election – the first election where candidates could participate in the PEF – Department of Finance staff served as the default liaison and primary source of information for candidates, the state, and the public about the PEF.

In 2020, the Council amended the law to require the CE to designate a PEF liaison. The PEF liaison is solely a source of information for the public about the program and has no other responsibilities related to program implementation. The County Executive appointed staff in the Office of Consumer Protection (OCP) as the PEF liaison. See Section C for more details on this position.

2. Putting Money into the PEF Fund

The County established the Public Election Fund, which holds the funds that the Council appropriates for PEF matching funds, on October 6, 2014. Funds in the PEF include:

- Funds appropriated by the Council;
- Unspent funds returned to the PEF by candidates;
- Interest earned on the fund; and
- Voluntary donations to the fund.

Funds appropriated by the Council for the PEF initially are first put into a County non-departmental account (NDA). In some fiscal years, the Council has appropriated funds to the PEF NDA for administrative purposes (e.g., funding revision of the State Board’s MDCRIS system, contract staff for document development) in addition to funds to be used as matching funds.

Funds for administrative purposes in the NDA that are not use by the end of the fiscal year revert back to the County's general fund.

Most funds from the NDA, however, are designated as matching funds for candidates and Finance staff transfer those funds into the restricted PEF fund. Once in the restricted PEF account, funds can only be distributed to candidates as part of the public finance program.

3. Distributing PEF Funds to Candidates' Accounts

As noted above, the State Board determines when a candidate becomes certified to receive PEF funds and calculates the amount of public funding that a candidate should receive. The State Board communicates that information to the Department of Finance, and then the County distributes the funds to the candidate.

Finance staff report that they periodically perform matching fund calculations for informal internal review only, for random candidates, to compare outcomes to MDCRIS' calculations. Finance staff report that candidates frequently make changes/corrections to data in MDCRIS. Finance staff's level of access to the system does not allow them to see when or what changes have been made. The changes/corrections to MDCRIS data and staff's data access in MDCRIS only allow for general, reasonableness review of state matching fund amounts. At the same time, the County Government does not have authority to review matching fund distribution amounts calculated by the State Board. Numerous stakeholders reported that it is easy and common for campaigns to make mistakes when entering data into MDCRIS that require subsequent correction.

4. Tracking the Return of Unspent Funds After Elections

Following an election, PEF candidate have 90 days to return unspent funds to the PEF. The law allows candidates to retain up to \$5,000 for post-election expenses if they file a declaration by January 31 following an election indicating their intent to participate in the PEF in the following election. Finance staff report that following an election, candidates are required to file a form with the Department of Finance attesting under penalty of perjury the final balance from their campaign bank account and the amount of money, if any, that they are returning to the PEF.

The data in the next table show that from the 2022 election, eight of 20 participating candidates moved from the primary election to the general election. Ten of the 20 participating candidates returned funds to the PEF. Eight candidates returned all remaining funds and two candidates returned funds AND retained \$5,000 and committed to participate in the PEF in the next election.

Table 5. PEF Candidates’ Disposition of Funds following 2022 Elections

	# of PEF Candidates
No Remaining PEF Funds	7
Returned Funds to PEF	8
Kept Funds for Post-Election Expenses Resulting in No Remaining PEF Funds	3
Kept Funds for Post-Election Expenses AND Returned Funds to PEF	2
Total	20

Source: Department of Finance

Candidates that return funds typically send a check to the County. Finance staff report that the State Board performs post-election audits of candidates’ campaign finance accounts, including a review of bank statements, to verify funds left at end of a campaign. Finance staff also review candidates’ finance reports filed in MDCRIS.

5. Conducting an Audit

As noted in Chapter 2, the Council amended the law in 2020 to add a requirement that the County Executive conduct an audit of PEF activity following a general election. In the Spring of 2024, the Office of Internal Audit entered into a contract with the consulting firm SC&H Group to perform the audit work. Staff report that they currently are working with SC& H Group to develop an audit plan.

Executive Branch staff also report that current County regulations to implement the audit requirement require clarification to better reflect County law. As written, the regulations require the County to audit state processes and implementation, which the County does not have authority to do.

6. Public Reporting of PEF Data

Finance staff create monthly reports on the movement of funds in the PEF in months/years when funds are distributed. The reports are available on the Department of Finance [website](#) and show both distributions of funds to candidates and the PEF fund balance. Finance staff reported that during the 2018 election, the County received numerous Public Information Act (PIA) requests asking for information on the amount of funding being paid out to candidates from the PEF.

7. Adjusting PEF Limits

County law requires the County Chief Administrative Officer to adjust the maximum public contribution limit (currently \$250) and the limit on the maximum amount of matching funds available to candidates every four years – based on changes in the Consumer Price Index (CPI). Executive Branch staff identified two issues with this part of the law to OLO.

First, Executive Branch staff report that the language in the law needs clarification because there is more than one way to interpret the language as written. The law states that the CAO “must adjust the public contribution limits ... and the eligible contribution limit ... by the annual average increase, if any, in the Consumer Price Index for the previous 4 calendar years.”⁴

Second, the law required the CAO to publish the amount of any adjustments by March 1, 2022 and for the adjustments to be effective July 1, 2022, with the same changes made every subsequent four year. Executive Branch staff highlighted that 2022 was an election year for County elected officials. Changing the maximum contribution limit and maximum funding available for a PEF candidate on July 1 would have the changes take effect after the primary election – which typically occurs in June in Maryland.⁵

Because of the confusion on the language directing the CAO to make adjustments and the timing of the change that would have taken effect in the middle of election season, the Executive Branch did not adjust these limits in 2022. Staff noted that they came to this decision after discussions among staff in the Department of Finance, Office of the County Attorney, and State Board of Elections. Note that in October 2020, between the 2018 and 2022 elections, the Council amended the law to increase the maximum contribution limit from \$150 to \$250 – a 67% increase in the contribution limit. Finance staff report that they received no questions in 2022 about why CPI-based changes were not made.

⁴ MCC §§ 16-20(d); 16-23(j).

⁵ Elections in 2022 were initially scheduled with the primary election on June 28, 2022 and the general election on November 8, 2022. In March 2022, the Maryland Supreme Court moved the date of the primary election from June 28 to July 19, 2022 to allow the court to hear challenges to Maryland’s new legislative and congressional maps. For the next election in which the PEF can be used (2026), the CAO would be required to publish adjusted contribution and maximum funding limits by March 1, 2026, with the limits effective July 1, 2026. State law sets the 2026 primary election on the last Tuesday in June (June 30, 2026), or two days before these adjustments would be scheduled to go into effect.

8. Enforcing Penalties and Discipline

County law makes violation of the PEF law a Class A civil violation and mandates that a candidate withdraw from the PEF if the candidate “intentionally or knowingly providing falsified information, misrepresents a material fact, or conceals relevant information to the [State] Board or Director [of Finance]” under the law.

State and County Collaboration

As this chapter summarizes, the state and County work together extensively to administer the PEF program. This collaboration is highlighted by the following efforts.

Information for Participating Candidates. To implement the PEF, state and County staff jointly developed [information](#), including user guides, videos, and other resources to help candidates and their campaigns navigate the administrative process of participating in the Public Election Fund such as:

- A Summary Guide to the Public Election Fund;
- An instructional video on MDCRIS; and
- Sample forms for documenting contributions.

Staff report that Finance and State Board staff jointly revised the Summary Guide and other documents for the 2022 election and currently are working on revised versions for the 2026 election.

Amendments to the Law. Department of Finance staff have met regularly with State Board staff to review how the system operates and to develop recommendations for changes to improve the system. Chapter 2 describes the four bills that the Council has passed making changes to the PEF law since 2015. State Board staff were involved in the Council’s discussions and provided input on all the bills.

C. Outreach and Education

During the 2018 election period, staff in the Department of Finance or Office of the County Attorney were the primary County Government staff who fielded questions about the implementation of the PEF. In 2020, the Council amended the PEF law to require the County Executive to designate an employee as Public Election Fund liaison between the County Government and candidates, potential candidates, and the public.

After the law was amended, the County Executive designated the Office of Consumer Protection (OCP) for this role.⁶ The PEF liaison is solely a source of information for the public about the program with no other responsibilities related to program implementation. OCP was given a program manager position to take on this work and hired a new employee who began work in July 2021. Unlike staff in the Department of Finance, OCP staff do not have access to candidates' data in the state MDCRIS system during the election cycle.

The OCP program manager initially worked with staff from the County Government's Innovation Team to develop written guidelines for the public and to develop internal performance metrics. Finance staff who responded to public questions and requests for the 2018 election also provided initial support to the program manager. Finance staff report that they currently direct most questions they receive about program implementation to the OCP liaison.

The liaison has created and implemented several outreach and education materials for the public and candidates:

- **Website.** OCP developed a Public Election Fund website, [Public Election Fund Liaison](#) that includes a Frequently Asked Questions (FAQ) section with information on/answers to the six most frequently asked questions:
 - Who qualifies to apply for the Public Election Fund?
 - What steps should I take to become qualified for Public Election Fund support?
 - Where do I go to register for the Public Election Fund Program?
 - Can I pay campaign expenses after filing a Notice of Intent?
 - What is the Public Election Fund Campaign Finance Report Schedule?
 - Where can I find more information regarding the Public Election Fund?⁷

⁶ See May 17, 2021 Staff Report from Naeem Mia to County Council, "[Office of Consumer Protection \(OCP\) FY22 Operating Budget.](#)"

⁷ OCP [website](#).

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- **Contact Form.** OCP created an online contact form for the public to submit questions about the program to the PEF liaison. The PEF liaison reports that he initially fielded questions about the program via phone calls while directing people to the online contact form. The PEF liaison typically responds to questions via County email.
- **Speaker Request Form.** The website has a Speaker Request form where organizations can request a presentation by the PEF liaison.
- **Print Resources.** OCP has created resources for the public about the PEF based on the most commonly asked questions received. Examples include fact sheets on PEF processes (e.g., how to become certified, contribution receipt requirements), a [power point presentation](#) about the program (includes, e.g., resource links, program information, information on participation, relevant documents, MDCRIS system information), and information on state election filings and reporting deadlines.

Data on Inquiries to the PEF Liaison. The PEF liaison fields questions from the public about the PEF and reports that he strives to respond to questions within two to three business days. Data kept by the PEF liaison show that staff answered questions, on average, in 1.33 business days.

The data in the next tables show how the public reached out to the PEF liaison with questions related to the 2022 election (November 8, 2022) and how OCP responded. The data show that OCP staff responded to 205 questions between July 19, 2021 and June 22, 2023. Most questions were communicated via email.

Table 6. Method of Outreach to OCP with Questions about PEF

Source of Question	% of Questions
Follow-Up Email to Prior Contact	63%
Web Form	16%
State Board of Elections Referral	7%
Follow-Up Phone Call to Prior Contact	5%
E-mail to OCP Email Address	4%
Other	4%
Total	100%

Source: OCP

Table 7. Method of OCP Response to Questions about PEF

Source of OCP Response	% of Responses
Email	87%
Phone Call	8%
Video Call	3%
Live Presentation	1%
Total	100%

Source: OCP

The PEF liaison refers questions to staff in Finance, the County Attorney’s Office, and the State Board as needed. Staff in those offices similarly refer questions to the PEF liaison and to each other as appropriate. OCP’s liaison website includes information on the roles of OCP, Finance, and the State Board in the PEF process to help direct questions to the right entity.

The PEF liaison shared the following data on question topics. The topics most frequently asked about were about procedure, contributions, and general program questions.

Table 8. Topics of PEF-Related Questions to OCP

Topic	% of Questions
Procedure	36%
Contributions	20%
General Program	18%
Receipt Format	12%
Fact Finding	11%
Expenditures	3%
Total	100%

D. Public Election Fund Committee

The Council-appointed 7-member Public Election Fund Committee is charged with annually estimating the resources necessary to fund the PEF and recommending to the Council an annual appropriation for the Fund. The Committee is also charged with public outreach and education responsibilities to raise awareness of the PEF. Initially created as a 5-member committee, in 2020 the Council expanded the committee to seven members and added in the responsibilities for public outreach and education. Despite multiple attempts to recruit members, the committee has had no members since 2022 and has received no applications.

Before the 2018 and 2022 elections, the committee met regularly. Its reports to the Council for the FY17 through FY20 budgets include both a majority recommendation for funding and a dissenting recommendation. The data in the next table summarize the committee recommendations for funding the PEF, the County Executive’s recommended appropriation each year, and the Council appropriation.

Table 9. Recommended Funding and Actual Appropriated Funds for the Public Election Fund, FY16-FY25

Budget Year	Public Election Fund Committee Recommendation		CE Rec	CC Approp
	Majority	Dissent		
FY16	(Council Recommendation) \$2.0m+		\$0	\$1.0m
FY17	\$6.6m to \$9.9m (\$10m total)	\$2.5m to \$3.5m total	\$1.0m	\$5.2m
FY18	\$5m (\$11m total)	\$2.5m to \$3.5m total	\$4.1m	\$5.1m
FY19	\$0	(\$1.0m)	\$0	(\$4.0m)*
FY20	\$1.8m x 3 yrs (\$7.2m total)	\$1.1m each of next 3 yrs	\$0	\$0
FY21	\$1.5m x 3 yrs (\$6.3m total)	n/a	\$1.5m	\$0
FY22			\$3.0m	\$3.0m
FY23			\$2.5m	\$2.5m
FY24			\$250,000	\$0
FY25			\$333,000	\$333,000

+ Before establishment of the PEF Committee, all nine Councilmembers and two Councilmember-elects sent a joint letter to the Executive recommending \$2.0 million for PEF funding in FY16. The Council appropriated \$1.0 million for the PEF that year.

* In FY19, the Council transferred \$4.0 from the PEF to fund other County priorities in July 2018, following the 2018 primary election. Note that the transferred funds were in the Public Election Fund NDA, not in the restricted PEF fund. Sources: FY16 budget [staff report](#), FY17 budget [staff report](#), FY18 budget [staff report](#), FY19 budget [staff report](#), FY20 budget [staff report](#), FY21 budget [staff report](#), FY22 budget [staff report](#), FY23 budget [staff report](#), FY24 budget [staff report](#), FY25 budget [staff report](#), FY25 [budget resolution](#)

The data show consistent trends that while the Committee was active:

- In the FY17 through FY21 budgets, the PEF Committee’s recommendation for funding included majority and minority recommendations.
- Except for FY21, the County Executive did not follow either of the committee’s recommendations in his proposed budgets in the years when the committee recommended funding.
- Aside from the FY18 budget, the Council’s ultimate appropriation did not follow the committee’s nor the County Executive’s recommendations.

Data from the Department of Finance show that the PEF had had adequate funding to cover all candidates’ requests for matching funds for the 2018 and 2022 elections. See Chapter 4.

Chapter 4. Public Election Fund Statistics

This chapter provides an analysis of the Public Election Fund (PEF), including its budget, distributions and fund balance; candidate participation for County Executive and County Council seats, and funds received/returned by candidates for the 2018 and 2022 elections. The chapter also summarizes the PEF's impact on the contribution sizes and volume for both elections completed by the Maryland PIRG Foundation (MPIRG).

Key findings include:

- To date, \$4.6M is available in the PEF for the 2026 election cycle.
- Forty candidates sought public financing in 2018 while 30 candidates did in 2022 – even though there were more open seats in 2022 (6) than 2018 (5).
- Of the 17 candidates who participated in both the 2018 and 2022 elections, five candidates participated in the PEF in both elections, nine candidates used traditional financing in both elections, and three candidates used traditional financing in one election and participated in the PEF in the other.
- In 2018, nine out of the 17 primary election winners in 2018 used PEF funding (53%) and seven out of 10 general election winners used PEF funding (70%). For 2022, eight out of 19 primary election winners used PEF funding (42%) and eight out 12 general election winners used PEF funding (67%).
- For the 2018 primary and general elections, 23 out of 69 total candidates (33%) received \$5.3M in funds from the PEF. One candidate for County Executive received the maximum public funding distribution for both elections (\$750,000). Four Council candidates received the maximum funding available for the primary election only – two at-large candidates (\$250,000) and two district candidates (\$125,000).
- For the 2022 primary and general elections, 20 out of 65 total candidates (31%) received \$3.7M in funds from the PEF. Five candidates received the maximum public funding distribution for the primary election: one County Executive candidate, two Council at-large candidates, and two Council district candidates. No candidates received the maximum funding available for the general election.
- In the 2018 elections, 94% of the funding raised by PEF candidates came from small donations; while only 8% of funding came from small donations for non-PEF candidates.
- In the 2022 elections, 96% of the funding raised by PEF candidates came from small donations; while only 2% of funding came from small donations for non-PEF candidates.

This chapter is organized as follows:

- Section A examines the PEF budget and funding changes since inception;
- Section B reviews candidate participation in PEF;
- Section C analyzes candidate PEF distribution and returned funds; and
- Section D summarizes PEF’s impact on contribution sizes and volume.

A. Public Election Fund Budget and Funding Changes

The Public Election Fund (PEF) is a restricted fund, meaning that the funds can only be distributed to certified PEF candidates.¹ Unsure of the level of participation the program would have, the Council appropriated a total of \$11M to the Fund from FY16-FY19 to provide matching funds for the 2018 election. The County distributed \$4.1M in matching funds for the 2018 primary election.² Following a transfer of \$4M originally appropriated for matching funds back to the general fund in July 2018, and a distribution of \$1.2M in matching funds for the 2018 general election, the PEF ended with \$1.8M at the end of the 2018 election cycle (see chart below).

The PEF began the FY22 election cycle with \$5.02M and ended with \$3.9M following appropriations, matching fund distributions, and other adjustments. Approximately \$4.6M is available to date for the 2026 election cycle (subject to further fund adjustments).

¹ In July 2018, the County transferred \$4M still in the PEF NDA back to General Fund because the fund balance for the 2018 election was sufficient, and funding was needed elsewhere.

² [Non-Departmental Accounts Archives](#), Office of Management and Budget

Table 10. Public Election Fund Balance from July 2017 to Date

	Timeframe	Election Cycle Phase	Fund Balance
2018 Election Cycle	Jul-17	Beginning of 2018 election cycle	\$11,000,000
	Jul-17 to Aug-18	(Distributions to primary election candidates)	(\$4,109,413)
		Return of funds	\$29,876
		Net primary election closeout adjustments*	\$82,111
	<i>Jul-18</i>	<i>Balance between primary and general elections</i>	<i>\$7,002,574</i>
	Jul-18	(Transfer out of PEF to General Fund)	(\$4,000,000)
	Jul-18 to Oct-18	(Distributions to general election candidates)	(\$1,277,712)
		Return of funds	\$117,914
	Jan-19	End of 2018 election cycle	\$1,842,776
		Net general election closeout adjustments*	\$177,224
	Jul-21	FY22 budget appropriation	\$3,000,000
2022 Election Cycle	Jul-21	Beginning of 2022 election cycle	\$5,020,000
	Jul-21 to Jul-22	(Distributions to primary election candidates)	(\$3,458,572)
		(Net primary election closeout adjustments*)	(\$1,370)
	<i>Aug-22</i>	<i>Balance between primary and general elections</i>	<i>\$1,560,058</i>
	Aug-22	FY23 budget appropriation	\$2,500,000
	Aug-22 to Nov-22	(Distributions to general election candidates)	(\$233,515)
		Return of funds	\$37,923
	Jan-23	End of 2022 election cycle	\$3,864,466
	Net general election closeout adjustments*	\$368,771	
	Jul-24	FY25 budget appropriation	\$333,000
		Estimated available funding to date	\$4,566,237**

Source: [Public Campaign Finance Program](#) reports and Department of Finance staff.

* These adjustments include annual interest allocations, return of funds, and final distributions to candidates. These distribution changes are due to an overlapping period when payments and return of payment balances occurred simultaneously with election distributions.

**Subject to further fund adjustments.

B. Candidate Participation in PEF

The data in the next table show the number of candidates on the primary ballot by office for the past four elections. The 2018 election – the first year public funding was available – had the greatest number of candidates. As a caveat, there were fewer open seats in the 2010 and 2014 elections; each had less than half the number of candidates in 2018.³

³ Open seats: 2010 (1; County Council District 2); 2014 (2; County Council Districts 3 and 5); 2018 (5; County Executive, County Council At-Large (3), and County Council District 1); and 2022 (6; County Council At-Large and Council Districts 2, 4, 5, 6, and 7). For the 2022 election, the Council expanded from nine to 11 seats.

Table 11. Total Candidates on Primary Ballot from 2010 to 2022

Office	2010	2014	2018	2022
Open Seats	1	2	5	6
County Executive	3	4	7	6
County Council - District	14	17	21	41
County Council - At-Large	13	10	37	11
Total	30	31	65*	58*

Source: [Maryland State Board of Elections Gubernatorial Primary Results](#)

*Includes candidates who only appeared on the primary ballot. There were candidates who participated in PEF and did not appear on the primary ballot in 2018 (3) and 2022 (4). There were also candidates who appeared on the general election ballot, but not on the primary ballot in 2018 (1) and 2022 (2). There was also one candidate in 2022 who registered, did not participate in PEF, and did not appear on the primary or general election ballots.

Note: The open seat in 2010 was for County Council District 2. The open seats in 2014 were for County Council Districts 3 and 5.

When focusing on the elections using PEF, there were five open seats in 2018 and 40 candidates initially sought public financing. In 2022, there were six open seats with 30 candidates initially seeking public financing, a decrease of 25%. A higher percentage of candidates who participated in public financing were certified in 2022 (20 candidates or 67%) compared to 2018 (23 candidates or 58%).

Table 12. Open Seats and Candidate PEF Participation

	2018	2022
Open Seats	5	6
Total Candidates	69*	65*
Candidates Who Did Not Seek Public Financing	29	37
Candidates Who Sought Public Financing	40	30
<i>Candidates Who Were Certified</i>	23	20

*Includes all candidates who participated in PEF (not all on the primary ballot), initially registered as a candidate, and those who were on the ballot for the primary election.

Note: Open seats in 2018 included: County Executive, County Council At-Large (3), and County Council District 1. Open seats in 2022 included: County Council At-Large, County Council Districts 2, 4, 5, 6, and 7.

Seventeen candidates ran in both the 2018 and 2022 elections. The data show that five candidates participated in the PEF in both elections, nine candidates used traditional financing in both elections, and three candidates used traditional financing in one election and participated in the PEF in the other.

Table 13. Method of Campaign Financing, 2018 and 2022 Elections

Campaign Financing Method	Candidates
PEF in 2018, 2022	5
Traditional in 2018, 2022	9
Traditional in 2018; PEF in 2022	1
PEF in 2018; Traditional in 2022	2

Source: [Public Campaign Finance Program](#) reports, Department of Finance; [Maryland State Board of Elections Gubernatorial Primary Results](#)

Looking at election results data, 53% of primary election winners in 2018 and 42% in 2022 were PEF candidates. In the general elections, 70% of winners in 2018 and 67% in 2022 were PEF candidates.

Table 14. Primary and General Election Winners & PEF Use, 2018 and 2022

Election	Election Type	Campaign Financing	# of Winning Candidates
2018	Primary	PEF	9
		Traditional Financing	8
	General	PEF	7
		Traditional Financing	3
2022	Primary	PEF	8
		Traditional Financing	11
	General	PEF	8
		Traditional Financing	4

Source: [Public Campaign Finance Program](#) reports, Department of Finance; [Maryland State Board of Elections Gubernatorial Primary Results](#)

C. Candidates and Funding

The following section summarizes the candidates and levels of funding received for the 2018 and 2022 elections.

1. 2018 Primary and General Elections

A total of 23 candidates received matching contributions from PEF for the 2018 primary and general elections totaling \$5.3M. Of the 23, only five candidates received the maximum funding available in one or both elections. One candidate received the maximum funding available in both elections – a candidate for County Executive. Four Council candidates received the maximum funding available for the primary election – two at-large candidates and two district candidates. Overall, seven out of the 10 available seats were won by PEF candidates (70%).

The data in the next table show the candidates that participated in the PEF in 2018, the funding received, and the amount of money that they returned to the fund, if any.

Table 15. 2018 Montgomery County Election PEF Certified Candidates

	PEF			
	Distributions - Primary Election	PEF Distributions - General Election	Total	Funds Returned
Certified Candidates				
Executive				
Elrich, Marc – D	\$750,000	\$750,000	\$1,500,000	\$65,634
Leventhal, George - D	\$495,920		\$495,920	\$176
Krasnow, Rose - D	\$412,456		\$412,456	
Ficker, Robin - R		\$255,345	\$255,345	
Councilmember – At-Large				
Jawando, Will – D	\$250,000	\$54,084	\$304,084	\$1,410
Glass, Evan – D	\$250,000	\$21,435	\$271,435	\$13
Riemer, Hans – D	\$242,785	\$21,690	\$264,475	\$7,067
Conway, Bill – D	\$219,683		\$219,683	
Albornoz, Gabe – D	\$168,611	\$31,626	\$200,237	\$7
Dang, Hoan – D	\$179,513		\$179,513	
Wilhelm, Chris – D	\$155,398		\$155,398	
Meitiv, Danielle – D	\$128,881		\$128,881	
Brooks, Brandy – D	\$116,768		\$116,768	
Fouse, Jill Ortman – D	\$104,626		\$104,626	
Grimes, Seth – D	\$100,921		\$100,921	\$25
Siddique, Mohammad – D	\$77,406		\$77,406	\$19,402

Public Election Fund Statistics

	PEF		Total	Funds Returned
	Distributions - Primary Election	PEF Distributions - General Election		
Councilmember – District				
Katz, Sidney – D	\$125,000		\$125,000	\$741
Oldak, Regina "Reggie" – D	\$125,000		\$125,000	\$1,987
Amatetti, Ed – R	\$44,850	\$31,545	\$76,395	\$11,997
Harris, Kevin – D	\$44,100		\$44,100	\$833
Gutierrez, Ana Sol – D	\$43,470		\$43,470	\$2,153
Navarro, Nancy – D	\$37,275		\$37,275	\$939
McGee, Jim – D	\$36,751		\$36,751	\$5,301

Source: [Public Campaign Finance Program](#), Department of Finance

█ = Elected
 D = Democrat I = Independent R = Republican

In 2018, 17 candidates participated in the PEF but were not certified (did not receive required number of contributions and minimum total contributions). Out of those 17 candidates, 14 were on the primary election ballot⁴; none were elected.

Table 16. 2018 Montgomery County Election PEF Non-Certified Candidates

Councilmember - At-Large	Councilmember - District
Arkoian, Rosemary – D	Banach, Richard – R
Bhatnager, Shruti – D	Cook, Bill – D
Busch, Ukiah – D	Malikidogo-Fludd, Kenge – D
Carozza-Cainess, Craig – D	Puca, Tony – D
Forde, Lorna Phillips – D	
Garcia, Loretta Jean – D	
Geller, Paul S. – D	
Gottfried, Richard – D	
Greenberger, Neil – D	
McKenna, Melissa – D	
Riley, Michele – D	
Romero, Darwin – D	
Willard, Tim – G	

Source: [Public Campaign Finance Program](#), Department of Finance
 D = Democrat G = Green I = Independent R = Republican

Finally, 29 candidates did not participate in PEF and used traditional financing in the 2018 elections, with 28 of them on the ballot for the primary election.⁵ Overall, 3 out of the 10 available seats were won by non-PEF candidates.

⁴ Ukiah Busch (Democrat), Tony Puca (Democrat), and Tim Willard (Green) were not on the primary ballot.

⁵ Nancy Floreen (Independent) was only on the general election ballot.

Table 17. 2018 Montgomery County Election Non-PEF Candidates

County Executive	Councilmember - District	Councilmember - At-Large
Berliner, Roger – D	Bennett, Tiquia J. – D	Balcolombe, Marilyn – D
Blair, David – D	Ferleman, Tom – R	Barkley, Charles – D
Floreen, Nancy – I	Fosselman, Pete – D	Branson, Cherri L. – D
Frick, Bill – D	Friedson, Andrew – D	Colbert, Ron – D
	Graney, Jay – D	Dyer, Robert – R
	Hucker, Tom – D	Falcinellii, Jr., Tom R. – D
	Osorio, Dalbin – D	Fiotes, Jr., Chris P. – R
	Rice, Craig L. – D	Jain, Ashwani – D
	Sefcik, Kyle – R	Lipscomb, David V. – D
	Shnider, Ben – D	Musser, Penny – R
	Wellington, Meredith – D	Rivera-Oven, Graciela – D
		Skolnick, Shelly – R
		Smith, Jarrett – D
		Solomon, Steve – D

Source: [Maryland State Board of Elections Gubernatorial Primary Results](#)

= Elected
 D = Democrat I = Independent R = Republican

2. 2022 Primary and General Elections

A total of 20 candidates received matching contributions from PEF for the 2022 primary and general elections totaling \$3.7M. Of the 20, six candidates received the maximum funding available in the primary election (two County Executive, one at-large CM, and three district CMs). No candidate received full funding in both the primary and general elections. Overall, eight out of the 12 available seats were won by PEF candidates (67%).

The data in the next table show the candidates that participated in the PEF in 2022, the funding they received, and the amount of money that they returned to the fund, if any.

Table 18. 2022 Montgomery County Election PEF Certified Candidates

	PEF Distributions - Primary Election	PEF Distributions - General Election	Total	Funds Returned
Certified Candidates				
Total Funds				
Executive				
Elrich, Marc – D	\$750,000	\$108,137	\$858,137	\$25,707
Riemer, Hans – D	\$750,000		\$750,000	
Councilmember – At-Large				
Glass, Evan – D	\$250,000	\$46,227	\$296,227	
Albornoz, Gabe – D	\$215,833	\$10,917	\$226,750	
Sayles, Laurie-Anne – D	\$126,178	\$11,211	\$137,389	\$3,319
Brooks, Brandy – D	\$193,811		\$193,811	
Goldberg, Scott – D	\$181,197		\$181,197	
Councilmember – District				
Balcombe, Marilyn – D	\$125,000	\$35,984	\$160,984	
Mink, Kristin – D	\$125,000	\$8,903	\$133,903	\$3,166
Stewart, Kate – D	\$125,000	\$7,597	\$132,597	\$5,731
Fani-Gonzalez, Natali – D	\$95,263	\$4,539	\$99,802	
Morales, Maurice I. – D	\$78,169			
Ginsburg, Amy – D	\$71,974			
Anleu, Brian – D	\$71,445			
Barrie, Fatmata – D	\$67,515			
Wu, Robert – D	\$58,005			
Lazo, Omar – D	\$55,300			
Wikner, Ben – D	\$49,570			
Roberts, William – D	\$37,716			
Einsmann, Andrew – D	\$31,595			

Source: [Maryland State Board of Elections Gubernatorial Primary Results](#)

■ = Elected

D = Democrat

R = Republican

In 2022, 10 candidates who participated in PEF were not certified (did not receive required number of contributions and minimum total contributions). Out of those 10 candidates, six were on the primary election ballot⁶ and none were elected.

Table 19. 2022 Montgomery County Election PEF Non-Certified Candidates

Executive	Councilmember - District
Battley, Devin – D	Cook, Kerri – D
	Cuda, Dan – R
Councilmember - At Large	Geller, Paul – D
Harris, Neil – D	Hidayat, Sharif – D
Patel, Dwight – R	Koroma, Daniel – D
Tichy, Christa – D	Lamari, Cary – D

Source: [Public Campaign Finance Program](#), Department of Finance

D = Democrat R = Republican

Finally, 35 candidates did not participate in PEF and used traditional financing in the 2022 elections, with 32 of them being on the ballot for the primary election.⁷ Overall, four out of 12 available seats were won by non-PEF candidates (33%).

Table 20. 2022 Montgomery County Election Non-PEF Candidates

County Executive	Councilmember - District	Councilmember – District (cont.)
Blair, David – D	Bennett, Tiquia J. – D	Murtha, Troy – D
James, Peter – D	Bienenfeld, Paula – U	Phillips Forde, Lorna – D
Skolnick, Shelly – R	Bolton, Christopher – R	Pope, Jeremiah – D
Sullivan, Reardon – R	Carr, Al – D	Riley, Cheryl – R
	Doan, Viet – R	Schwartz, Paul – D
Councilmember - At-Large	Friedson, Andrew – D	Siman-Tov, Brit – D
Fiotes, Jr., Chris P. – R	Hernandez, George – R	Solomon, Steve – D
Gassaway, Dana – D	Katz, Sidney – D	Tichy, Christa – D
Hucker, Tom – D	Luedtke, Dawn – D	Trullinger, Mark – D
Jawando, Will – D	Maldonado, Harold – R	Vergagni, Vicki – D
Kellerman, Kim – D	Manger, Jacqueline – D	Woody, Kate – R
Lieber, Lenard – R	Montier, William "Chip" – D	Zittrauer, John – D
Robinson, Dan – G		

Source: [Maryland State Board of Elections Gubernatorial Primary Results](#)

 = Elected

D = Democrat G = Green I = Independent R = Republican U = Unaffiliated

⁶ Devin Battley (Green) did appear on the general election ballot.

⁷ Dan Robinson (Green) and Paula Bienenfeld (Unaffiliated) only appeared on the general election ballot. Kim Kellerman (Democrat) withdrew before the primary election.

D. PEF Impact on Contribution Size and Volume

The [Maryland Public Interest Research Group \(MPIRG\)](#) analyzed data from Montgomery County’s 2018 election to compare fundraising between publicly funded candidates and traditionally funded candidates. According to MPIRG, the data show that in 2018, publicly funded candidates received more individual contributions. MPIRG concluded that the smaller donor program was working, and that “other counties, cities, and states should look to Montgomery County as an example of how to take effective and substantial action on campaign finance reform.”⁸ The MPIRG’s “Fair Elections in Montgomery County”⁹ report also found the following:

- Candidates who participated in PEF and received matching funds had 92% more contributions from individuals on average than non-participating candidates (611 vs. 319).
- Candidates in the PEF raised 58% more of their contributions from small donors (99.5% percent vs. 63%).
- Candidates who qualified for matching dollars collected, in aggregate, almost 12 times as much of their campaign funding from small donors as candidates who did not participate in the program.
- A total of 94% of the funding raised by PEF candidates came from small donations; while only 8% of funding came from small donations for non-PEF candidates.

MPIRG updated its report after the 2022 elections, including data from the public funding program in Howard County.¹⁰ The update found that the role of small donors continued to be important, providing 96% of the funding for PEF candidates in Montgomery County – but only providing 2% to non-PEF candidates.¹¹ It also found that individual donors participate at a higher rate when using PEF for the County, in which “qualifying candidates received on average 228% more contributions from individuals than candidates who did not participate (701 vs. 214).”¹² Finally, PEF candidates in the County gained traction on non-PEF candidate funding levels, more than tripling their average contribution from \$120 to \$396 using matching funds.¹³

⁸ [“Fair Elections in Montgomery County: Matching Program for Small Contributions Delivers Promising Results,”](#) by Emily Scarr (Maryland PIRG Foundation), Joe Ready (USPIRG Education Fund), Damon Effingham (Common Cause), and Teague Morris (Frontier Group), January 2018, page 4.

⁹ Ibid.

¹⁰ [“Report Summary: Fair Elections in Maryland Counties,”](#) December 2023.

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

Chapter 5. Local Public Campaign Finance Programs in Maryland

Currently, six Maryland jurisdictions (including Montgomery County), have enacted public campaign finance laws. Montgomery County, Howard County and Baltimore City have all conducted elections with candidates receiving public funding. Prince George’s County, Anne Arundel County, and Baltimore County have all enacted public campaign finance laws and plan on implementing their programs in the 2026 elections.

Montgomery County was the first county to adopt a public campaign finance law and implement its program in 2014. All other Maryland counties have based the structure of their programs on Montgomery County’s Public Election Fund (PEF). Executive Branch staff report that they have consistently provided information and input to staff in other jurisdictions as the jurisdictions developed their programs.

This chapter summarizes information on the programs in the other Maryland jurisdictions in comparison to Montgomery County. The information in the chapter highlights different policy choices in program design that the Council may want to consider.

- Section A outlines public campaign finance program components from the six Maryland jurisdictions and provides some comparison data among programs;
- Section B highlights five instances where the programs differ from each other; and
- Section C provides summary charts with details about each jurisdiction’s program.

A. Program Components in Maryland Jurisdictions

Six Maryland jurisdictions have adopted local legislation to establish public campaign finance programs, all with the same general structure. In every program, a candidate must raise a minimum number of small dollar qualifying contributions from individual jurisdiction residents that total a minimum amount of money to qualify for public funding. And candidates must agree to other restrictions on fundraising and campaign spending. Traditionally funded candidates who do not wish to receive public financing follow campaign finance rules established in Maryland state law.

When a candidate meets a program’s minimum requirements, the jurisdiction matches qualifying contributions with public funds. Each program establishes a maximum contribution limit and stipulates that candidates can receive contributions only from individuals. Publicly funded candidates cannot take contributions from businesses, nonprofit organizations, labor unions, etc.

Local Public Campaign Finance Programs in Maryland

While the basic program structures are the same among jurisdictions, the data in the tables on the following pages show that several program components vary from jurisdiction to jurisdiction. For example, Baltimore County is the only Maryland jurisdiction with campaign expenditure limits that dictate how much a candidate can spend in an election. Also, candidates in Baltimore City and Howard, Prince George's and Baltimore Counties can have the amount of matching funds to which they are entitled reduced based on spending levels in prior campaigns.

Table 21 on page 53 highlights the main program components in each jurisdiction's public campaign finance program, including:

- Eligible offices;
- Contribution limits for publicly funded candidates and traditional candidates;
- Minimum number of contributions and dollar amount required to qualify for programs;
- Maximum amount of funding available to a candidate and whether that amount is per election cycle (which includes both the primary and general elections) or per election;
- Campaign expenditure limits;
- Which donors can provide qualifying contributions;
- Who can loan money to a candidate's campaign; and
- Whether the local law allows a candidate to "affiliate" with other candidates during a campaign.

OLO also compiled the following tables that provide detailed information on the six public finance programs in Maryland:

- Table 22 on page 54 outlines the matching ratios each jurisdiction uses to match qualifying contributions. The jurisdictions use progressive matching formulas where, assuming a donor contributes up to the jurisdiction's limit, the first dollars of a contribution are matched with public funds at a higher ratio than the last dollars.
- Table 23 on page 55 calculates matching funds provided to candidates at different contribution levels in each jurisdiction.
- Table 24 on page 56 shows the average contribution required per donor to qualify for public funding for each office in each jurisdiction.

Table 25 on page 57 shows additional program components.

Table 21. Public Campaign Finance Program Components in Maryland Jurisdictions

Eligible Offices		Contribution Limits: Public Funding (Traditional Funding)	Qualifying Contributions Min. #, Min. \$	Maximum Public Funds	Campaign Expenditure Limits	Qualifying Contributions Allowed From	Candidate/Family Member Loan Limit	Law Allows Candidate Affiliation
Montgomery County	County Executive	\$250 (\$6K)	500, \$40K	\$750K	X	Montgomery County residents	\$12K total Candidate, spouse	X
	At-Large CM	\$250 (\$6K)	250, \$20K	\$250K				
	District CM	\$250 (\$6K)	125, \$10K	\$125K Per Election: Prim./Gen.				
Howard County	County Executive	\$250 (\$6K)	500, \$40K	\$700K	X	Howard County residents	\$12K total Candidate, spouse, parent, sibling, child 18+ yrs old	✓
	Councilmember	\$250 (\$6K)	125, \$10K	\$85K Per Election Cycle				
Baltimore City	Mayor	\$150 (\$6K)	500, \$40K	\$1.5M	X	Baltimore City residents	\$6K total Candidate, spouse	✓
	Council President	\$150 (\$6K)	250, \$15K	\$375K				
	Comptroller	\$150 (\$6K)	250, \$15K	\$200K				
	City CM	\$150 (\$6K)	150, \$5K	\$125K Per Election Cycle Plus Qualifying Boost Mayor: \$200K CCL Pres./Comp: \$50K One Time				
Prince George's County	County Executive	\$250 (\$6K)	500, \$40K	\$750K	X	Prince George's County residents	\$6K total Candidate, spouse	✓
	At-Large CM	\$250 (\$6K)	250, \$15K	\$200K				
	District CM	\$250 (\$6K)	150, \$7.5K	\$75K Per Election Cycle				
Baltimore County	County Executive	\$250 (\$6K)	550, \$50K	\$750K	\$1,400,000 \$150,000	Baltimore County residents	\$12K total Candidate, spouse, parent, sibling, child 18+ yrs old	✓
	Councilmember	\$250 (\$6K)	150, \$15K	\$80K Per Election: Prim./Gen.				
Anne Arundel County	County Executive	\$250 (\$6K)	500, \$40K	\$750K	X	Anne Arundel County residents	\$12K total Candidate, spouse	X
	Councilmember	\$250 (\$6K)	75, \$7.5K	\$125K Per Election Cycle				

CM=Councilmember

Local Public Campaign Finance Programs in Maryland

Table 22. Public Campaign Finance Program Contribution Matching Ratios, by Jurisdictions

Montgomery County				Prince George's County			
County Executive		County Council		County Executive		County Council	
Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount
\$6:\$1	First \$50	\$4:\$1	First \$50	\$7:\$1	First \$25	\$7:\$1	First \$25
4:1	Second \$50	3:1	Second \$50	5:1	Next \$50	5:1	Next \$50
2:1	Third \$50	2:1	Third \$50	1:1	Next \$75	1:1	Next \$75
0	\$151-\$250	0	\$151-\$250	0	\$151-\$250	0	\$151-\$250

Howard County				Baltimore County*			
County Executive		County Council		County Executive		County Council	
Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount
\$7:\$1	First \$50	\$5:\$1	First \$50	\$6:\$1	First \$50	\$4:\$1	First \$50
4:1	Second \$50	3:1	Second \$50	4:1	Second \$50	3:1	Second \$50
1:1	Third \$50	1:1	Third \$50	2:1	Third \$50	2:1	Third \$50
0	\$151-\$250	0	\$151-\$250	0	\$151 - \$250	0	\$151-\$250

Baltimore City				Anne Arundel County			
Mayor, Council President, Comptroller		City Council		County Executive		County Council	
Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount
\$9:\$1	First \$25	\$9:\$1	First \$25	\$6:\$1	First \$50	\$4:\$1	First \$50
5:1	Next \$50	5:1	Next \$50	4:1	Second \$50	3:1	Second \$50
2:1	Next \$75	0	Next \$75	2:1	Third \$50	2:1	Third \$50
				0	\$151 - \$250	0	\$151-\$250

In-Kind Contributions and Loans Not Matched

The PEF does not match in-kind contributions to a candidate's campaign, loans, and contributions from a candidate or candidate's spouse.

Differences in Funding Ratios

The funding formulas in Montgomery, Howard, Anne Arundel, and Baltimore Counties are based on \$50 increments. The funding formulas in Baltimore City and Prince George's County are based on increments of \$25, \$50, and \$75. Montgomery County, Anne Arundel County, and Baltimore County all use the same funding formula.

Note: The maximum contribution limit is \$250 in each jurisdiction except for Baltimore City, where the maximum contribution limit is \$150. * Baltimore and Howard Counties do not match contributions of less than \$5. Source: Jurisdiction's codes

OLO calculated matching funds using each jurisdiction's funding ratios, for contributions up to \$150. Note that while the contribution limit in five jurisdictions is \$250 and \$150 in the sixth jurisdiction, all six jurisdictions only match up to the first \$150 of a contribution.

Table 23. Matching Fund Amounts Based on Contribution Amount, by Jurisdiction

Donation Amount	Baltimore City	Howard	Prince George’s	Montgomery*	Anne Arundel*	Baltimore County*
Executive/Mayor/ Balt City Council President						
\$25	\$225	\$175	\$175	\$150	\$150	\$150
\$50	\$350	\$350	\$300	\$300	\$300	\$300
\$75	\$475	\$450	\$425	\$400	\$400	\$400
\$100	\$525	\$550	\$450	\$500	\$500	\$500
\$125	\$575	\$575	\$475	\$550	\$550	\$550
\$150	\$625	\$600	\$500	\$600	\$600	\$600
Councilmember						
\$25	\$225	\$125	\$175	\$100	\$100	\$100
\$50	\$350	\$250	\$300	\$200	\$200	\$200
\$75	\$475	\$325	\$425	\$275	\$275	\$275
\$100	\$475	\$400	\$450	\$350	\$350	\$350
\$125	\$475	\$425	\$475	\$400	\$400	\$400
\$150	\$475	\$450	\$500	\$450	\$450	\$450

* Montgomery, Anne Arundel, and Baltimore Counties all use the same matching formula. Source: Jurisdiction’s codes, OLO calculations

For jurisdictions with different matching formulas, the data show that matching funds for candidates in Montgomery County:

- Are \$25-\$75 less at every contribution level compared to Baltimore City;
- Are \$25-\$50 less compared to Howard County at all contribution levels except \$150; and
- Are \$25 less compared to Prince George’s County at the \$25 and \$75 contribution levels.

Local Public Campaign Finance Programs in Maryland

OLO also calculated the average contribution amount a candidate must receive per donor in each jurisdiction to meet the minimum dollar amount required to qualify for public funding. The average contribution is the minimum dollar amount of required contributions divided by the number of required contributions.

Table 24. Average Contribution Needed to Qualify for Public Funding, by Office

	Montgomery	Howard	Baltimore City	Prince George's	Anne Arundel	Baltimore County
Executive						
# Contributions	500	500	500	500	500	550
\$ Contributions	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	\$50,000
Average Contribution	\$80	\$80	\$80	\$80	\$80	\$91
Councilmember						
	At-Large	All	President*	At-Large	All	All
# Contributions	250	125	250	250	75	150
\$ Contributions	\$20,000	\$10,000	\$15,000	\$7,500	\$7,500	\$15,000
Average Contribution	\$80	\$80	\$60	\$30	\$100	\$150
Councilmember						
	District		District	District		
# Contributions	125		150	150		
\$ Contributions	\$10,000		\$5,000	\$7,500		
Average Contribution	\$80		\$33	\$50		

* The Baltimore City Council includes 14 members elected by district and a president elected at-large. Source: Jurisdiction's codes, OLO calculations

The data show that candidates in Montgomery and Howard Counties need, on average, an \$80 contribution per donor to qualify for public funding. The average contribution needed per donor in the other jurisdictions varies by jurisdiction and – in Baltimore City and Prince George's, Anne Arundel, and Baltimore Counties – the average contribution needed varies by office within the jurisdiction.

The data in the next table show additional information about the public campaign finance programs. Of note:

- Several jurisdictions reduce a candidate's matching fund (or restrict participation) based on prior campaign spending;
- Candidates can "affiliate" with other candidates in four of the six jurisdictions (not in Montgomery County);
- Only Baltimore County has a campaign expenditure limit; and
- Only Montgomery County allows a candidate to retain unspent public funds in limited circumstances.

Table 25. Other Public Campaign Finance Program Components

	Prior Campaign Spending		In-Kind Contributions		
	May Reduce Matching Funds	May Limit Ability to Participate in Public Funding	Allowed from State/Local Central Committees	Candidate Can Affiliate with Other Candidates	Campaign Expenditure Limits
Montgomery County, MD	X	X	✓	X	X
Howard County, MD	✓	X	X	✓	X
Baltimore City, MD	✓	X	X	✓	X
Prince George’s County, MD	✓	✓	X	✓	X
Baltimore County, MD	✓	X	X	✓	✓
Anne Arundel County, MD	X	X	X	X	X

	Withdrawing Candidate Repayments to Fund: Financial Hardship Exception	Candidate Can Retain Some Unspent Public Funds	Post-Election Audit or Review	Local Commission with Oversight Responsibilities
	Montgomery County, MD	X	✓	✓
Howard County, MD	✓	X	X	✓
Baltimore City, MD	✓	X	✓	✓
Prince George’s County, MD	✓	X	X	✓
Baltimore County, MD	✓	X	X	X
Anne Arundel County, MD	X	X	X	X

B. Differences Between Montgomery County’s Public Campaign Finance Program and Programs in Other Maryland Jurisdictions

While the programs in the five other Maryland jurisdictions were modeled on Montgomery County’s program, there are substantive differences among the programs. OLO is highlighting five notable program differences below.

1. Matching Fund Formulas

Described above in Part A, the six jurisdictions use progressive matching formulas where, assuming a donor contributes up to the jurisdiction’s limit, the first dollars of a contribution are matched with public funds at a higher ratio than the last dollars. Each jurisdiction matches contribution dollars up to \$150 with public funds; however, the matching fund formulas in Howard and Prince George’s Counties and in Baltimore City differ from each other and from Montgomery County’s.¹ As noted above, matching funds for candidates in Montgomery County are less at some or all contribution levels when compared to Baltimore City and Howard and Prince George’s Counties.

2. Candidate Affiliation

State regulations governing local jurisdictions’ public campaign finance programs prohibit participating candidates from being part of a “slate committee” – a “political committee of two or more candidates who join together to conduct and pay for joint campaign activities.” State regulations, however, do allow publicly funded candidates to “affiliate” with other candidates:

A candidate who accepts public funds may affiliate with any other candidate, including non-publicly financed candidates, on campaign material if:²

1. The authorized candidate campaign committee established in §A of this regulation makes a direct disbursement to the payee for its share of the costs of the campaign material; and
2. The campaign material displays the authority line of the authorized candidate campaign committee established in §A of this regulation.

The law in Howard County, Baltimore City, Prince George’s County, and Baltimore County all explicitly allow publicly funded candidates to affiliate with other candidates. The laws in Montgomery County and Anne Arundel County do not.

¹ Montgomery, Anne Arundel, and Baltimore Counties use the same formula matching fund formula.

² COMAR § 33.13.14.03(F)

Some examples of affiliation include:

- Howard County candidates can coordinate expenses with other participating candidates if “expenses are shared equally among the coordinating candidates.”
- Baltimore City candidates can affiliate with other candidates (including non-publicly funded candidates) on campaign materials if a campaign directly pays its portion of material costs and materials includes the official name of the campaign.

3. Qualifying Boosts

Baltimore City is the only jurisdiction in Maryland that provides candidates a “qualifying boost” from the City once a candidate is certified. These funds are in addition to matching funds that candidates receive and are meant to give campaigns an early infusion of cash. The amount of the qualifying boost is dependent on office - candidates for mayor receive \$200,000 while candidates for Council President or Comptroller receive \$50,000. Candidates for City Council Member do not receive qualifying boosts.

4. Sources of Campaign Loans

Candidates in all six Maryland jurisdictions can make loans to their campaigns – up to either \$6,000 or \$12,000 depending on the jurisdiction. In Montgomery, Prince George’s, and Anne Arundel Counties and in Baltimore City, loans can only come from a candidate or the candidate’s spouse. In Howard and Baltimore Counties, candidates can receive loans from their spouse, parents, siblings, and their own children over 18 years old.

5. Candidate Penalties

In Montgomery County, violation of the PEF law is a Class A civil violation, with enforcement authority lying with the County Attorney. The PEF law also states that a certified or participating candidate “must withdraw” from public financing if they engage in certain actions but the law does not specify any mechanism or individual responsible for enforcing the penalty. Aside from Baltimore City, laws in the other four counties regarding violations are similar to Montgomery County.

Baltimore City law, by contrast, includes a more immediate enforcement mechanism for violations of the law. Candidates who have engaged in the past (or continue to engage) in certain acts are *ineligible for certification* and unable to receive public funds. The authority to determine violations is given to the State Board of Elections in consultation with the city’s Fair Election Fund Commission (which administers the program along with the Director of Finance). Candidates cannot be certified if they:

Local Public Campaign Finance Programs in Maryland

- Failed to submit a campaign finance report in the prior four years;
- Coordinated with a political action committee; or
- Violated any rule or regulation of the public campaign finance program.

C. Additional Details for Local Public Campaign Finance Programs

This section provides additional details about the public campaign finance programs in Maryland. The bullets under each table highlight additional differences between Montgomery County’s programs and the programs in the other jurisdictions not specifically highlighted in sections A and B. Note that campaign finance laws are exceedingly complex. The information in this report provides only a small overview of campaign finance law in Maryland.

1. Montgomery County, MD – Public Election fund

Program Type: Small Donor Match

Eligible Office(s): County Executive, County Councilmember

Program Adopted: 2014 legislation

Program Oversight: Maryland State Board of Elections; Department of Finance

2020 Population: 1.052 million³

Sources: Montgomery County Code [§§ 16-18 to 16-32](#); [Public Election Fund Liaison](#), Office of Consumer Protection; [Summary Guide: Public Election Fund, Montgomery County, Maryland](#), MD State Board of Elections; [“Public Campaign Financing Program,”](#) Department of Finance

³ All 2020 population data in this chapter are from the U.S. Census Bureau.

Local Public Campaign Finance Programs in Maryland

Montgomery County, MD

	Public Finance Candidate	Traditional Finance Candidate										
Donor Contribution Limits												
Individuals	\$250											
Individuals, businesses, unions, political clubs, campaigns, PACs, central committees, ballot issue committees, legislative party caucus committees		\$6,000										
Slate Committees to Slate Members		\$24,000										
Qualifying Contributions for Public Funding	From Montgomery County residents, \$5 min.	n/a										
Min. # Contributions, Min. Aggregate \$												
County Executive	500, \$40,000											
At-Large Councilmember	250, \$20,000											
District Councilmember	125, \$10,000											
Contributions Allowed From	Individuals only	Individuals, businesses, unions, political clubs, other campaigns, PACs, party central committees, ballot issue committees, legislative party caucus committees										
Contributions Not Allowed From	All others	n/a										
Candidate/Family Loans or Contributions	Aggregate of \$12,000 in loans from the candidate or candidate's spouse	Unlimited candidate/spouse contributions and loans										
Public Funding Matching Formula		n/a										
County Executive	<table border="0"> <thead> <tr> <th>Ratio</th> <th>Contrib. Amount</th> </tr> </thead> <tbody> <tr> <td>\$6:\$1</td> <td>\$1 - \$50</td> </tr> <tr> <td>4:1</td> <td>\$51 - \$100</td> </tr> <tr> <td>2:1</td> <td>\$101 - \$150</td> </tr> <tr> <td>0</td> <td>\$151-\$250</td> </tr> </tbody> </table>	Ratio	Contrib. Amount	\$6:\$1	\$1 - \$50	4:1	\$51 - \$100	2:1	\$101 - \$150	0	\$151-\$250	
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\$6:\$1	\$1 - \$50											
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2:1	\$101 - \$150											
0	\$151-\$250											
Councilmember	<table border="0"> <thead> <tr> <th>Ratio</th> <th>Contrib. Amount</th> </tr> </thead> <tbody> <tr> <td>\$4:\$1</td> <td>\$1- \$50</td> </tr> <tr> <td>3:1</td> <td>\$51 - \$100</td> </tr> <tr> <td>2:1</td> <td>\$101 - \$150</td> </tr> <tr> <td>0</td> <td>\$151-\$250</td> </tr> </tbody> </table>	Ratio	Contrib. Amount	\$4:\$1	\$1- \$50	3:1	\$51 - \$100	2:1	\$101 - \$150	0	\$151-\$250	
Ratio	Contrib. Amount											
\$4:\$1	\$1- \$50											
3:1	\$51 - \$100											
2:1	\$101 - \$150											
0	\$151-\$250											
Maximum Matching Funds	Per election: primary and general	n/a										
County Executive	\$750,000											
At-Large Councilmember	\$250,000											
District Councilmember	\$125,000											
Campaign Expenditure Limits	n/a	n/a										

2. Howard County, MD – Citizens’ Election Fund

Program Type: Small Donor Match

Eligible Office(s): County Executive, County Council Member

Program Adopted: 2016 Charter amendment requiring program, legislation adopted in 2017

Program Oversight: Maryland State Board of Elections; Department of Finance; Howard Citizens’ Election Fund Commission

2020 Population: 328,200

Note: Howard County residents’ water bills have a checkoff box to donate \$3 to the election fund.

Sources: Howard County Code §§ 10.300-10.311; “[The Howard County Citizens’ Election Fund Commission Rules of Procedure](#),” (2021); [Summary Guide: Citizens’ Election Fund, Howard County, Maryland](#), Maryland State Board of Elections (June 28, 2022); “[Citizens’ Election Fund Overview Training](#),” [Summary Guide, Maryland Candidacy & Campaign Finance Laws](#), Maryland State Board of Elections

Local Public Campaign Finance Programs in Maryland

Howard County, MD

	Public Finance Candidate	Traditional Finance Candidate										
Donor Contribution Limits												
Individuals	\$250											
Individuals, businesses, unions, political clubs, campaigns, PACs, central committees, ballot issue committees, legislative party caucus committees		\$6,000										
Slate Committees to Slate Members		\$24,000										
Qualifying Contributions for Public Funding	From Howard County residents, up to \$250	n/a										
Min. # Contributions, Min. Aggregate \$												
County Executive	500, \$40,000											
County Council Member	125, \$10,000											
Contributions Allowed From	Individuals only	Individuals, businesses, unions, political clubs, other campaigns, PACs, party central committees, ballot issue committees, legislative party caucus committees										
Contributions Not Allowed From	Other entities, state/local central committees	n/a										
Candidate/Family Loans or Contributions	Aggregate of \$12,000 in loans from the candidate or candidate's spouse, child 18 years or older, parent, or sibling	Unlimited candidate/spouse contributions and loans										
Public Funding Matching Formula		n/a										
County Executive	<table border="0"> <tr> <td>Ratio</td> <td>Contrib. Amount</td> </tr> <tr> <td>\$7:\$1</td> <td>\$1 - \$50</td> </tr> <tr> <td>4:1</td> <td>\$51 - \$100</td> </tr> <tr> <td>1:1</td> <td>\$101 - \$150</td> </tr> <tr> <td>0</td> <td>\$151-\$250</td> </tr> </table>	Ratio	Contrib. Amount	\$7:\$1	\$1 - \$50	4:1	\$51 - \$100	1:1	\$101 - \$150	0	\$151-\$250	
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1:1	\$101 - \$150											
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County Council Member	<table border="0"> <tr> <td>Ratio</td> <td>Contrib. Amount</td> </tr> <tr> <td>\$5:\$1</td> <td>\$1- \$50</td> </tr> <tr> <td>3:1</td> <td>\$51 - \$100</td> </tr> <tr> <td>1:1</td> <td>\$101 - \$150</td> </tr> <tr> <td>0</td> <td>\$151-\$250</td> </tr> </table>	Ratio	Contrib. Amount	\$5:\$1	\$1- \$50	3:1	\$51 - \$100	1:1	\$101 - \$150	0	\$151-\$250	
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\$5:\$1	\$1- \$50											
3:1	\$51 - \$100											
1:1	\$101 - \$150											
0	\$151-\$250											
<i>Baltimore County does not match contributions of less than \$5</i>												
Maximum Matching Funds	Per election cycle	n/a										
County Executive	\$700,000											
County Council Member	\$85,000											
Campaign Expenditure Limits	n/a	n/a										

3. Baltimore City – Fair Election Fund

Program Type: Small Donor Match, Partial Grants

Eligible Office(s): Mayor, City Council President, Comptroller, City Councilmember

Program Adopted: 2018 Charter amendment requiring program, legislation adopted in 2019

Program Oversight: Maryland State Board of Elections; Director of Finance and City Fair Election Fund Commission

2020 Population: 583,132

Sources: Baltimore City Code, [Art. 5, §§ 11-1 to 11-23](#); [Baltimore City Fair Election Fund](#); [Summary Guide: Fair Election Fund, Baltimore City, Maryland](#), Maryland State Board of Elections; [Frequently Asked Questions: Baltimore City Fair Election Fund](#), City of Baltimore (2023); [Summary Guide, Maryland Candidacy & Campaign Finance Laws](#), Maryland State Board of Elections

Local Public Campaign Finance Programs in Maryland

Baltimore City, MD

	Public Finance Candidate	Traditional Finance Candidate								
Donor Contribution Limits										
Individuals	\$150									
Individuals, businesses, unions, political clubs, campaigns, PACs, central committees, ballot issue committees, legislative party caucus committees		\$6,000								
Slate Committees to Slate Members		\$24,000								
Qualifying Contributions for Public Funding	From Baltimore City residents	n/a								
Min. # Contributions, Min. Aggregate \$										
Mayor	500, \$40,000									
City Council President, Comptroller	250, \$15,000									
City Councilmember	150, \$5,000									
Contributions Allowed From	Individuals only	Individuals, businesses, unions, political clubs, other campaigns, PACs, party central committees, ballot issue committees, legislative party caucus committees								
Contributions Not Allowed From	Other entities, state/local central committees	n/a								
Candidate/Family Loans or Contributions	Aggregate of \$6,000 in loans from the candidate or candidate's spouse	Unlimited candidate/spouse contributions and loans								
Qualifying Boost Lump sum payment made w/in 5 days of certification in Fair Election Fund		n/a								
Mayor	\$200,000									
City Council President, Comptroller	\$50,000									
Public Funding Matching Formula		n/a								
Mayor, City Council President, Comptroller	<table border="0"> <tr> <td>Ratio</td> <td>Contrib. Amount</td> </tr> <tr> <td>\$9:\$1</td> <td>\$1 - \$25</td> </tr> <tr> <td>5:1</td> <td>\$26 - \$75</td> </tr> <tr> <td>2:1</td> <td>\$76 - \$150</td> </tr> </table>	Ratio	Contrib. Amount	\$9:\$1	\$1 - \$25	5:1	\$26 - \$75	2:1	\$76 - \$150	
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City Councilmember	<table border="0"> <tr> <td>Ratio</td> <td>Contrib. Amount</td> </tr> <tr> <td>\$9:\$1</td> <td>\$1 - \$25</td> </tr> <tr> <td>5:1</td> <td>\$26 - \$75</td> </tr> <tr> <td>0</td> <td>\$76 - \$150</td> </tr> </table>	Ratio	Contrib. Amount	\$9:\$1	\$1 - \$25	5:1	\$26 - \$75	0	\$76 - \$150	
Ratio	Contrib. Amount									
\$9:\$1	\$1 - \$25									
5:1	\$26 - \$75									
0	\$76 - \$150									

	Public Finance Candidate	Traditional Finance Candidate
Maximum Matching Funds (boosts not included)	Per election cycle	n/a
Mayor	\$1,500,000	
City Council President	\$375,000	
Comptroller	\$200,000	
City Council Member	\$125,000	
Campaign Expenditure Limits	n/a	n/a

4. Prince George’s County – Fair Election Fund

Program Type: Small Donor Match

Eligible Office(s): County Executive, County Council Member

Program Adopted: Legislation adopted in 2018; implementation expected in 2026

Program Oversight: Maryland State Board of Elections; Office of Finance; Prince George’s County Fair Election Fund Commission

2020 Population: 909,612

Sources: Prince George’s County Code, [§§ 10-322 to 10-333](#); [Prince George’s County Fair Election Fund Commission](#); “[Letter to Candidates with Prior Campaign Accounts](#),” Fair Election Fund Commission; “[FY 2025 Supplemental Appropriation Request](#),” Fair Election Fund Commission

Prince George’s County, MD

	Public Finance Candidate	Traditional Finance Candidate										
Donor Contribution Limits												
Individuals	\$250											
Individuals, businesses, unions, political clubs, campaigns, PACs, central committees, ballot issue committees, legislative party caucus committees		\$6,000										
Slate Committees to Slate Members		\$24,000										
Qualifying Contributions for Public Funding	From Prince George’s County residents	n/a										
Min. # Contributions, Min. Aggregate \$												
County Executive	500, \$40,000											
At-Large Councilmember	250, \$15,000											
District Councilmember	150, \$7,500											
Contributions Allowed From	Individuals only	Individuals, businesses, unions, political clubs, other campaigns, PACs, party central committees, ballot issue committees, legislative party caucus committees										
Contributions Not Allowed From	Other entities, state/local central committees	n/a										
Candidate/Family Loans or Contributions	Aggregate of \$6,000 in loans from the candidate or candidate’s spouse	Unlimited candidate/spouse contributions and loans										
Public Funding Matching Formula		n/a										
County Executive	<table border="0"> <thead> <tr> <th>Ratio</th> <th>Contrib. Amount</th> </tr> </thead> <tbody> <tr> <td>\$7:\$1</td> <td>\$ 1- \$25</td> </tr> <tr> <td>5:1</td> <td>\$25 - \$75</td> </tr> <tr> <td>1:1</td> <td>\$76 - \$150</td> </tr> <tr> <td>0</td> <td>\$151-\$250</td> </tr> </tbody> </table>	Ratio	Contrib. Amount	\$7:\$1	\$ 1- \$25	5:1	\$25 - \$75	1:1	\$76 - \$150	0	\$151-\$250	
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County Council Member	<table border="0"> <thead> <tr> <th>Ratio</th> <th>Contrib. Amount</th> </tr> </thead> <tbody> <tr> <td>\$7:\$1</td> <td>\$ 1- \$25</td> </tr> <tr> <td>5:1</td> <td>\$25 - \$75</td> </tr> <tr> <td>1:1</td> <td>\$76 - \$150</td> </tr> <tr> <td>0</td> <td>\$151-\$250</td> </tr> </tbody> </table>	Ratio	Contrib. Amount	\$7:\$1	\$ 1- \$25	5:1	\$25 - \$75	1:1	\$76 - \$150	0	\$151-\$250	
Ratio	Contrib. Amount											
\$7:\$1	\$ 1- \$25											
5:1	\$25 - \$75											
1:1	\$76 - \$150											
0	\$151-\$250											
Maximum Matching Funds	Per election cycle	n/a										
County Executive	\$750,000											
At-Large Councilmember	\$200,000											
District Councilmember	\$75,000											
Campaign Expenditure Limits	n/a	n/a										

5. Baltimore County – Fair Election Fund

Program Type: Small Donor Match

Eligible Office(s): County Executive, County Councilmember

Program Adopted: 2020 Charter amendment requiring program, legislation adopted in 2021; implementation expected in 2026

Program Oversight: Maryland State Board of Elections; Department of Budget and Finance

2020 Population: 826,017

Sources: Baltimore County Code, [§§ 8-2-101 to 8-2-111](#); [Baltimore County Fair Election Fund Commission](#); [Baltimore County Fair Election Fund Work Group](#)

Baltimore County, MD

	Public Finance Candidate	Traditional Finance Candidate										
Donor Contribution Limits												
Individuals	\$250											
Individuals, businesses, unions, political clubs, campaigns, PACs, central committees, ballot issue committees, legislative party caucus committees		\$6,000										
Slate Committees to Slate Members		\$24,000										
Qualifying Contributions for Public Funding	From Baltimore County residents, up to \$250	n/a										
Min. # Contributions, Min. Aggregate \$												
County Executive	500, \$50,000											
Councilmember	150, \$15,000											
Contributions Allowed From	Individuals only	Individuals, businesses, unions, political clubs, other campaigns, PACs, party central committees, ballot issue committees, legislative party caucus committees										
Contributions Not Allowed From	Other entities, state/local central committees	n/a										
Candidate/Family Loans or Contributions	Aggregate of \$12,000 in loans from the candidate or candidate’s spouse, child 18 years or older, parent, or sibling	Unlimited candidate/spouse contributions and loans										
Public Funding Matching Formula*		n/a										
County Executive	<table border="0"> <tr> <td>Ratio</td> <td>Contrib. Amount</td> </tr> <tr> <td>\$6:\$1</td> <td>\$ 1- \$50</td> </tr> <tr> <td>4:1</td> <td>\$51 - \$100</td> </tr> <tr> <td>2:1</td> <td>\$101 - \$150</td> </tr> <tr> <td>0</td> <td>\$151-\$250</td> </tr> </table>	Ratio	Contrib. Amount	\$6:\$1	\$ 1- \$50	4:1	\$51 - \$100	2:1	\$101 - \$150	0	\$151-\$250	
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County Councilmember	<table border="0"> <tr> <td>Ratio</td> <td>Contrib. Amount</td> </tr> <tr> <td>\$4:\$1</td> <td>\$ 1- \$50</td> </tr> <tr> <td>3:1</td> <td>\$51 - \$100</td> </tr> <tr> <td>2:1</td> <td>\$101 - \$150</td> </tr> <tr> <td>0</td> <td>\$151-\$250</td> </tr> </table>	Ratio	Contrib. Amount	\$4:\$1	\$ 1- \$50	3:1	\$51 - \$100	2:1	\$101 - \$150	0	\$151-\$250	
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3:1	\$51 - \$100											
2:1	\$101 - \$150											
0	\$151-\$250											
<i>Baltimore County does not match contributions of less than \$5</i>												
Maximum Matching Funds	Per election: primary and general	n/a										
County Executive	\$750,000											
County Councilmember	\$80,000											
Campaign Expenditure Limits	Per election: primary and general	n/a										
County Executive	\$1,400,000											
County Councilmember	\$150,000											

6. Anne Arundel County – Public Campaign Finance Fund

Program Type: Small Donor Match

Eligible Office(s): County Executive, County Councilmember

Program Adopted: Legislation adopted in 2023; implementation expected in 2026

Program Oversight: Maryland State Board of Elections; Anne Arundel County Controller

2020 Population: 582,777

Sources: Anne Arundel County Code, [§§ 1-12-101 to 1-12-112](#); [Anne Arundel County Public Campaign Finance System Commission](#);

Anne Arundel County, MD

	Public Finance Candidate	Traditional Finance Candidate										
Donor Contribution Limits												
Individuals	\$250											
Individuals, businesses, unions, political clubs, campaigns, PACs, central committees, ballot issue committees, legislative party caucus committees		\$6,000										
Slate Committees to Slate Members		\$24,000										
Qualifying Contributions for Public Funding	From Anne Arundel County residents,	n/a										
Min. # Contributions, Min. Aggregate \$	between \$5-\$250											
County Executive	500, \$40,000											
Councilmember	75, \$7,500											
Contributions Allowed From	Individuals only	Individuals, businesses, unions, political clubs, other campaigns, PACs, party central committees, ballot issue committees, legislative party caucus committees										
Contributions Not Allowed From	Other entities, state/local central committees	n/a										
Candidate/Family Loans or Contributions	Aggregate of \$12,000 in loans from the candidate or candidate's spouse	Unlimited candidate/spouse contributions and loans										
Public Funding Matching Formula		n/a										
County Executive	<table border="0"> <thead> <tr> <th>Ratio</th> <th>Contrib. Amount</th> </tr> </thead> <tbody> <tr> <td>\$6:\$1</td> <td>\$ 1- \$50</td> </tr> <tr> <td>4:1</td> <td>\$51 - \$100</td> </tr> <tr> <td>2:1</td> <td>\$101 - \$150</td> </tr> <tr> <td>0</td> <td>\$151-\$250</td> </tr> </tbody> </table>	Ratio	Contrib. Amount	\$6:\$1	\$ 1- \$50	4:1	\$51 - \$100	2:1	\$101 - \$150	0	\$151-\$250	
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2:1	\$101 - \$150											
0	\$151-\$250											
County Councilmember	<table border="0"> <thead> <tr> <th>Ratio</th> <th>Contrib. Amount</th> </tr> </thead> <tbody> <tr> <td>\$4:\$1</td> <td>\$ 1- \$50</td> </tr> <tr> <td>3:1</td> <td>\$51 - \$100</td> </tr> <tr> <td>2:1</td> <td>\$101 - \$150</td> </tr> <tr> <td>0</td> <td>\$151-\$250</td> </tr> </tbody> </table>	Ratio	Contrib. Amount	\$4:\$1	\$ 1- \$50	3:1	\$51 - \$100	2:1	\$101 - \$150	0	\$151-\$250	
Ratio	Contrib. Amount											
\$4:\$1	\$ 1- \$50											
3:1	\$51 - \$100											
2:1	\$101 - \$150											
0	\$151-\$250											
Maximum Matching Funds	Per election cycle	n/a										
County Executive	\$750,000											
County Councilmember	\$125,000											
Campaign Expenditure Limits	n/a	n/a										

Chapter 6. Campaign Finance Programs in Jurisdictions Outside Maryland

This chapter summarizes information about public campaign finance programs in local jurisdictions outside of Maryland. As noted before, election laws are very detailed and differ considerably from jurisdiction to jurisdiction. The details in this chapter only address a small portion of campaign finance laws (a subset of election laws) in the context of public campaign financing.

- **Section A** provides overview tables comparing components of each jurisdictions' law; and
- **Sections B-H** provide more detailed information about each jurisdiction.

The jurisdictions described in this chapter are:

- B. Washington, D.C.
- C. Tucson, Arizona
- D. Miami-Dade County, Florida
- E. Denver, Colorado
- F. New York City, New York
- G. San Francisco, California
- H. Seattle, Washington

A. Overview of Jurisdictions

This section provides a high-level overview of the public campaign finance programs reviewed in this chapter, plus Montgomery County.

Tables 26, and 27, and Z on the next three pages summarize program components in each jurisdiction.

Table 29 on page 78 compares the contribution limits for traditionally funded candidates to publicly funded candidates in each jurisdiction and shows how many dollars traditionally funded candidates are permitted to raise for every \$1 raised by a publicly funded candidate.

Table 26. Summary of Public Campaign Finance Program Components, by Jurisdiction

	Eligible Offices	Contribution Limits: Public Candidate (Traditional Candidate)	Maximum Funding Available		To Qualify for Public Funding?	Expenditure Limit?
Montgomery County, MD	County Executive At-Large CM District CM	\$250 (\$6K) \$250 (\$6K) \$250 (\$6K)	\$750K \$250K \$125K		Min Contrib #, \$ 500, \$40K 250, \$20K 125, \$10K	None
District of Columbia	Mayor Attorney General Council Chair At-Large CM Ward CM At-Large BOE Ward BOE	\$200 (\$2K) \$200 (\$1.5K) \$200 (\$1.5K) \$100 (\$1K) \$50 (\$500) \$50 (\$500) \$20 (\$200)	Base Amt \$160K \$40K \$40K \$40K \$40K \$10K \$10K	Matching Lim n/a n/a n/a \$356,954 \$266,666 \$30,605 \$24,434	Min Contrib #, \$ 1000, \$40K 500, \$20K 300, \$15K 250, \$12K 150, \$5K 150, \$5K 50, \$1K	None
Tucson, AZ	Mayor County Council	\$500/\$1K (same) \$500/\$1K (same)	\$172,262.52 \$86,123.25		Min. Contrib # 300 200	\$334,525.04 \$172,246.50
Miami-Dade County, FL	Mayor City Commissioner	\$1K (same) \$1K (same)	\$300K \$50K or \$75K		Min Contrib #, \$ 1500-1800, \$150K 300-360, \$30K or 50K	\$650K \$200K
Denver, CO	Mayor Clerk/Recorder Judge Auditor At-Large Council District Council	\$595 (\$1,190) \$415 (\$835) \$415 (\$835) \$415 (\$835) \$415 (\$835) \$235 (\$475)	\$750K \$250K \$250K \$250K \$250K \$125K		Min Contrib # 250 100 100 100 100 100	None
New York City, NY	Mayor Public Advocate, Comp Borough Pres. City CM	\$2,100 (\$3,700) \$2,100 (\$3,700) \$1,600 (\$2,650) \$1,050 (\$1,600)	* see section F \$7,050,667 \$4,408,000 \$1,586,667 \$184,000		Min Contrib #, \$ 1000, \$250K 500, \$125K 100, \$10K-\$55K 75, \$5K	Per election: prim/gen \$7,932,000 \$4,959,000 \$1,785,000 \$207,000

Campaign Finance Programs in Jurisdictions Outside Maryland

	Eligible Offices	Contribution Limits: Public Candidate (Traditional Candidate)	Maximum Funding Available	To Qualify for Public Funding?	Expenditure Limit?
San Francisco, CA	Mayor	\$500 (same)	\$1.2M	Min Contrib #, \$ 500, \$50K (750, \$750K)	\$1.7M
	Bd. of Supervisors	\$500 (same)	\$255K	100, \$10K (150, \$15K)	\$350K
Seattle, WA	Mayor	\$550 (\$650)	See Maximum Campaign Valuation (contributions raised + redeemed vouchers) in Section H	Min Contrib, #, Signat. # 600, 600	Primary/Total \$450K/\$900K
	City Attorney	\$350 (\$650)		400, 400	\$225K/\$450K
	Council At-Large	\$350 (\$650)		400, 400	\$225K/\$450K
	Council District	\$350 (\$650)		150, 150	\$112.5K/\$225K

The data in the next tables highlight additional program information.

Table 27. Select Program Elements, by Jurisdiction

	Qualifying Contributions Allowed from Residents Only	Qualifying Contributions Allowed from Businesses	Campaign Expenditure Limits
Montgomery County, MD	✓	X	X
District of Columbia	✓	X	X
Tucson, AZ	✓	X	✓
Miami-Dade County, FL	X	✓	✓
Denver	✓	X	X
New York City	✓	X	✓
San Francisco	✓	X	✓
Seattle, WA	✓	X	✓

Table 28. Additional Public Campaign Finance Program Components, by Jurisdiction

Jurisdiction	Candidate/ Family Member Loan Limit	Qualifying Contributions Allowed From	Matching Fund Ratio				Copies of Receipts Required with Matching Fund Requests?
			Executive		Council		
			Ratio	Contrib. Amount	Ratio	Contrib. Amount	
Montgomery County, MD	\$12K aggregate from candidate or candidate's spouse	Montgomery County residents	6:1	1 st \$50	4:1	1 st \$50	✓
			4:1	2 nd \$50	3:1	2 nd \$50	
			2:1	3 rd \$50	2:1	3 rd \$50	
			0	\$151-\$250	0	\$151-\$250	
District of Columbia	\$5K or \$2.5K in aggregate based on office	District residents	5:1 for qualified contributions			X	
Tucson, AZ	Personal funds, up to 3% of expenditure limit	City of Tucson residents	1:1 for qualified contributions			✓	
Miami-Dade County, FL	\$25K of candidate's personal funds	M-D County registered voters; bank/corp/assoc in district	n/a			Required in post-election audit	
Denver, CO	\$5K from candidate	Denver residents	9:1 for first \$50			✓	
New York City, NY	3x maximum contribution limits	NYC residents	\$8:1 for first \$175 or \$250 of contribution, based on office			✓	
San Francisco, CA	\$5K	SF residents	6:1 for first \$150			✓	
Seattle, WA	Unlimited	Seattle residents	n/a				

The data in the next table show how much money a traditionally funded candidate can legally raise compared to a publicly funded candidate. The data show that for every \$1 raised by a publicly funded candidates, a traditionally funded candidate can raise:

- \$1-\$2 in Tucson, Miami-Dade, Denver, New York City, San Francisco, and Seattle;
- \$10 in the District of Columbia; and
- \$24 in Montgomery County.

Table 29. Ratio of Traditional Contribution Limit to Public Contribution Limit, by Jurisdiction

	Eligible Offices	Contribution Limits		Contribution Limit Ratio
		Public Candidate	Traditional Candidate	Traditional: Public (\$)
Montgomery County, MD	County Executive, At-Large CM, District CM	\$250	\$6,000	\$24:\$1
District of Columbia	Mayor	\$200	\$2,000	\$10:\$1
	Attorney General, Council Chair	\$200	\$1,500	\$7.5:\$1
	At-Large CM	\$100	\$1,000	\$10:\$1
	Ward CM, At-Large BOE	\$50	\$500	\$10:\$1
	Ward BOE	\$20	\$200	\$10:\$1
Tucson, AZ	Mayor	\$500/\$1K	Same	\$1:\$1
	County Council	\$500/\$1K	Same	\$1:\$1
Miami-Dade County, FL	Mayor	\$1K	Same	\$1:\$1
	City Commissioner	\$1K	Same	\$1:\$1
Denver, CO	Mayor	\$595	\$1,190	\$2:\$1
	Clerk/Recorder, Judge, Auditor, At-Large CM	\$415	\$835	\$2.01:\$1
	District Council	\$235	\$475	\$2.02:\$1
New York City, NY	Mayor, Public Advocate, Comptroller	\$2,100	\$3,700	\$1.76:\$1
	Borough Pres.	\$1,600	\$2,650	\$1.66:\$1
	City CM	\$1,050	\$1,600	\$1.52:\$1
San Francisco, CA	Mayor, Board of Supervisors	\$500	Same	\$1:\$1
Seattle, WA	Mayor	\$550	\$650	\$1.18:\$1
	City Attorney, Council At-Large, Council District	\$350	\$650	\$1.86:\$1

B. Washington D.C. – Fair Elections Program

Program Type: Small Donor Match, Partial Grants

Eligible Office(s): Mayor, Attorney General, Councilmember, State Board of Education

Program Adopted: 2018

Program Oversight: DC Office of Campaign Finance

2020 Population: 712,816

Program Overview

Washington D.C.’s public funding program provides candidates who agree to contribution limits and other program requirements \$5:\$1 matching funds for small dollar contributions from District residents. Once qualified, candidates receive a base lump sum payment that is separate from matching funds. Candidates qualify for funding by raising a minimum number of contributions that total a minimum amount of money. Publicly funded candidates can only receive contributions from individuals.

Sources: Code of the District of Columbia [§§ 1-1163.01 – 1-1163.38](#); District of Columbia Municipal Regulations, [Title 3](#); “[Public Financing Program: Thinking of Running for Office in the District of Columbia?](#),” DC Office of Campaign Finance; “[The District of Columbia’s Fair Elections Process](#),” DC Office of Campaign Finance (May 2023); “[Fact Sheet for the Fair Elections Program During the 2024 Election Cycle](#),” DC Office of Campaign Finance; “[Overview of the Fair Elections Program as Established by DC Law 22-94](#),” DC Office of Campaign Finance; “[Campaign Finance Guide 2020](#),” DC Office of Campaign Finance; “[Fact Sheet for the Traditional Financing Program during the 2024 Election Cycle](#)”

Campaign Finance Programs in Jurisdictions Outside Maryland

Washington, D.C.

	Public Finance Candidate	Traditional Finance Candidate
Donor Contribution Limits		
Mayor	\$200	\$2,000
Attorney General	\$200	\$1,500
Council Chairman	\$200	\$1,500
At-Large Councilmember	\$100	\$1,000
Ward CM, At-Large Board of Education	\$50	\$500
Ward State Board of Education	\$20	\$200
From People's PACS	\$1,500	
Qualifying Contributions for Public Funding	From District residents	n/a
Min. # Contributions, Min. Aggregate \$		
Mayor	1000, \$40,000	
Attorney General	500, \$20,000	
Council Chairman	300, \$15,000	
At-Large Councilmember	250, \$12,000	
Ward CM, At-Large State Board of Education	150, \$5,000	
Ward State Board of Education	50, \$1,000	
Contributions Allowed From	Only individuals	Individuals, range of business entities (e.g., corporations, partnerships, sole proprietorship, nonprofits, self-employed individuals, etc.), labor organizations
Contributions Not Allowed From	All others	n/a
Candidate/Family Loans or Contributions	Limit on aggregate amount of loan or contribution from candidate, immediate family member: \$5,000 for mayor, \$2,500 for other offices	Unlimited limits if from candidate's funds, campaign can repay loans only up to \$25,000
Base Payments⁺		n/a
Mayor	\$160,000	
Atty Gen, Council Chair, Councilmember	\$40,000	
Office of State Board of Education	\$10,000	
Public Funding Matching Formula	\$5:\$1 match of qualified contributions	n/a

	Public Finance Candidate	Traditional Finance Candidate
Maximum Matching Funds (2024 elections)*		n/a
Mayor	n/a	
Attorney General	n/a	
Council Chairman	n/a	
At-Large Councilmember	\$356,954	
Ward Councilmember	\$266,666	
At-Large Board of Education	\$30,605	
Ward State Board of Education	\$24,434	
Campaign Expenditure Limits	n/a	n/a

*Caps are based on “110% of the average expenditures of all winning candidates for the covered office sought in the prior two (2) election cycles”

* Receive ½ within 5 business days of FEP certification, receive ½ within 5 business days of qualifying for ballot access

Participation in Public Funding

- Participation is optional.
- Candidate and campaign treasurer must sign an affidavit indicating compliance with program requirements.
- Base amount payments paid only in contested elections.
- Matching funds provided to certified candidates regardless of whether seat is contested.
- Debate participation requirement.

Process for Public Funding

- Director of Campaign Finance has ten business days to determine candidate certification.
- Candidate can appeal denial of certification and can cure deficiencies in filing.
- Director of Campaign Finance must revoke certification and candidate must repay public remaining public funds if: candidate fails to qualify for ballot, candidate terminates candidacy, candidate fails to comply with FEP requirements, etc.

Campaign Expenditures

- Use of funds prohibited for clothing and grooming items; compensation to candidate or immediate family member; payment of fines, penalties, or legal expenses; contribution, loan, or transfer to another candidate’s political committee or to a PAC.

Reporting and Review Requirements

Campaign Finance Programs in Jurisdictions Outside Maryland

- **Donor Information Required for Contributions**

All Candidates: Donor's full name, mailing address, occupation and principal place of business, date of contribution, amount, contribution type (i.e., check credit card, etc.). Contribution receipts must be pre-numbered.

Public Candidates: Receipts must also include donor's physical or electronic signature or other indicia of identify, candidate's name, and written oath or affirmation of statements outlined in D.C. Regulations.

- **Documentation Requirements with Campaign Finance Reports**

All Candidates: Must file campaign finance reports online, except if demonstrated actual hardship.

Public Candidates: Additionally, "contributions must be accompanied by a signed digital receipt and affidavit of the contributor".

- **Audits**

All Candidates: Director of Campaign Finance has access to all books, records, accounts, other documents, etc. necessary to enforce law. Desk reviews performed on each campaign finance report. Periodic random field audits conducted following campaign finance report filings. Candidates subject to full audits if elected. Campaigns must keep documentation for three years from filing of final finance report.

Unspent Campaign Funds

- **Public Candidates:** Must repay remaining funds to FEP within 60 days, may request 180-day extension to repay authorized expenditures, retire debt, repay personal funds. Losing participants must donate equipment purchased by campaign to a nonprofit organization.
- **Regular Candidates:** May be used to repay campaign debts, contribute to political party for political purposes, transferred to political committee or nonprofit, returned to donor, etc.

C. Tucson, Arizona – Public Matching Funds Program

Program Type: Small Donor Match

Eligible Office(s): Mayor, City Council Member

Program Adopted: 1987, voter approved

Program Oversight: City of Tucson Clerk is the Campaign Finance Administrator

2020 Population: 542,629

Program Overview

The Public Matching Fund Program provides \$1:\$1 matching funds for contributions from Tucson residents to qualifying candidates up to set dollar amounts. Candidates qualify by receiving a minimum number of contributions of \$10+. No candidate can take contributions from corporations, LLCs, or labor unions. Publicly funded candidates have expenditure limits.

Sources: Tucson Code of Ordinances, Chapter XVI, [Elections](#); “[Public Matching Funds: An Introduction](#),” City of Tucson; [Campaign Finance Administration Rules and Regulations](#), Office of the City Clerk, City of Tucson, AZ (Sept. 2022); July 21, 2023 Memorandum from City Clerk to Mayor and Councilmembers, “[Final Expenditure Limits – Public Matching Funds](#)”; “[Mandatory Contribution Limitations for All Candidates 2023](#),” City of Tucson Office of the City Clerk; “[Candidate Information Pamphlet](#),” City of Tucson Office of the City Clerk

Campaign Finance Programs in Jurisdictions Outside Maryland

Tucson, AZ

	Public Finance Candidate	Traditional Finance Candidate
Donor Contribution Limits		
Individuals (including family members)	\$500	\$500
Political Committees	\$1,000	\$1,000
Mega PACs		\$1,000
Political Parties		\$10,400 (cumulative from all political parties)
Qualifying Contributions for Public Funding	From Tucson residents, min. \$10+	n/a
Mayor	300 qualifying contributions	
City Council Member	200 qualifying contributions	
Contributions Allowed From	Individuals, candidate committees	Individuals, partnerships, candidate committees, PACs, and political parties
Contributions Not Allowed From	PACs, political parties, corporations, LLCs, labor organizations, partnerships	Corporations, LLCs, labor organizations
Candidate/Family Loans or Contributions	Candidates cannot contribute personal funds >3% of expenditure limit in campaign period	Unlimited
Public Funding Matching Formula	\$1:\$1 match of eligible contributions	n/a
Maximum Matching Funds		n/a
Mayor	\$172,262.52	
City Council Member	\$86,123.25	
Campaign Expenditure Limits*	Based on CPI and number of voters	n/a
Mayor	\$334,525.04	
City Council Member	\$172,246.50	

* Expenditure limit based on number of City registered voters – \$0.40/voter for Mayor, \$0.20/voter for Council Member (320,399 voters in 2023). Candidates can spend no more than 75% of the expenditure limit through day of the primary election (Mayor: \$258,383.78, Council Member: \$129,184.87). Candidates who exceed spending limits must return \$3 to the City for every \$1 spent over limit.

Participation in Public Funding

- Participation is optional.
- Must sign a campaign contract with the City.
- Candidates who sign a contract to participate in the matching fund program must follow all contribution and expenditure limitations even if they do not qualify to receive public funds.
- Candidates may void the campaign contract in some circumstances.

Process for Public Funding

- Candidate financial records are audited to establish initial eligibility to receive public funding. Audit to establish eligibility takes approximately 14 calendar days, if records are accurate.
- Candidate's personal money, in-kind contributions, loans, contributions from donors other than natural persons not matched with public funds.

Campaign Expenditures

- **Public Candidates:** Matching funds can only be used for direct campaign purposes. Matching funds and contributions cannot be used for indirect campaign purposes or to support another campaign.

Reporting and Review Requirements

- **Donor Information Required for Contributions**

Public Candidates: Full name, residential address inside City limits, occupation and employer, date and amount of contribution, original signature of donor regardless of how contribution is made (e.g., online, by check).

Regular Candidates: Identity of donor, date and amount of contribution, dates of contribution deposit into account.

- **Documentation Requirements with Campaign Finance Reports**

All Candidates: Must file campaign finance reports online.

Public Candidates: In addition, for certification for public funding, candidate must submit itemized records and documentation (e.g., receipts, checks) of contributions and expenditures.

Campaign Finance Programs in Jurisdictions Outside Maryland

- **Audit**

Public Candidates: In addition to initial audit for eligibility, two additional mandatory audits required.

Regular Candidates: Must produce any records on request of City Clerk or City Attorney.

Unspent Campaign Funds

- **Public Candidates:** Funds up to the amount of matching funds must be returned to the City; any remaining unspent campaign funds must be returned to the City, returned to donors, or donated to a non-profit charitable organization. All funds must be disbursed by the 1st Monday in December following an election. Goods with value over \$200 “purchased with public matching funds and having a useful life extending beyond the end of the campaign period shall revert to the city.”
- **Regular Candidates:** May dispose of funds by donating to City of Tucson, to nonprofit organizations, returning funds to donors, or contribute funds to another candidate committee.

D. Miami-Dade County, Florida – Election Campaign Financing Trust Fund

Program Type: Partial Grants

Eligible Office(s): Mayor, County Commissioner

Program Adopted: 2000 voter-approved ballot question; 2001 ordinance adopted by Board of County Commissioners

Program Oversight: Miami-Dade Ethics Commission

2020 Population: 2,701,767

Program Overview

The Election Campaign Financing Trust Fund provides partial grants (lump sums) to candidates who raise a minimum number of qualifying contributions between \$100-\$500 from Miami-Dade registered voters or businesses that total a minimum dollar amount. The program also sets a maximum number of allowed contributions. Contributions plus grant funds cannot exceed campaign expenditure limits for publicly funded candidates.

Sources: Miami-Dade County Code, Ch. 12, Elections, [§§ 12-1 to 12-27](#); FL Statutes Ann., Chapter 106, [Campaign Financing](#); [Candidate’s Handbook On Public Financing](#), Miami-Dade Elections Department (March 2009); [“Campaign Finance,”](#) FL Division of Elections; [Candidate and Campaign Treasurer Handbook \(2024 Election Cycle\)](#), FL Dept. of State, Div. of Elections

Campaign Finance Programs in Jurisdictions Outside Maryland

Miami-Dade County, FL

	Public Finance Candidate	Traditional Finance Candidate
Donor Contribution Limits	\$1,000	\$1,000
Qualifying Contributions for Public Funding Min-Max # Contributions, Min. Aggregate \$	From Miami-Dade County registered voters, bank/corp./un-incorp. assoc. w/ physical place of business in district/county, \$100-\$500	n/a
Mayor	1,500-1,800, \$150,000	
County Commissioner	300-360, \$30,000 or \$50,000	
Contributions Allowed From	Individuals, corporate entities, associations, firms, partnerships, club, organization, trusts, syndicate, others w/ collective capacity. Higher contribution limits for donations from political parties	Individuals, corporate entities, associations, firms, partnerships, club, organization, trusts, syndicate, others w/ collective capacity. Higher contribution limits for donations from political parties
Contributions Not Allowed From	n/a	n/a
Candidate/Family Loans or Contributions Loans subject to contribution limits except loans from candidate to their own campaign	\$25,000 limit for candidate loans	Unlimited candidate loans
Lump Sum Distribution when Certified \$ per election (primary election, run-off election)		n/a
Mayor	Primary: \$300,000; Run-Off: \$200,000	
County Commissioner	Prim: \$50k if raised \$30k, \$75k if raised \$50k Run-off: \$50k	
Campaign Expenditure Limits	Candidate must pay amount exceeding limits to public finance fund from personal funds	n/a
Mayor	Primary: \$650,000; Run-Off: \$450,000	
County Commissioner	Primary: \$200,000; Run-Off: \$150,000	

Participation in Public Funding

- Participation is optional.
- Must file an Irrevocable Declaration of Intent to seek public financing.
- Candidate must be opposed by another candidate at the end of the qualifying period.

Process for Public Funding

- Eligibility determination by Supervisor of Elections, followed by independent review by Inspector General.
- Candidates receive a lump sum distribution of public funds when they are certified for public funding.
- Funds received seven days after certification by Supervisor of Elections.
- Candidates deemed ineligible for public funding by Supervisor of Elections can appeal to hearing examiner.
- Combined public funds and candidate-raised funds cannot exceed expenditure limits.

Campaign Expenditures

- **Public Candidates:** Prohibited uses of public funds include clothing, vehicles, personal grooming or cosmetics, or purchase of goods or services from firm of any family member.
- **Regular Candidates:** No expenditure limits.

Reporting and Review Requirements

- **Donor Information Required for Contributions**
Public Candidates: Individuals: full name, date of birth, voter registration number (if applicable); DOB (if applicable); address; amount; nature of contribution. Corporate: Full name of business entity, place of business entity, full name and title of person executing donation.
Regular Candidates: Full name, address, specific occupation, amount, date; if business - specify type.
- **Documentation Requirements with Campaign Finance Reports**
All Candidates: Must file campaign finance reports online; no additional documentation required.
- **Audit**
Public Candidates: Post-election audit by Miami-Dade County Commission on Ethics and Public Trust. Must provide detailed

Campaign Finance Programs in Jurisdictions Outside Maryland

information to substantiate contributions and expenditures, including original documents such as cancelled checks, invoices, receipts, bank statements.

Regular Candidates: Must produce records on request of FL Dept. of State Division of Elections or FL Elections Commission.

Unspent Campaign Funds

- **Public Candidates:** Surplus funds must be returned to Election Campaigning Financing Trust Fund up to amount received.
- **Regular Candidates:** May dispose of funds by: donating to charitable or nonprofit organizations; returning funds to donors; donating up to \$25,000 to affiliated political party or political committee; donating to state or local government. An unopposed candidate elected to office may transfer some funds to an office account.

E. Denver, Colorado – Fair Election Fund

Program Type: Small Donor Match

Eligible Office(s): Mayor, City Council Member, Clerk/Recorder, Judge, Auditor

Program Adopted: 2018

Program Oversight: Denver Clerk/Recorder, City and County of Denver

2020 Population: 735,538

Program Overview

The Fair Election Fund provides \$9:\$1 matching funds to qualifying candidates for the first \$50 of contributions from Denver residents. Candidates qualify by receiving a minimum number of contributions of \$5+. Participating candidates can only take contributions from individuals and small donor committees.

Sources: Denver Code of Ordinances, [§§ 15-31 to 15-60; Campaign Finance and Fair Elections Fund](#); Office of the Clerk and Recorder; “[Campaign Finance Handbook Version 1.1](#),” Office of the Clerk and Recorder (July 2023); “[Rule 3 – Campaign Finance](#),” Office of the Clerk and Recorder; “[Notice of Adoption of Emergency Election Rules](#),” Office of the Clerk and Recorder (Dec. 2023)

Campaign Finance Programs in Jurisdictions Outside Maryland

Denver, CO

	Public Finance Candidate	Traditional Finance Candidate
Donor Contribution Limits*	CPI adjusted every four years	CPI adjusted every four years
Mayor	\$595	\$1,190
At-Large CM, Judge, Clerk/Recorder, Auditor	\$415	\$835
District Councilmember	\$235	\$475
From Small Donor Committees	10x contribution limit	10x contribution limit
Qualifying Contributions for Public Funding	From Denver residents, min. \$5	n/a
Minimum number of qualifying contributions		
Mayor	250	
Other	100	
Contributions Allowed From	Individuals, small donor committees	Individuals, small donor committees, political committees, other candidate committees
Contributions Not Allowed From	All others	Businesses, LLCs, partnerships, labor unions, unincorporated associations
Candidate/Family Loans or Contributions	Before certification in FEF, up to \$5,000 from candidate, \$1,000 may be treated as contribution, rest must be repaid	Any amount of contribution or loan from candidate
Public Funding Matching Formula	\$9:\$1 match of 1 st \$50 of eligible contributions	n/a
Maximum Matching Funds		n/a
Mayor	\$750,000	
At-Large CM, Judge, Clerk/Recorder, Auditor	\$250,000	
District Councilmember	\$125,000	
Campaign Expenditure Limits	n/a	n/a

Participation in Public Funding

- Participation is optional.
- Must be contested election.
- Candidates must register with the Clerk/Recorder to participate.
- Candidates may re-apply if certification denied; candidates who don't reapply are no longer bound by Fair Election Fund rules.
- Candidates must maintain two bank accounts – one for public funding, one for all other campaign loans and contributions.
- Debate participation requirement.

Process for Public Funding

- Candidate submits application for certification when all requirements fulfilled.
- Clerk/Recorder has ten business days to review application.
- Clerk/Recorder's decision is a final action subject to judicial review.
- Clerk/Recorder must provide candidates with a written determination for denying any matching payments and with a process to seek reconsideration.

Campaign Expenditures

- **All candidates:** allowed for any purpose reasonably related to influencing an election; records and receipts may be requested by Clerk/Recorder any time.
- **Public Candidates:** must keep itemized receipts for all food/beverage/travel-related expenditures paid for w/ FEF funds. Candidates must upload receipts for food/beverage expenditures over \$50; must report travel expenses online.

Reporting and Review Requirements

- **Donor Information Required for Contributions**
Public Candidates: donor's printed name, home address, telephone number, name of candidate, statement that donor understands contribution is to qualify candidate for public campaign financing; contributions without fully completed receipts not counted as qualifying contributions.
Regular Candidates: name, address; for aggregate donations of \$200+ in a calendar year, must also include occupation and employer.

Campaign Finance Programs in Jurisdictions Outside Maryland

- **Documentation Requirements with Campaign Finance Reports**

All Candidates: Must file campaign finance reports online, except for hardship or emergencies.

Public Candidates: In addition, public candidates must upload copy of all contribution receipts with application for certification and for matching funds.

- **Audit**

Public Candidates: Every campaign report will be audited by staff of Clerk/Recorder; must provide any information requested related to campaign spending or contributions; must keep records for two years.

Regular Candidates: Candidates randomly selected for audit during election cycle and “committees can expect to receive audits on a regular basis.”

Unspent Campaign Funds

- **All Candidates:** Can be contributed to certain candidate committees, certain issue committees, donated to a charitable organization, returned to donors, donated to the Fair Election Fund.
- **Public Candidates:** Property over \$50 purchased with FEF funds must be liquidated and funds returned to FEF.

Other Information

- Law requires appropriation of \$3.43 per City of Denver resident per year for Fair Elections Fund; CPI adjusted every four years.
- Fund cannot exceed \$9,547,705 million; CPI adjusted every four years.

F. New York City, New York – Campaign Finance Program

Program Type: Small Donor Match

Eligible Office(s): Mayor, Public Advocate, Comptroller, Borough President, City Councilmember

Program Adopted: 1988

Program Oversight: NYC Campaign Finance Board (CFB)

2020 Population: 8.8 million

Program Overview

The Campaign Finance Program provides \$8:\$1 matching funds for qualified contributions (matching up to first \$175 or \$250, depending on office). Candidates qualify by receiving a minimum number of contributions that total a minimum amount of money. Participating candidates can only take contributions from individuals, registered political committees, labor unions, and others. Participating candidates cannot take contributions from unregistered political committees or business entities. Candidates are subject to campaign expenditure limits.

Source: New York City Administrative Code [§§ 3-701 to 3-720](#); [State of New York 2024 Election Law](#), NY State Board of Elections; “[Limits & Thresholds: 2025 Citywide Elections](#),” NYC Campaign Finance Board; [Campaign Finance Handbook: 2025 Election Cycle, Version 1](#), NYC Campaign Finance Board; [Rules](#), NYC Campaign Finance Board; [Campaign Finance Handbook 2023](#), NY State Board of Elections

Campaign Finance Programs in Jurisdictions Outside Maryland

New York City, NY

	Public Finance Candidate	Traditional Finance Candidate
Donor Contribution Limits*		
Mayor, Public Advocate, Comptroller	\$2,100	\$3,700
Borough President	\$1,600	\$2,650
City Councilmember	\$1,050	\$1,600
Contribution limits from a person who has business dealings with the City* not matched		
Mayor, Public Advocate, Comptroller	\$400	
Borough President	\$320	
City Councilmember	\$250	
Qualifying Contributions for Public Funding	From NYC residents	n/a
Min. # Contributions, Min. Aggregate \$	Contribution amounts of \$10-\$250	
Mayor	1000, \$250,000	
Public Advocate, Comptroller	500, \$125,000	
	Contribution amounts of \$10-\$175	
Borough President	100, \$10,000-\$54,721* from borough residents	
City Councilmember	75, \$5,000 from district residents	
Contributions Allowed From	Individuals, sole proprietorships, registered PACs, labor organizations	Individuals, sole proprietorships, registered PACs, labor organizations
Contributions Not Allowed From	Unregistered PACs, corporations, partnerships, LLCs, other business entities, government contractors	Unregistered PACs, corporations, partnerships, LLCs, other business entities, government contractors
Candidate/Family Loans or Contributions	Contributions allowed from candidate, spouse, domestic partner, unemancipated children up to 3x maximum allowable contribution	Unlimited contributions from candidate's and spouse's personal funds; family contribution limit of up to \$100k based on enrolled voters

	Public Finance Candidate	Traditional Finance Candidate										
Public Funding Matching Formula Only contributions from NYC residents matched	\$8:\$1 match of qualified contributions Mayor, Public Advocate, Comptroller: Match up to \$250 per contribution Borough President, City Councilmember: Match up to \$175 per contribution	n/a										
Maximum Matching Funds (89% of spending limit) Mayor Public Advocate, Comptroller Borough President City Councilmember	Per election (primary and general) \$7,050,667 \$4,408,000 \$1,586,667 \$184,000	n/a										
Campaign Expenditure Limits Mayor Public Advocate, Comptroller Borough President City Councilmember	Adjusted every 4 years by CPI; limits may be increased based on spending by regularly-funded candidates <table border="1"> <thead> <tr> <th>Per election (primary and general)</th> <th>In 3 calendar years preceding election[#]</th> </tr> </thead> <tbody> <tr> <td>\$7,932,000</td> <td>\$374,000</td> </tr> <tr> <td>\$4,959,000</td> <td>\$374,000</td> </tr> <tr> <td>\$1,785,000</td> <td>\$166,000</td> </tr> <tr> <td>\$207,000</td> <td>\$55,000</td> </tr> </tbody> </table>	Per election (primary and general)	In 3 calendar years preceding election [#]	\$7,932,000	\$374,000	\$4,959,000	\$374,000	\$1,785,000	\$166,000	\$207,000	\$55,000	n/a
Per election (primary and general)	In 3 calendar years preceding election [#]											
\$7,932,000	\$374,000											
\$4,959,000	\$374,000											
\$1,785,000	\$166,000											
\$207,000	\$55,000											

* Aggregate for all covered elections in same calendar year. Candidates may accept additional contributions up to 1/2 of applicable limit for a run-off primary election, special election, and other situations specified in the law

+ “[A]n amount equal to the number of persons living in such borough as determined by the last census multiplied by two cents in matchable contributions comprised of sums of up to one hundred seventy-five dollars per donor including at least one hundred matchable contributions of ten dollars or more from residents of the borough, or ten thousand dollars comprised of sums of up to one hundred seventy-five dollars per donor, whichever is greater.”

Expenditure limits in the three years preceding an election. Exceeding limits does not disqualify a candidate from public funding unless the candidate exceeds the election year spending limit. Otherwise, a participating candidate’s maximum expenditures in an election year are decreased by the amount over the limit for the three preceding years. § 3-706(2-a)

Campaign Finance Programs in Jurisdictions Outside Maryland

Participation in Public Funding

- Participation is optional.
- Must be on the ballot and opposed by another candidate on the ballot.
- Must file financial disclosure with New York City Conflicts of Interest Board.
- Debate participation requirement.

Process for Public Funding

- Board shall review disclosures and issue candidates a review within 30 days.
- Campaign Finance Board determines whether candidates meet eligibility criteria.

Campaign Expenditures

- **Public Candidates:** Funds can be used for expenditures to further a candidate's nomination for election or election. Funds cannot be given to another candidate or political committee.

Reporting and Review Requirements

- **Donor Information Required for Contributions**

All Candidates: Donor's first/last names, home address, occupation, employer's name and address and principal place of business (if over \$99), date of contribution, amount, contribution type (i.e., check credit card, etc.). CFB provides template contribution cards with required information. Extensive documentation requirements for electronic contributions.

- **Documentation Requirements with Campaign Finance Reports**

All Candidates: Must file campaign finance reports online.

Public Candidates: In addition, must upload documentation with reports to receive matching funds, including contribution documentation, bank statements, deposit slips, expenditure documentation, loan documentation, intermediary statements.

- **Audits**

All Candidates: All candidates undergo a post-election audit that requires submission of documentation

Public Candidates: May conduct in-person compliance visits during campaign.

Unspent Campaign Funds

- **Public Candidates:** Must repay remaining funds (up to amount of public funds) to CFB by December 31 of election year.
- **Regular Candidates:** May contribute to an IRS-recognized charity, contribute to PAC or candidate (with limits), transfer funds, refund to contributors, turn over to New York State general fund.

G. San Francisco, California – Public Financing Program

Program Type: Small Donor Match, Partial Grants

Eligible Office(s): Mayor, Board of Supervisors

Program Adopted: 2000

Program Oversight: San Francisco Ethics Commission

2020 Population: 870,014

Program Overview

The Public Financing Program provides \$6:\$1 matching funds to qualified candidates for the first \$150 of contributions from San Francisco residents. Candidates qualify by receiving a minimum number of contributions of \$10+ that total a minimum amount of money. Incumbents must raise a larger number of qualifying contributions with a higher minimum dollar value to receive public funding. All candidates, regardless of public funding, can only take contributions from individuals.

Sources: San Francisco Campaign and Governmental Conduct Code, [§§ 1.100 – 1.178](#); “[Public Financing Program](#),” SF Ethics Commission, [Supplemental Guide for Public Financing: Candidates for Board of Supervisors November 2024 Election](#), SF Ethics Commission, “[Running the Campaign \(Fundraising & Campaign Communications\)](#),” SF Ethics Commission, “[Guidance](#),” SF Ethics Commission; “[Expenditure Ceilings and Third-Party Spending](#),” SF Ethics Commission

San Francisco, CA

	Public Finance Candidate	Traditional Finance Candidate
Donor Contribution Limits	\$500	\$500
Qualifying Contributions for Public Funding	From San Francisco residents, \$10-\$100 ⁺	n/a
Min. # Contributions, Min. Aggregate \$		
Mayor	500, \$50,000 (incumbent: 750, \$75,000)	
Board of Supervisors	100, \$10,000 (incumbent: 150, \$15,000)	
Contributions Allowed From	Only individuals	Only individuals
Contributions Not Allowed From	Corporations, LLCs, and partnerships (for-profit and nonprofit), foreign nationals w/o lawful permanent residence, certain contractors, persons with financial interest in land use matters before certain boards/commissions	Corporations, LLCs, and partnerships (whether for-profit or nonprofit), foreign nationals w/o lawful permanent residence, certain contractors, persons with financial interest in land use matters before certain boards/commissions
Candidate/Family Loans or Contributions	Candidates can donate or loan campaign up to \$5,000	Mayor: \$120K from personal funds Board of Supervisors: \$15K from personal funds
Public Funding Matching Formula	\$6:\$1 match of contributions up to \$150	n/a
Maximum Matching Funds* (includes initial grants)		n/a
Mayor	\$1,200,000 (\$1,185,500 for incumbents)	
Board of Supervisors	\$255,000 (\$252,000 for incumbents)	
Campaign Expenditure Limits*		n/a
Mayor	\$1,475,000	
Board of Supervisors	\$350,000	

* The Ethics Commission monitors campaign spending. Commission can raise publicly financed candidates' expenditure limits on a candidate-by-candidate basis where contest opponent fundraising exceeds expenditure limits. Limits raised in increments of \$50,000 for supervisor candidates and \$350,000 for mayoral candidates.

⁺ Candidates can accept contributions up to \$500. Only the first \$100 counts towards the minimum dollar amount candidates must raise to qualify for public funding. Candidates certified for public funding may request matching funds for the balance of the contributions

Campaign Finance Programs in Jurisdictions Outside Maryland

Participation in Public Funding

- Participation is optional.
- Can have no fines/outstanding penalties and no findings of campaign finance violations in last five years.
- Must be opposed by a candidate that raises or spends a minimum of \$10,000 for Board of Supervisors or \$50,000 for Mayor.
- Cannot continue to receive funds if candidates does not qualify for ballot.
- Debate participation requirement.

Process for Public Funding

- Review of initial application can take up to 30 days.
- Review of subsequent matching requests are completed within four days.
- Matching requests can be submitted on a continuous basis and must include a minimum in contributions of \$5,000 for mayor or \$1,000 for supervisor.
- Denied applications can be refiled with new documents and contributions up to 70 days before the election; denied application can be resubmitted with new documents (but not new contributions) up to the 55th day before the election. Denials can be appealed to the Ethics Commission (failure to file a timely form cannot be appealed).
- Candidates who received public funds who withdraw or fail to be qualified to be on the ballot must return all funds received.

Campaign Expenditures

- Public funds can only be used for expenditures that further a candidate's campaign. Cannot be used for late fees, fines, non-campaign related legal fees, post-election activities (e.g., parties, bonuses).

Reporting and Review Requirements

- **Donor Information Required for Contributions**

Public Candidates: Donor's full name, occupation and employer (if \$100+), primary home address, date and full amount of contribution, deposit date and deposit batch number of contribution, method of payment.

Regular Candidates: Donor's name, street address, occupation and employer (if \$100+).

- **Documentation Requirements with Campaign Finance Reports**

All Candidates: Must file campaign finance reports online.

All Candidates: Must file an **initial threshold statement** within 24 hours of a supervisor candidate raising \$10,000 or a mayor candidate raising \$50,000 in the Public Financing Program. Once a candidate is certified for public financing, all candidates in that race (including traditionally financed candidates) must file **supplemental threshold statements** when total funds raised or combined expenditures reach \$100,000 for supervisor candidates or \$1,000,000 for mayor candidates. Additional supplemental threshold statements required when total funds raised or combined expenditures increase by \$10,000 for supervisor candidates or \$50,000 for mayor candidates.

Public Candidates: In addition, must submit electronic copies of supporting documents for contributions, attached to the contribution entry it relates to. Documents must demonstrate the candidate's committee received the contribution, the contribution was deposited into the candidate's campaign account, and the donor is a San Francisco resident. Documents accepted to show San Francisco residency include bank statements, personal checks, Address Verification Service information (from credit card documentation), credit card or utility bills, deed or lease, recent mail received by donor, San Francisco voter registration number, driver's license, passport, government ID, tax returns.

- **Audits**

Public Candidates: Subject to mandatory post-election audit.

Regular Candidates: May be subject to audit by the San Francisco Ethics Commission, California Fair Political Practices Commission, or the California Franchise Tax Board.

Unspent Campaign Funds

- **Public Candidates:** Surplus funds (public and private) in a candidate's account more than 30 days after election must be returned to the City if not used to pay for approved post-election expenses.
- **Regular Candidates:** Surplus funds can be used as follows: returned to donors, donated to charitable organization or the city, pay unpaid bills, pay expenses for terminating committee.

H. Seattle, Washington – Democracy Voucher Program

Program Type: Vouchers

Eligible Office(s): Mayor, City Attorney, City Council

Program Adopted: 2015, citizen-led initiative “Honest Elections Seattle” (I-122)

Program Oversight: Seattle Ethics and Elections Commission (SEEC)

2020 Population: 738,172

Program Overview

The Democracy Voucher Program provides eligible Seattle residents with \$100 of democracy vouchers¹ (four \$25 vouchers) that they can assign to candidates participating in the program. Residents eligible to receive vouchers are those 18 years or older, a U.S. citizen, national, or lawful permanent resident, and a Seattle resident for at least 30 days. Eligible candidates who agree to contribution and spending limits can redeem vouchers for public funds for campaign finance activities. Candidates must receive a minimum number of qualifying contributions and a minimum number of qualifying signatures to qualify to receive vouchers. Contributions and signatures do not need to be from the same people.

Sources: Seattle Municipal Code Title 2, [Elections](#); [Democracy Voucher Program](#), SEEC; [Democracy Voucher Program: 2024 Candidate Toolkit](#), SEEC; [Candidate and Political Committee Guide: 2021 Election](#); SEEC; “[DVP Update for Campaigns #1 \(December 18, 2023\)](#),” SEEC; “[Election Code Rules](#),” SEEC; “[2024-2025 Maximum Campaign Valuation and Contribution Limits](#),” SEEC

¹ Residents receive \$100 in vouchers in a typical election year. Residents may receive less in a special election.

Seattle, WA

	Public Finance Candidate	Traditional Finance Candidate
Donor Contribution Limits	CPI adjusted every four years	CPI adjusted every four years
Mayor	\$550	\$650
City Attorney, City Council	\$350	\$650
Qualifying for Public Funding	From Seattle residents, \$10-\$350	n/a
Minimum # Contributions, Minimum # Signatures		
Mayor	600 contributions, 600 signatures	
City Attorney, City Council At-Large	400 contributions, 400 signatures	
City Council District	150 contributions, 150 signatures (75 signatures must be from in district)	
Contributions Allowed From	Individuals, corporations, partnerships, other business entities	Individuals, corporations, partnerships, other business entities
Contributions Not Allowed From	PACs, political parties, orgs. that make independent expenditures, other campaigns, entity/person who earned \$250k+ via city contract in prior two years or entity/person who paid \$5k+ to lobbyist/lobbying entity,*	Other campaigns, entity/person who earned \$250k+ via city contract in prior two years or entity/person who paid \$5k+ to lobbyist/lobbying entity,*
Candidate/Family Loans or Contributions	Subject to Maximum Campaign Valuation limits, unlimited from resources of candidate/spouse/registered domestic partner; no more than \$5k in final 21 days before an election	Unlimited from resources of candidate/spouse/registered domestic partner; no more than \$5k in final 21 days before an election
2024-2025 Maximum Campaign Valuation and Contribution Limits*	CPI adjusted	n/a
Mayor	Total (primary) \$900,000 (\$450,000)	
City Attorney, City Council At Large	\$450,000 (\$225,000 in primary)	
City Council District	\$225,000 (\$112,500 in primary)	

* Statues say if measure is invalidated, then the contribution limit for these individuals/entities is \$250

* Voucher candidates in a race with a primary election can request release from campaign valuation limits and contribution limits if faced with significant oppositional spending

Campaign Finance Programs in Jurisdictions Outside Maryland

Participation

- Participation is optional.
- Candidate must sign a pledge to participate.
- Agree to maximum campaign valuation and contribution limits.
- Debate participation requirement.

Process for Public Funding

- Residents can give vouchers to campaign representatives or return to SEEC for a designated campaign.
- Process to process vouchers and issue a check takes approximately two weeks.
- Voucher proceeds distributed twice a month.
- SEEC validates signatures of donors and on returned vouchers.
- Voucher candidates have a Maximum Campaign Valuation (MCV), which is the value of vouchers received plus contributions.

Campaign Expenditures

- Can use voucher proceeds for campaign costs or debts.
- Voucher proceeds cannot be used for cash payments; paying a candidate, immediate family member, or immediate family member's business/entity; paying over fair market value for goods/services/things of value; paying for fines, penalties, or inaugural costs.

Reporting and Review Requirements

- **Donor Information Required for Contributions**

All Candidates: Name; address; value and date of contribution; aggregate contribution value; if more than \$100 - occupation, employer's name, city, state; plus additional information for credit card contributions.

- **Documentation Requirements with Campaign Finance Report**

All Candidates: Must file campaign finance reports online.

Public Candidates: In addition, to qualify for vouchers, candidates use SEEC *Candidate Qualifying Forms* to collect signatures and contribution information, or SEEC-approved online contributions methods.

- **Audit**

All Candidates: Must make campaign finance records available for SEEC review and available *for public inspection* during final eight days before primary and general elections.

Unspent Campaign Funds

- **Public Candidates:** Unused voucher proceeds up to amount redeemed by candidate must be returned to the City.
- **Regular Candidates:** May dispose of funds by returning to donors, transferring to personal account of candidate/treasurer/other as reimbursement for last earnings due to election campaign, transferring to political party or caucus, donating to a charitable organization, transferring to state general fund, for elected officials: transferring to account for non-reimbursed expenses of public office.

Information

- Before each election cycle, SEEC may adjust the maximum campaign valuation, required number and amount of qualifying contributions, number and value of democracy vouchers provided to eligible individuals to account for inflation or deflation.

Chapter 7. Stakeholder Comments

To acquire feedback on the Public Election Fund (PEF) in Montgomery County, OLO utilized two primary sources – interviews with various stakeholders and an online survey.

Interviews. For this report, OLO interviewed current Councilmembers; Councilmembers’ staff; staff from the Office of Consumer Protection, Office of the County Attorney, and Department of Finance; County Council central staff; State Board of Elections staff, and a former Public Election Fund Committee member.

Online Survey. OLO also administered a survey (see Appendix A) in August 2024, reaching out via email to candidates for County Executive and Councilmember offices from the 2022 primary election.¹ Of the valid 58 emails addressed OLO was able to obtain, there was a response rate of 24% - 14 responses. Candidates were also encouraged to forward the survey to members of their campaign finance team who handled contributions.

The survey was anonymous, and respondents were asked to identify how they were involved with the 2022 primary election:

Responder Type	Percentage
Candidate for Councilmember	72%
Candidate for County Executive	7%
Worked on a Campaign for Councilmember	7%
Other role in Councilmember Campaign	7%
None of the Above	7%

The respondents include the following:²

- 64% (9) filed a Notice of Intent with the Maryland State Board of Elections to qualify for public campaign funding in Montgomery County;
- 57% (8) were certified to participate and receive matching funds;
- 50% (7) took public funds, 21% (3) did not take public funds, 29% (4) did not answer; and
- 79% (11) replied they were on the 2022 primary ballot.

Overall Themes. OLO identified the following themes from all feedback, including interviews and the survey. OLO often uses the term “stakeholders” to refer generally to people who provided

¹ From the 65 candidate emails obtained, 7 were not valid.

² Note that to help ensure anonymity, the survey did not ask respondents to identify their campaign. It is unknown whether multiple respondents were part of the same campaign or whether each respondent represented a different campaign.

information either through interviews or through the survey. *The remainder of this chapter provides more detail on the above themes.*

A. Participation in the Public Election Fund

- a. The PEF is a good program overall, but needs improvements
- b. Those who did not participate did so for various reasons

B. Laws Governing the Program

- a. There are areas in County law that need clarification
- b. It is difficult for Public Election Fund (PEF) candidates to drop out of a race
- c. Limitations on candidate activities can make participation difficult at times
- d. The PEF Committee is not needed

C. Contribution Amounts and Carryover Balance

- a. Matching amounts greatly help campaigns but require a lot of people to contribute; contribution limits/ratios can be confusing or viewed as an impediment
- b. The allowable carryover balance to the next election is too small

D. Use of Maryland Campaign Reporting Information System

- a. The system is difficult to use and not intuitive
- b. The receipt upload process is arduous
- c. The system makes it difficult to track incremental donations from the same donor
- d. It is a struggle to receive funds in a timely fashion

E. Interactions with State Board of Elections Staff

- a. Board Staff are good overall, but can be difficult to reach

F. Interactions with County Staff

- a. County staff are good overall, but respondents had specific issues with staff responses

A. Participation in the Public Election Fund

The program is good overall, but improvements are needed. Several stakeholders reported the PEF program is good because it encourages participation by people who would not or could not participate under traditional financing rules and helps to “level the playing field.” However, stakeholders also identified needed process improvements, specifically with law clarifications and changes to the Maryland Campaign Reporting Information System (MDCRIS – the state’s online campaign finance reporting platform).

Those who did not participate in the PEF did so for various reasons. Some stakeholders responded that they or their candidate did not participate in the PEF because it is difficult to reach the minimum qualifying donor thresholds. Others noted a candidate not participating because of the administrative burden. Finally, some stakeholders reported that candidates can raise more money using traditional campaign financing while others said they did not like public tax dollars being used for political campaigns.

B. Laws Governing the Program

There are areas in County law that need clarification. Interviewees and survey respondents listed several areas needed for clarification in the state and County public finance laws. Specific responses include:

- There is an overall lack of clarity on how to apply the public financing rules in Montgomery County because the system is partially implemented by the state and partially by the County. The system is a combination of both state and County rules and sometimes stakeholders received answers to questions from the two oversight bodies that conflicted.
- If a primary is concluded and certification of a winning candidates is delayed, it is not clear under the law whether a PEF candidate can spend funds before certification.
- The law needs to include the ability to more easily kick a candidate out of the program for egregious acts, such as reporting/receiving fraudulent contributions.
- The law should allow candidates using PEFs to switch offices they are running for mid-cycle, without having to withdraw from then reapply to the PEF.

It is difficult to drop out of the race using Public Election Funds (PEF). A candidate who takes PEF funds and then wants to end their campaign and withdraw from the PEF must return all matching funds received plus interest. Candidates usually have already spent some PEF funds

received and instead of dropping out, remain in the election even though they are not campaigning.

Some stakeholders said that requiring candidates to return all funding from public financing – even when funds have already been spent – disincentivizes using public funding. Furthermore, respondents said these PEF candidates are also restricted by PEF rules from supporting other candidates in various ways unless they repay all PEF funds.

Prohibited items/actions can make the process difficult at times to participate. Stakeholders gave examples of numerous prohibitions or limitations that can be challenging for PEF candidates:

- Candidates cannot coordinate with other candidates or be part of a slate. State law allows candidates to coordinate with other candidates to buy campaign materials, but the County law does not allow this.
- Organizations/advocacy groups supporting a candidate cannot distribute a candidate's campaign materials or hold meet and greets because these actions are considered contributions to a campaign.
- Organizations/advocacy groups supporting a candidate cannot interact with a candidate's social media or tag candidates in posts.

The Public Election Fund Committee is not needed. Multiple interviewees think the Public Election Fund Committee (PEFC), which is supposed to recommend to the Council an amount to appropriate to the PEF each year, is no longer needed. They reported that the PEFC's recommendations were not followed by the County Executive or the County Council, there is no interest among residents to be on the PEFC (no applicants since 2022), and PEF funding can be determined through the annual budget process without the need for PEFC input. Some stakeholders suggested keeping a committee that convenes only every 5-10 years. Others suggested including a formula in law or regulation to determine funding levels instead of having a committee come up with a recommendation.

C. Contribution Amounts and Carryover Balance

Matching amounts greatly help campaigns but require a lot of people to contribute money. Additionally, contribution limits/ratios can be confusing or viewed as an impediment. Some stakeholders who used the program said matching funds greatly aided their campaigns but required a lot of effort to reach out to people to contribute. Stakeholders cited some candidates

Stakeholder Comments

who did not participate in the PEF because they could raise more money traditionally. Some suggested the minimum number of contributions and number of donations required to qualify for public financing should be reduced.

The carryover balance of PEF funds candidates can keep for the next election is too small.

Some stakeholders said for PEF candidates who commit to PEF participation in the following election, the amount of unspent PEF funds these candidates are allowed to retain for the next election is too small – especially given the considerable effort already taken to raise funds and go through the matching fund process.

D. Use of Maryland Campaign Reporting Information System

The MDCRIS system is difficult to use and not intuitive. Across the interviews and survey responses, most stakeholders commented that the MDCRIS was difficult to use, with quite a few saying it is “clunky.” On the survey, most respondents (73%) reported having to correct mistakes when submitting documentation in MDCRIS “many times” and “sometimes.” Twenty seven percent said they rarely had to make corrections while 0% said “never.”

Some MDCRIS-specific complaints include:

- “Byzantine system – the software is archaic. There has to be a better way.”
- “Errors in the system are the biggest pain point for the program.”
- “System sucks; if you do not set up properly you can get kicked out with no opportunity to remedy errors and you are out for a whole cycle.”
- “MDCRIS is very difficult and the source of most problems.”
- “Terrible, horrible, awful.”
- “The MDCRIS system has quite a clunky, outdated interface and is not user-friendly by current standards.”

The process for uploading receipts to the system is arduous. Most stakeholders said the receipt upload process was time consuming, tedious, and burdensome, citing the requirement to make a PDF of each receipt and then match each receipt to a corresponding donation or expenditure. They further stated that there is no grace period to correct mistakes and a candidate can end up not receiving public financing – which undermines the reason for having public financing.

It is a struggle to receive funds in a timely fashion. Several stakeholders noted the length of time it took to receive the matching funds. Users of MDCRIS said it could take up to 10 days for matching fund requests to be reviewed by the state. Stakeholders noted that access to funding is especially critical at the end of a campaign, and the time required to receive funds was too long.

E. Interactions with State Board of Elections Staff

The State Board of Elections staff is good overall, but availability can be an issue.

Stakeholders said that State Board of Elections staff were helpful, patient and kind. However, several stakeholders noted difficulty in getting in touch with them, especially after business hours (after 5PM), when many candidates perform the bulk of their campaign work. Some stakeholders noted a campaign sometimes received notification of problems with information submitted with a campaign finance report, but sometimes not.

F. Interactions with County Staff

County staff is good overall, but respondents had some issues with staff responses.

Overall, most stakeholders said that the staff at the Department of Finance and the Office of Consumer Protection (OCP; the County’s PEF liaison) were helpful and patient, and the advice they provided was welcomed.

However, some survey respondents commented that:

- County staff sometimes referred all their questions to the state.
- Stakeholders struggled to get needed assistance with finance laws and may need to hire someone “versed in this field” [of campaign finance reporting] to navigate the complicated processes.
- When a candidate called the liaison to appeal a disqualification from the program, staff said nothing could be done until after the election. The candidate found the response unacceptable because they thought the purpose of the liaison was to help the campaigns – providing help after the election would be unnecessary.

Stakeholders recommended the PEF liaison should reach out to any campaign that submits an incomplete campaign finance report and explain the deadlines and procedures to cure a report before the campaign is disqualified from the program. One stakeholder suggested having a one-stop shop to get all the information needed (citing nycvotes.org as a good example).

Chapter 8. Findings

Every state in the U.S. and many local jurisdictions have laws that govern elections at the federal, state, and local level. Maryland election law emphasizes that the laws are established to ensure the public have confidence and trust in elections that occur in the state. For this project, the Office of Legislative Oversight (OLO) was asked to review public campaign finance laws in Montgomery County, Maryland, and across the country. Below are OLO's findings.

Finding #1. Campaign finance laws set guidelines for how candidates are allowed to raise money to run for public office and establish parameters for how individuals and entities may donate funds to support candidates and/or ballot issues.

Campaign finance laws establish (among other things): (1) who can contribute to candidates (e.g., individuals, businesses, organizations, unions, etc.); (2) the maximum amount of money donors can contribute in an election cycle; (3) how a campaign is allowed to spend funds; and (4) the public reporting requirements for campaign fundraising and spending data.

Campaign finance laws, in general, are exceedingly complex and vary significantly from state to state, and even from state to local jurisdictions within a state. In Maryland, campaign finance requirements governing state and local candidates for public office are found primarily in state laws and regulations.

Finding #2. Some jurisdictions around the country, including Montgomery County, have enacted public campaign financing laws to lower the amount of money spent on campaigns for public office. Public campaign finance programs provide public funds to qualified candidates who agree to voluntary limits on campaign fundraising and spending.

Political spending for president and congressional candidates in the 2020 election was approximately \$14.4 billion, the most of any federal election ever. In 2018, the Pew Research Center found that two-thirds of Americans support more limits on campaign spending and a reduction in the role of money in politics.

Public campaign finance programs provide public funds to a candidate to finance a campaign for elected office – typically by matching contributions raised by qualifying candidates with public funds – multiplying the effect of individual contributions. The Brennan Center for Justice, a strong advocate of public campaign finance, explains that “[t]hese programs help candidates build broad

bases of support, allow elected officials to spend more time connecting with their constituents, and amplify the voices of everyday voters.” Three primary types of campaign finance programs have emerged in the United States:

- **Donor matching programs** match (typically small dollar) contributions to candidates from donors with public funds;
- **Block grant programs** provide eligible candidates with a lump sum of public funds to run their campaigns; and
- **Voucher programs** provide residents with vouchers for a set dollar amount to give to candidates and candidates can exchange vouchers for public funds.

At least 14 states and 26 local jurisdictions have active public campaign finance programs. The oldest state-run programs were established in 1974 (Maryland, Minnesota, New Jersey) and the oldest local program was established in 1985 (Tucson, AZ). Participation in a program is optional.

Finding #3. The Maryland legislature authorized local jurisdictions to enact public campaign finance laws in 2013. In 2014, Montgomery County was the first county in the state to establish a public campaign finance program for County Executive and County Council candidates – the Public Election Fund program. The program provided funding for candidates in the 2018 and 2022 elections.

Adopted in 2014, the purpose of Montgomery County’s public campaign finance law is “to encourage greater voter participation in County elections, increase opportunities for more residents to run for office, and reduce the influence of large contributions from businesses, political action groups, and other large organizations.”

With many similarities and some notable programs differences, Baltimore City, and Howard, Prince George’s, Anne Arundel, and Baltimore Counties have subsequently developed public campaign finance programs based on Montgomery County’s Public Election Fund (PEF) program. Baltimore City and Howard County implemented their programs in the 2022 election. The other jurisdictions plan to implement their programs in the 2026 election.

Findings

Finding #4. The design and implementation of local public campaign finance programs in Maryland are products of both state and local laws.

Maryland state law sets broad parameters for public campaign finance programs with additional requirements in Maryland regulations. Montgomery County designed the PEF program within these confines. The State Board of Elections staff provided input on the County's initial law and subsequent amendments to the law.

In its examination of the PEF, the Council has authority to amend County law but cannot change the requirements set out in state laws or regulations without the state taking action. Any changes to the PEF program must have approval of the State Board of Elections. Determining whether the County can change components of the PEF requires understanding the legal basis for each requirement. The information below shows the legal sources for various PEF requirements.

Established in State Law

- Only candidates for executive and legislative branch offices can receive public funding
- A public election fund must be administered by a local jurisdiction's chief financial officer
- Candidates must be in contested election to receive public funding
- Local governing body must establish eligibility criteria to receive public funding
- Local systems are subject to regulation and oversight by the State Board of Elections
- Candidates prohibited from transferring campaign funds to any other candidate

Established in State Regulations

- Local governing body cannot implement a public campaign finance program without approval of the State Board of Elections
- State Board prescribes campaign finance reporting requirements
- State board determines whether candidates qualify for public funds (based on local law)
- Local governing body must establish permitted use of funds
- Limited coordination of in-kind contributions to candidates allowed from state and local central committees and prohibited from all other political committees
- Candidates cannot be part of a slate
- Candidates can "affiliate" with other candidates on campaign materials

Established in Montgomery County Law

- Contribution dollar limits and matching formula
- Maximum funding available to candidates
- Minimum requirements for certification to receive public funds
- Deadlines for participation in public financing

- 10-day time limit for State Board to review candidates' applications for certification
- Prohibition on contributions from PACs, corporations, organizations, and labor unions
- Requirement that CAO periodically adjust maximum contribution limit and total funding limits
- Requirement for candidates to submit contribution receipts with campaign finance reports
- Limits on loans to campaigns

Finding #5. Montgomery County's public financing program includes the establishment of the Public Election Fund (PEF) – a dedicated fund to provide matching funds to publicly funded candidates in Montgomery County.

As part of a public campaign finance program, Maryland law requires that a jurisdiction's chief financial officer administer a public campaign finance fund. Montgomery County's Director of Finance (or designee) administers the PEF, which holds funds appropriated by the Council to be paid to candidates as matching funds. Funds in the PEF include:

- Funds appropriated by the Council;
- Unspent funds returned to the PEF by candidates;
- Interest earned on the fund; and
- Voluntary donations to the fund.

Appropriated funds are put into a County non-departmental account (NDA). Most funds from the NDA are designated as matching funds, and Finance staff transfer those funds into the restricted PEF fund. Once in the restricted PEF account, funds can only be distributed to candidates as part of the public finance program. Reports showing distributions to candidates and PEF fund balances are available on the Finance website.

In some fiscal years, the Council has appropriated additional funds to the PEF NDA for administrative purposes (e.g., to fund revisions of the State Board's MDCRIS system, contract staff for document development) in addition to the funds used as matching funds. Funds for administrative purposes in the NDA that are not used by the end of the fiscal year revert back to the County's general fund.

Finding #6. Montgomery County's public campaign finance program is a small dollar matching program, and candidate participation is optional.

The requirements a candidate must fulfill to participate in the PEF are established in County law. To qualify to receive public funds in Montgomery County, the Public Election Fund (PEF) program

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requires candidates to demonstrate a base level of public support. To qualify for the PEF, candidates must: (1) raise a minimum number of contributions of funds from County residents; (2) that total a minimum amount of money; (3) with a maximum contribution limit of \$250 per donor. For candidates who meet these (and other) requirements, the County matches qualifying contributions with public funds. Only contributions of money from County residents are counted towards a candidate’s certification in the PEF.

In all campaigns for elected office candidates can typically accept contributions from donors in the form of money or “in-kind” contributions, which are contributions of property, goods, or services. Candidates in the PEF can only accept contributions (money and in-kind) from individuals. Contributions of any kind from corporations, organizations, political action committees (PACs), labor unions, etc. are prohibited.

The next table shows the minimum number of qualifying contributions (contributions of funds) and the minimum dollar amount of contributions that candidates need to raise to be certified to receive public funding.

**Required Minimum Number of Qualifying Contributions and
Minimum Dollar Amount of Contributions to Become a Certified Candidate**

	Min. # of Qualifying Contributions	Min. \$ of Qualifying Contributions
County Executive	500	\$40,000
At-Large Councilmember	250	\$20,000
District Councilmember	125	\$10,000

County law includes a formula to calculate the amount of matching funds a candidate receives based on a progressive ratio – with more matching funds provided for the first \$50 of a contribution than for the second \$50 or third \$50. While donors can contribute up to \$250 to a candidate, the County only matches the first \$150 of a contribution. The next table outlines the funding formula – showing the number of public dollars a candidate receives for each \$1 of a contribution.

Public Election Fund Formula for Matching Funds

Candidate for	Contribution Amount			
	\$1 - \$50	\$51 - \$100	\$101 - \$150	\$151-\$250
County Executive	\$6:\$1	4:1	2:1	0
Councilmember	\$4:\$1	3:1	2:1	0

The PEF matches contributions only from Montgomery County residents and does not provide matching funds for the value of in-kind contributions, contributions from the candidate or candidate's spouse, or contributions from donors who live outside Montgomery County.

The law's one exception to the \$250 contribution limit is that PEF candidates can accept *in-kind contributions* from a state or local political party central committee if:

- The total amount of in-kind contributions is less than \$10,000 per election cycle; and
- The funds used by the central committee for an in-kind contribution come from contributions from individuals that do not exceed the public contribution limit in the law (i.e., \$250 per election cycle).

County law sets a maximum amount that a candidate can receive in matching funds for *each* election in an election cycle (primary *and* general). The maximums are:

- County Executive: \$750,000 per election;
- At-Large Councilmember: \$250,000 per election; and
- District Councilmember: \$125,000 per election.

Unlike some other jurisdictions around the country (including Baltimore County's public campaign finance program), neither Maryland nor Montgomery County set maximum spending limits for campaigns.

Finding #7. The PEF program is jointly implemented by the State Board of Elections and Montgomery County. Candidates who wish to be certified to receive matching funds must complete a series of requirements. The State Board determines whether candidates have fulfilled the requirements to receive public funding.

In Montgomery County, individuals can become a candidate for public office by filing a certificate of candidacy with the Montgomery County Board of Elections and paying a filing fee of \$25. To then participate in the Public Election Fund, a candidate must:

- Register a Public Finance Committee in the State Board of Election's electronic filing system – the Maryland Campaign Reporting Information System (MDCRIS);
- File a Notice of Intent to qualify for public funding with the State Board;
- Open a publicly funded campaign account at a bank;

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- Receive approval of the candidate’s Public Finance Committee from the State Board;
- Raise a minimum number of and dollar amount of “qualifying contributions” from County residents. Candidates are not allowed to take contributions before receiving approval from the State Board to participate in the PEF; and
- File required periodic campaign finance report(s) and documentation with the State Board.

When a candidate has successfully completed all these requirements, the candidate can apply to the State Board to be certified to receive public funding. The State Board determines whether a candidate has met the requirements. The Board’s decision is final. The Office of Consumer Protection is the liaison for the PEF program between County Government, candidates, and the public.

Finding #8. The State Board of Elections calculates the amount of matching funds candidates receive. The Department of Finance is responsible for transferring matching funds to candidates.

The State Board of Election collects candidates’ campaign finance information and calculates the amount of matching funds a candidate should receive through its electronic filing system – the Maryland Campaign Reporting Information System (MDCRIS). All candidates periodically report to the State Board information on contributions received and money spent by the candidate’s campaign.

Candidates seeking public financing are also required to upload a pdf copy of every contribution and expenditure receipt listed in a campaign finance report – an administratively difficult process that stakeholders characterize as “horrible,” “Byzantine,” and “clunky.” State Board staff then verify that receipt records accurately match reported contributions and expenditures and notify campaigns if receipts are inadequate and require corrected documentation. A candidate certified by the State Board to receive public funding can submit multiple requests for matching funds in an election cycle as the candidate collects additional contributions – until the candidate has received the maximum amount of public funds allowed by County law.

The MDCRIS system calculates the amount of matching funds a certified candidate should receive, and the State Board notifies the County Director of Finance of the amount via a written memorandum. While no deadline is specified in state or County laws or regulations, Finance staff report that, following a candidate’s initial certification, the State Board works to review and approve requests for matching funds within 10 business days.

Finance then has three business days to transfer funds to candidates’ bank accounts. Finance staff report that they comply with the requirement. Candidates’ campaign staff frequently contact the

department asking when matching funds will be paid to a campaign. The bulk of the time required to process matching fund requests lies with the State Board's review of candidates' documents.

While the County does not have authority to review matching fund distribution amounts calculated by the State Board, Finance staff periodically perform matching fund calculations for informal internal review of random candidates to compare outcomes to MDCRIS' calculations. Finance staff report that candidates frequently make changes/corrections to data in MDCRIS and Finance staff's level of access to the system does not allow them to see when or what changes have been made. The changes/corrections to MDCRIS data and the level of MDCRIS access available to Finance staff only allow for general, reasonableness review of matching amounts.

Finding #9. Restrictions on candidates who participate in the Public Election Fund are stricter compared to candidates who follow Maryland's traditional campaign finance laws. Local public campaign finance programs in other states impose similar restrictions on participating candidates.

In accordance with state law, PEF candidates follow a set of stricter rules than candidates who use regular campaign financing. Among other things, PEF candidates:

- Have a lower contribution limit (\$250) compared to regularly financed candidates (\$6,000);
- Cannot accept contributions from corporations, organizations, PACs, or labor unions;
- Have more rigorous campaign finance reporting requirements; and
- Cannot be a part of a slate of candidates.

Public campaign finance programs in other local jurisdictions often impose similar restrictions and requirements on participating candidates. See Finding #17.

Finding #10. The County PEF law requires establishment of a volunteer committee charged with estimating and recommending to the Council the amount of money to annually appropriate to the PEF. No one has applied to be on the committee since 2022, and the committee's recommendations have not been followed.

The public campaign finance law requires the County Council to appoint a seven-member Public Election Fund Committee responsible for estimating and recommending to the Council the resources necessary to annually fund the PEF. The PEF Committee is also charged with public outreach and education responsibilities. Despite multiple attempts to recruit members, the PEF committee has had no members since 2022 and has received no applications.

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Before the 2018 and 2022 elections, the PEF Committee met regularly and provided recommendations for funding. The funding data show consistent trends while the Committee was active:

- In the FY17 through FY21 budgets, the PEF Committee's recommendation for funding included majority and minority recommendations (because committee members did not agree on a single recommendation).
- Except for FY21, the County Executive did not follow either of the committee's recommendations in his proposed budgets in the years when the committee recommended funding.
- Aside from the FY18 budget, the Council's ultimate appropriation did not follow the committee's nor the County Executive's recommendations.

Data from the Department of Finance show that the PEF had adequate funding to cover all candidates' requests for matching funds for the 2018 and 2022 elections.

Finding #11. The Public Election Fund distributed \$5.3M to candidates during the 2018 elections and \$3.7M during the 2022 elections. Currently, \$4.6M is available for the 2026 election cycle.

Unsure of the level of participation the PEF would have in its first election cycle, the Council had allocated a fund balance of \$11M for the 2018 elections. After the \$5.3M was distributed to candidates and \$4.0M was transferred to the general fund, the PEF ended with a \$1.8M balance at the end of the 2018 election cycle. The PEF began the 2022 election cycle with \$5.0M and ended with \$3.9M following appropriations, matching fund distributions, and other adjustments. Approximately \$4.6M is available to date for the 2026 election cycle (subject to further fund adjustments).

Finding #12. In both the 2018 and 2022 elections, a majority of the available seats were won by PEF candidates.

During the 2018 election, 40 candidates initially sought public financing and 23 of those 40 candidates were certified. In 2022, 30 candidates initially sought public financing, a decrease of 25% from 2018. A higher percentage of candidates who participated in public financing were certified in 2022 (20 candidates or 67%) compared to 2018 (23 candidates or 58%).

	2018	2022
Total Candidates	69	65
Candidates Who Did Not Seek Public Financing	29	37
Candidates Who Sought Public Financing	40	30
<i>Candidates Who Were Certified</i>	23	20

In 2018, seven out of the 10 available seats were won by PEF candidates (70%) while eight out of the 12 available seats were won by PEF candidates (67%) in 2022.

Finding #13. As stated earlier, the PEF program establishes maximum funding levels for matching funds available for certified candidates. Some candidates reached the maximum funding levels in both elections.

- 2018 Elections.** For the primary and general elections in 2018, five out of 23 certified PEF candidates received the maximum funding available in one or both elections. One candidate received the maximum funding available (\$750,000) in both elections – a candidate for County Executive. Four Council candidates received the maximum funding available for the primary election – two at-large candidates (\$250,000) and two district candidates (\$125,000).
- 2022 Elections.** For the 2022 primary and general elections, six out of 20 certified PEF candidates received the maximum funding available in the primary election; no candidate received the maximum for the general election. The candidates who received the maximum funding available in the primary election included two for County Executive, one for an at-large Council seat, and three for district Council seats.

Finding #14. According to the Maryland Public Interest Research Group (MPIRG), most of the funding raised by PEF candidates came from small contributions in both 2018 and 2022, while a modest amount came from small contributions for non-PEF candidates.

For the 2018 elections, a total of 94% of the funding raised by PEF candidates came from small contributions while only 8% of funding came from small contributions for non-PEF candidates. For the 2022 elections the percentage of small contributions rose for PEF candidates (96%) and grew smaller for non-PEF candidates (2%).

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Finding #15. Stakeholders who did and did not participate in the PEF offered their impression of the program. Overall, stakeholders reported the program is good because it encourages participation by those who would not or could not participate under traditional financing rules. However, stakeholders also said there needs to be law clarifications and system updates.

Some specific feedback heard by OLO includes the following:

Overall Program Feedback

- **Interactions with County and State Board of Elections staff are good overall.** Interactions with the State were helpful - when they were available. Interactions with the County staff were good, but respondents had some issues with specific staff responses.
- **Those who did not participate did so for various reasons.** The reasons identified by stakeholders include difficulty reaching thresholds, perceived administrative burden, ability to raise more money through traditional financing, or did not want to use taxpayer dollars for a political campaign.

Legal Clarifications

- There are areas in the County law that need clarification. Overall, stakeholders identified the following: (1) there is a lack of clarity in administration of the program because the system is partially implemented by the state and partially by the County; (2) the law should include an easier mechanism to remove candidates from the program if they engage in prohibited acts; (3) the law should clarify when a candidate can access funds for a contested/non-certified primary; and (4) the program should allow a candidate to switch offices for which they are running (e.g., from County Executive to district Councilmember) and not require them to withdraw from then reapply to the program.

Program Participation

- **It is difficult to drop out of the PEF.** Candidates who receive PEF funds and want to end their campaign and withdraw from the PEF must return all matching funds received, plus interest. Some candidates said this disincentivizes using public funding.
- **Prohibited items/actions can make the process difficult.** Stakeholders raised concerns about prohibitions on coordinating with other candidates/campaigns and prohibitions on receiving support from or interacting with organizations/advocacy groups.
- **Public Election Fund Committee (PEFC) is not needed.** There appears to be no interest in involvement in the PEFC and funding can be determined through the annual budget process or formula without PEFC input.

- **It is difficult to use the Maryland Campaign Reporting Information System (MDCRIS).** Stakeholders reported that the state’s online campaign finance reporting system is difficult to use, not intuitive; the receipt upload process is arduous; it is difficult to track incremental donations from the same donor; and it is a struggle to receive funds in a timely fashion through the system.
- **Stakeholders noted that public funding helped campaigns but noted caveats.** Some stakeholders who used the program said matching funds greatly aided their campaigns but required a lot of effort to reach out to so many people to contribute. Others noted that the amount of unspent PEF funds that candidates are allowed to retain for the next campaign following an election is too small – especially given the considerable effort already taken to raise funds and go through the PEF certification process.

Finding #16. Executive Branch representatives identified two key administrative components of the PEF law and regulations that need clarification – language describing required CPI-based adjustments of contribution limits/maximum funds available, and the scope of the audit requirement.

County law requires the Chief Administrative Officer to adjust the maximum contribution amount and the maximum funds available to candidates in the PEF every four years based on changes in the Consumer Price Index (CPI). Executive Branch staff report that the language in the law needs clarification because there is more than one way to interpret the language as written. Additionally, the timing outlined in the law would have adjustments to these limits take effect in the middle of election season – between the primary and general elections. Because of uncertainty regarding the language and the timing of the change in the middle of election season, the Executive Branch did not adjust these limits in 2022.

County law also requires the County Executive to conduct an audit of PEF activity following a general election. Executive Branch staff report that current County regulations to implement the audit requirement need clarification to better reflect County law. As written, the regulations require the County to audit state processes and implementation, which the County does not have authority to do. In the Spring of 2024, the Office of Internal Audit entered into a contract with the consulting firm SC&H Group to perform the audit work. Staff report that they currently are working with the firm to develop an audit plan.

Findings

Finding #17. Five other Maryland jurisdictions have adopted local legislation to establish public campaign finance programs with the same general structure as Montgomery County. Several program components, however, vary from jurisdiction to jurisdiction.

The five other Maryland jurisdictions that have established programs are: Anne Arundel County, Baltimore City, Baltimore County, Howard County, and Prince George’s County. In each of these public campaign finance programs, a candidate must raise a minimum number of small dollar qualifying contributions from individual jurisdiction residents that total a minimum amount of money to qualify for public funding. And candidates must agree to other restrictions on fundraising and campaign spending. The tables on the following pages summarize information about the programs.

Public Campaign Finance Program Components in Maryland Jurisdictions

Eligible Offices		Contribution Limits: Public Funding (Traditional Funding)	Qualifying Contributions Min. #, Min. \$	Maximum Public Funds	Campaign Expenditure Limits	Qualifying Contributions Allowed From	Candidate/Family Member Loan Limit	Law Allows Candidate Affiliation
Montgomery County	County Executive	\$250 (\$6K)	500, \$40K	\$750K	X	Montgomery County residents	\$12K total Candidate, spouse	X
	At-Large CM	\$250 (\$6K)	250, \$20K	\$250K				
	District CM	\$250 (\$6K)	125, \$10K	\$125K Per Election: Prim./Gen.				
Howard County	County Executive	\$250 (\$6K)	500, \$40K	\$700K	X	Howard County residents	\$12K total Candidate, spouse, parent, sibling, child 18+ yrs old	✓
	Councilmember	\$250 (\$6K)	125, \$10K	\$85K Per Election Cycle				
Baltimore City	Mayor	\$150 (\$6K)	500, \$40K	\$1.5M	X	Baltimore City residents	\$6K total Candidate, spouse	✓
	Council President	\$150 (\$6K)	250, \$15K	\$375K				
	Comptroller	\$150 (\$6K)	250, \$15K	\$200K				
	City CM	\$150 (\$6K)	150, \$5K	\$125K Per Election Cycle Plus Qualifying Boost Mayor: \$200K CCL Pres./Comp: \$50K One Time				
Prince George's County	County Executive	\$250 (\$6K)	500, \$40K	\$750K	X	Prince George's County residents	\$6K total Candidate, spouse	✓
	At-Large CM	\$250 (\$6K)	250, \$15K	\$200K				
	District CM	\$250 (\$6K)	150, \$7.5K	\$75K Per Election Cycle				
Baltimore County	County Executive	\$250 (\$6K)	550, \$50K	\$750K	\$1,400,000 \$150,000 Per Election: Prim./Gen.	Baltimore County residents	\$12K total Candidate, spouse, parent, sibling, child 18+ yrs old	✓
	Councilmember	\$250 (\$6K)	150, \$15K	\$80K Per Election: Prim./Gen.				
Anne Arundel County	County Executive	\$250 (\$6K)	500, \$40K	\$750K	X	Anne Arundel County residents	\$12K total Candidate, spouse	X
	Councilmember	\$250 (\$6K)	75, \$7.5K	\$125K Per Election Cycle				

CM=councilmember

Public Campaign Finance Program Contribution Matching Ratios, by Jurisdictions

Montgomery County				Prince George's County			
County Executive		County Council		County Executive		County Council	
Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount
\$6:\$1	First \$50	\$4:\$1	First \$50	\$7:\$1	First \$25	\$7:\$1	First \$25
4:1	Second \$50	3:1	Second \$50	5:1	Next \$50	5:1	Next \$50
2:1	Third \$50	2:1	Third \$50	1:1	Next \$75	1:1	Next \$75
0	\$151-\$250	0	\$151-\$250	0	\$151-\$250	0	\$151-\$250

Howard County				Baltimore County*			
County Executive		County Council		County Executive		County Council	
Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount
\$7:\$1	First \$50	\$5:\$1	First \$50	\$6:\$1	First \$50	\$4:\$1	First \$50
4:1	Second \$50	3:1	Second \$50	4:1	Second \$50	3:1	Second \$50
1:1	Third \$50	1:1	Third \$50	2:1	Third \$50	2:1	Third \$50
0	\$151-\$250	0	\$151-\$250	0	\$151 - \$250	0	\$151-\$250

Baltimore City				Anne Arundel County			
Mayor, Council President, Comptroller		City Council		County Executive		County Council	
Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount	Ratio	Contrib. Amount
\$9:\$1	First \$25	\$9:\$1	First \$25	\$6:\$1	First \$50	\$4:\$1	First \$50
5:1	Next \$50	5:1	Next \$50	4:1	Second \$50	3:1	Second \$50
2:1	Next \$75	0	Next \$75	2:1	Third \$50	2:1	Third \$50
				0	\$151 - \$250	0	\$151-\$250

When calculating matching fund amounts based on the formulas in the prior table and compared to jurisdictions with different matching formulas (Baltimore City, Prince George’s County, and Howard County), the data show that matching funds for candidates in Montgomery County:

- Are \$25-\$75 less at every contribution level compared to Baltimore City;
- Are \$25-\$50 less compared to Howard County at all contribution levels except \$150; and
- Are \$25 less compared to Prince George’s County at the \$25 and \$75 contribution levels.

Matching Fund Amounts Based on Contribution Amount, by Jurisdiction

Donation Amount	Baltimore City	Howard	Prince George’s	Montgomery*	Anne Arundel*	Baltimore County*
Executive/Mayor/Balt City Council President						
\$25	\$225	\$175	\$175	\$150	\$150	\$150
\$50	\$350	\$350	\$300	\$300	\$300	\$300
\$75	\$475	\$450	\$425	\$400	\$400	\$400
\$100	\$525	\$550	\$450	\$500	\$500	\$500
\$125	\$575	\$575	\$475	\$550	\$550	\$550
\$150	\$625	\$600	\$500	\$600	\$600	\$600
Councilmember						
\$25	\$225	\$125	\$175	\$100	\$100	\$100
\$50	\$350	\$250	\$300	\$200	\$200	\$200
\$75	\$475	\$325	\$425	\$275	\$275	\$275
\$100	\$475	\$400	\$450	\$350	\$350	\$350
\$125	\$475	\$425	\$475	\$400	\$400	\$400
\$150	\$475	\$450	\$500	\$450	\$450	\$450

Findings

The data in the next table show additional information about the public campaign finance programs. Of note:

- Several jurisdictions reduce a candidate’s matching fund (or restrict participation) based on prior campaign spending;
- Candidates can “affiliate” with other candidates in four of the six jurisdictions (not in Montgomery County);
- Only Baltimore County has a campaign expenditure limit; and
- Only Montgomery County allows a candidate to retain unspent public funds in limited circumstances.

Other Public Campaign Finance Program Components

	Prior Campaign Spending		In-Kind Contributions		
	May Reduce Matching Funds	May Limit Ability to Participate in Public Funding	Allowed from State/Local Committees	Candidate Can Affiliate with Other Candidates	Campaign Expenditure Limits
Montgomery County, MD	X	X	✓	X	X
Howard County, MD	✓	X	X	✓	X
Baltimore City, MD	✓	X	X	✓	X
Prince George’s County, MD	✓	✓	X	✓	X
Baltimore County, MD	✓	X	X	✓	✓
Anne Arundel County, MD	X	X	X	X	X

	Withdrawing Candidate Repayments to Fund: Financial Hardship Exception	Candidate Can Retain Some Unspent Public Funds	Post-Election Audit or Review	Local Commission with Oversight Responsibilities
	Montgomery County, MD	X	✓	✓
Howard County, MD	✓	X	X	✓
Baltimore City, MD	✓	X	✓	✓
Prince George’s County, MD	✓	X	X	✓
Baltimore County, MD	✓	X	X	X
Anne Arundel County, MD	X	X	X	X

In Montgomery County, a violation of the PEF law is a Class A civil violation, with enforcement authority lying with the County Attorney. Laws in Baltimore City and Howard, Prince George's, and Anne Arundel Counties regarding violations are similar to Montgomery County. Baltimore City law, by contrast, includes a more immediate enforcement mechanism for violations of the law. The law makes a candidate who engages in any of the following acts *ineligible for certification* by the State Board of Elections and unable to receive public funds:

- Fails to submit a campaign finance report in the prior four years;
- Coordinates with a political action committee; or
- Violates any rule or regulation of the public campaign finance program.

Findings

Finding #18. At least 26 local jurisdictions (including the six in Maryland) have public campaign finance programs. OLO reviewed seven programs outside of Maryland in depth and found that program components vary widely.

The tables below provide a high-level overview of seven public campaign finance programs from across the country.

Summary of Public Campaign Finance Program Components, by Jurisdiction

	Eligible Offices	Contribution Limits: Public Candidate (Traditional Candidate)	Maximum Funding Available		To Qualify for Public Funding?	Expenditure Limit?
Montgomery County, MD	County Executive	\$250 (\$6K)	\$750K		Min Contrib #, \$ 500, \$40K	None
	At-Large CM	\$250 (\$6K)	\$250K			
	District CM	\$250 (\$6K)	\$125K			
District of Columbia	Mayor	\$200 (\$2K)	Base Amt \$160K	Matching Lim n/a	Min Contrib #, \$ 1000, \$40K	None
	Attorney General	\$200 (\$1.5K)	\$40K	n/a		
	Council Chair	\$200 (\$1.5K)	\$40K	n/a		
	At-Large CM	\$100 (\$1K)	\$40K	\$356,954		
	Ward CM	\$50 (\$500)	\$40K	\$266,666		
	At-Large BOE	\$50 (\$500)	\$10K	\$30,605		
	Ward BOE	\$20 (\$200)	\$10K	\$24,434		
Tucson, AZ	Mayor	\$500/\$1K (same)	\$172,262.52		Min. Contrib # 300	\$334,525.04
	County Council	\$500/\$1K (same)	\$86,123.25			200
Miami-Dade County, FL	Mayor	\$1K (same)	\$300K		Min Contrib #, \$ 1500-1800, \$150K	\$650K
	City Commissioner	\$1K (same)	\$50K or \$75K			300-360, \$30K or 50K

	Eligible Offices	Contribution Limits: Public Candidate (Traditional Candidate)	Maximum Funding Available	To Qualify for Public Funding?	Expenditure Limit?
Denver, CO	Mayor Clerk/Recorder Judge Auditor At-Large Council District Council	\$595 (\$1,190) \$415 (\$835) \$415 (\$835) \$415 (\$835) \$415 (\$835) \$235 (\$475)	\$750K \$250K \$250K \$250K \$250K \$125K	Min Contrib # 250 100 100 100 100 100	None
New York City, NY	Mayor Public Advocate, Comp Borough Pres. City CM	\$2,100 (\$3,700) \$2,100 (\$3,700) \$1,600 (\$2,650) \$1,050 (\$1,600)	* See Chapter 6 \$7,050,667 \$4,408,000 \$1,586,667 \$184,000	Min Contrib #, \$ 1000, \$250K 500, \$125K 100, \$10K-\$55K 75, \$5K	Per election: prim/gen \$7,932,000 \$4,959,000 \$1,785,000 \$207,000
San Francisco, CA	Mayor Bd. of Supervisors	\$500 (same) \$500 (same)	\$1.2M \$255K	Min Contrib #, \$ 500, \$50K (750, \$750K) 100, \$10K (150, \$15K)	\$1.7M \$350K
Seattle, WA	Mayor City Attorney Council At-Large Council District	\$550 (\$650) \$350 (\$650) \$350 (\$650) \$350 (\$650)	See Maximum Campaign Valuation (contributions raised + redeemed vouchers) See Chapter 6	Min Contrib, #, Signat. # 600, 600 400, 400 400,400 150,150	Primary/Total \$450K/\$900K \$225K/\$450K \$225K/\$450K \$112.5K/\$225K

Findings

The data in the next table highlight additional program elements.

Additional Public Campaign Finance Program Components, by Jurisdiction

	Candidate/ Family Member Loan Limit	Qualifying Contributions Allowed From	Matching Fund Ratio				Copies of Receipts Required with Matching Fund Requests?*
			Executive		Council		
			Ratio	Contrib. Amount	Ratio	Contrib. Amount	
Montgomery County, MD	\$12K aggregate from candidate or candidate's spouse	Montgomery County residents					✓
			6:1	1 st \$50	4:1	1 st \$50	
			4:1	2 nd \$50	3:1	2 nd \$50	
			2:1	3 rd \$50	2:1	3 rd \$50	
			0	\$151-\$250	0	\$151-\$250	
District of Columbia	\$5K or \$2.5K in aggregate based on office	District residents	5:1 for qualified contributions				X
Tucson, AZ	Personal funds, up to 3% of expenditure limit	City of Tucson residents	1:1 for qualified contributions				✓
Miami-Dade County, FL	\$25K of candidate's personal funds	M-D County registered voters; bank/corp/assoc in district	n/a				Required in post-election audit
Denver, CO	\$5K from candidate	Denver residents	9:1 for first \$50				✓
New York City, NY	3x maximum contribution limits	NYC residents	\$8:1 for first \$175 or \$250 of contribution, based on office				✓
San Francisco, CA	\$5K	SF residents	6:1 for first \$150				✓
Seattle, WA	Unlimited	Seattle residents	n/a				

Finding #19. In most jurisdictions outside of Maryland that OLO analyzed, traditionally funded candidates can raise \$1-\$2 for every \$1 raised by a publicly funded candidate. In Montgomery County, traditionally funded candidates can raise \$24 for every \$1 raised by a publicly funded candidate.

The contribution limits in Maryland for traditionally funded candidates compared to publicly funded candidates is significantly higher than limits in jurisdictions outside of Maryland analyzed by OLO. In six of the seven jurisdictions that OLO analyzed outside of Maryland, traditionally funded candidates can raise \$1-\$2 for every \$1 raised by a publicly funded candidate. In five of the six Maryland jurisdictions, including Montgomery County, traditionally funded candidates can raise \$24 for every \$1 raised by a publicly funded candidate.

Chapter 9. Recommendations

Public campaign finance programs provide funding to candidates for elected office who meet qualification requirements. While public finance programs differ significantly from jurisdiction to jurisdiction, the programs all have a common purpose (reducing the influence of money in elections by providing qualified candidates public funds for campaign costs) and share some common underpinnings.

Most programs that the Office of Legislative Oversight (OLO) examined in this study require candidates to raise a minimum number of small dollar contributions to qualify to receive public funding. Most jurisdictions also require the contributions to add up to a minimum dollar amount. The jurisdictions then match some portion of the contributions with public funds. Minimum qualification requirements ensure that candidates who receive public funding can demonstrate a minimum level of support from the electorate through their ability to raise campaign funds.

Montgomery County's Public Election Fund program has provided public financing for candidates in the 2018 and 2022 elections. In the 2018 and 2022 elections, over half of the candidates (70 out of 134) for Executive or Council participated in the PEF.

OLO's Recommendations. Based on OLO's review of the workings of the County's public campaign finance law and laws in other jurisdictions, OLO has five primary recommendations for Council action or consideration:

1. Alter the PEF law to clarify the language around CPI-based adjustments to program limits and remove the requirement in the law for a Public Election Fund Committee;
2. Ask the Executive to clarify the scope of the audit requirement in executive regulations;
3. Review and potentially revise the maximum contribution limit for publicly funded candidates in Montgomery County;
4. Discuss and consider whether differences in the programs in the other Maryland jurisdictions could enhance Montgomery County's PEF if implemented here; and
5. Ask the State Board of Elections for clarification of state law's impact on campaign activities.

Implementing the changes in the first four recommendations would not require changes to state law. Other changes to the PEF may necessitate changes to state law.

Recommendation #1. The Council should amend County law to: A) clarify the language in the law requiring periodic Consumer Price Index (CPI) adjustments to Public Election Fund program components and change the timing of the CPI adjustment in the election cycle, and B) remove the requirement for the Public Election Fund Committee from the law.

A. Consumer Price Index Clarifications

The PEF law requires the County Chief Administrative Officer (CAO) to adjust two components of the PEF program every four years – the maximum public contribution limit (currently \$250) and the limit on the amount of matching funds available to candidates. Both adjustments are based on changes in the Consumer Price Index.

The language in the PEF law requiring these adjustments is ambiguous as currently written and the timing is problematic. Executive Branch staff report that there is more than one way to interpret the language requiring the adjustment. Additionally, the law as currently written requires the CAO to implement an adjustment to the contribution and the matching funds limit in the middle of an election year – between the primary and general elections. Both issues prevented the CAO from adjusting these components in the law for the 2022 election cycle.

OLO recommends that the Council amend the law to address these two issues.

Note: On September 17, 2024, the Council introduced Bill 20-24, with the intent to amend the law to correct both issues. The language in the bill would move the timing of the required adjustments by the CAO by two years to the middle of the election cycle – with the first change effective July 1, 2028 (in between the 2026 and 2030 elections). OLO concurs with the proposal to adjust the timing of the change to the middle of the election cycle. Absent the bill, OLO would have recommended a change to reflect similar timing.

OLO highlights two considerations for the Council. First, because this provision of the law has not been implemented in the decade since the law was enacted, the Council may want to draft the bill to require the CAO to adjust the limits to take effect shortly after the bill's adoption – in advance of the 2026 election (and before candidates start submitting documentation to the State Board for matching funds in June 2025). The Council could require the following adjustment take effect July 1, 2028, and every four years after that, as proposed in the bill.

Second, OLO advises the Council in Recommendation #3 to affirmatively review and potentially revise the current maximum contribution level in County law based on other considerations. Should the Council choose to amend the contribution level in Bill 20-24, the Council should consider the timing of when a change would take effect, as discussed in the previous paragraph.

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B. Public Election Fund Committee Requirement

The PEF law requires the Council to appoint a seven-member Public Election Fund Committee charged with estimating the resources necessary to fund the PEF and with recommending to the Council an annual appropriation for the Fund. The Committee is also charged with public outreach and education responsibilities to raise awareness of the PEF. While the Committee met regularly in advance of the 2018 and 2022 elections, the Committee has had no members since 2022 despite the County's recruitment efforts. OLO is not aware of any outreach or education activities undertaken by the committee.

While public participation in government can inform and improve government decisions and outcomes, the work of the Committee does not seem to have impacted the outcomes of PEF funding in any substantial way. In four of the five years that the Committee presented recommendations to the Council for annual PEF funding (FY17 through FY21), the Committee sent two recommendations (a majority and a minority recommendation) because Committee members disagreed on a single recommendation.

The County Executive did not follow either of the Committee's recommendations in his proposed budgets in any of the years. And aside from the FY18 budget, the Council's ultimate appropriation did not follow the Committee's nor the County Executive's recommendations. The Council's ultimate appropriations provided adequate funding for the PEF for the 2018 and 2022 elections despite the lack of consensus among the Committee, the Executive, and the Council.

OLO recommends that the Council remove the requirement for a Public Election Fund Committee from the law.

Recommendation #2. The Council should ask the County Executive to amend the Public Election Fund executive regulations to clarify the scope of the audit requirement to better reflect County law.

The Council amended the PEF law in 2020 to add a requirement that the County Executive conduct an audit of PEF activity following a general election. Executive Branch staff report that current County regulations to implement the audit requirement require clarification of the scope of the audit to better reflect County law. As written, the regulations require the County to audit state processes and implementation, which the County does not have authority to do.

OLO recommends that the Council ask the County Executive to amend the executive regulations for the PEF law to clarify the scope of the law's audit requirement.

Recommendation #3. The Council should review and potentially revise the maximum contribution limit for publicly funded candidates in Montgomery County.

OLO found that under contribution limits set in state and local law, traditionally funded candidates in Montgomery County who do not participate in the Public Election Fund can raise \$24 for every \$1 raised by a publicly funded candidate in the PEF (\$6,000 for traditionally funded candidates (state law) compared to \$250 for publicly funded candidates (County law)). In six of the seven public campaign finance programs OLO analyzed in jurisdictions outside Maryland, traditionally funded candidates can raise \$1-\$2 for every \$1 raised by a publicly funded candidate. The outlier among the seven jurisdictions is the District of Columbia, where traditionally funded candidates can raise \$10 for every \$1 raised by a publicly funded candidate.

OLO recommends that the Council review and potentially revise the maximum contribution limit for candidates participating in the PEF.

Recommendation #4. The Council should review differences between Montgomery County’s public campaign finance program and those in the other Maryland jurisdictions and consider whether similar changes could enhance Montgomery County’s program.

Howard, Prince George’s, Anne Arundel, and Baltimore Counties and Baltimore City have all adopted public campaign finance laws. While the programs in the five jurisdictions were all modeled on Montgomery County’s program, there are substantive differences among the programs. OLO is highlighting five program differences below.

The Council should review these differences and consider whether similar changes to the County’s Public Election Fund could enhance the County’s program. Because all of these program components have been implemented in other Maryland jurisdictions, no change to state law would be needed to implement them in Montgomery County. Note that changes described below in subsections A and C could result in higher program costs for the County.

A. Matching Fund Formulas

The six Maryland jurisdictions use progressive matching formulas where, assuming a donor contributes up to the jurisdiction’s limit, the first dollars of a contribution are matched with public funds at a higher ratio than the last dollars. Each jurisdiction will match the first \$150 of a

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contribution with public funds. The matching fund formulas in Howard and Prince George's Counties and in Baltimore City differ from each other and from Montgomery County.¹

OLO calculated matching funds based on each jurisdictions' formula for contribution amounts of \$25, \$50, \$75, \$100, \$125 and \$150. Matching funds for candidates in Montgomery County:

- Are \$25-\$75 less at every contribution level compared to Baltimore City;
- Are \$25-\$50 less compared to Howard County at all contribution levels except \$150; and
- Are \$25 less compared to Prince George's County at the \$25 and \$75 contribution levels.

B. Candidate Affiliation

State regulations governing local jurisdictions' public campaign finance programs prohibit participating candidates from being part of a "slate committee" – a "political committee of two or more candidates who join together to conduct and pay for joint campaign activities." State regulations, however, do allow publicly funded candidates to "affiliate" with other candidates:

A candidate who accepts public funds may affiliate with any other candidate, including non-publicly financed candidates, on campaign material if:

1. The authorized candidate campaign committee established in §A of this regulation makes a direct disbursement to the payee for its share of the costs of the campaign material; and
2. The campaign material displays the authority line of the authorized candidate campaign committee established in §A of this regulation.

COMAR § 33.13.14.03(F)

The public campaign finance programs in Howard County, Baltimore City, Prince George's County, and Baltimore County all explicitly allow candidates to affiliate with other candidates. The laws in Montgomery County and Anne Arundel County do not.

Beyond, but related to the question of whether candidates in Montgomery County can affiliate with other candidates, numerous stakeholders provided feedback for this report describing what they consider limitations in the PEF law and its interpretation that hinder publicly financed candidates' ability to work with or conduct campaign activities with other candidates or with organizations that endorse candidates. In particular, stakeholders highlighted the limitations posed by the prohibition on candidates taking even in-kind contributions from organizations.

¹ Montgomery, Anne Arundel, and Baltimore Counties use the same formula matching fund formula.

Stakeholders report that these limitations put publicly financed candidates at a disadvantage compared to regularly financed candidates who do not have similar restrictions. See Recommendation #5 below.

C. Qualifying Boosts

Baltimore City candidates for Mayor, Council President, and Comptroller receive a “qualifying boost” from the City after they are certified to receive public funding by the State Board of Elections. Candidates for mayor receive \$200,000 and candidates for Council President or Comptroller receive \$50,000. These funds are in addition to matching funds that candidates receive and are meant to give campaigns an early infusion of cash. Candidates for City Council Member do not receive qualifying boosts. No other Maryland jurisdiction provides candidates with qualifying boosts.

D. Sources of Campaign Loans

Candidates in all six Maryland jurisdictions can make loans to their campaigns – up to either \$6,000 or \$12,000 depending on the jurisdiction. In Montgomery, Prince George’s, and Anne Arundel Counties and in Baltimore City, loans can only come from a candidate or the candidate’s spouse. In Howard and Baltimore Counties, candidates can receive loans from their spouse, parents, siblings, and their own children over 18 years old.

E. Candidate Penalties

In Montgomery County, violation of the PEF law is a Class A civil violation, with enforcement authority lying with the County Attorney. The PEF law also states that a certified or participating candidate “must withdraw” from public financing if they engage in certain actions but the law does not specify any mechanism or individual responsible for enforcing the penalty. Aside from Baltimore City, laws in the other four counties regarding violations are similar to Montgomery County’s.

Baltimore City law, by contrast, includes a more immediate enforcement mechanism for violations of the law. The law makes a candidate who engages in certain acts *ineligible for certification* and unable to receive public funds. The authority to determine violations is given to the State Board of Elections in consultation with the city’s Fair Election Fund Commission (which administers the program along with the Director of Finance). Candidates cannot be certified if they:

- Failed to submit a campaign finance report in the prior four years;
- Coordinated with a political action committee; or
- Violated any rule or regulation of the public campaign finance program.

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Recommendation #5. The Council should ask the State Board of Elections for clarification on how the boundaries set in state and County law combine to impact outside organizations' campaign activities and interactions with PEF candidates.

One prominent piece of feedback that OLO heard from stakeholders is that the PEF law's limitations on candidates accepting contributions (including in-kind) from organizations prevent them in some ways from publicizing candidate endorsements and from amplifying candidates' campaign messages. Under County law, organizations cannot contribute to PEF candidates.

OLO heard from stakeholders that certain actions by an organization, such as passing out a candidate's campaign literature at an event or reposting a candidate's campaign materials on social media, are considered prohibited contributions in Montgomery County with respect to PEF candidates but are not prohibited with respect to publicly funded candidates in some jurisdictions outside of Maryland.

OLO recommends that the Council ask the State Board of Elections for clarification on how the boundaries in state and County law combine to impact outside organizations' campaign activities with respect to PEF candidates. If interested, the Council should also ask the State Board for input on what changes to County or state law would be needed to adjust the current dynamic.

Office of Legislative Oversight Survey on Montgomery County Public Campaign Finance Program

1.

In 2014, the Montgomery County Council established a public campaign finance program - to provide public funding for the campaigns of candidates for County Executive and County Council who agree to raise campaigns funds only through small dollar contributions from individuals. Candidates that meet program requirements receive public funds from the County Government to help finance their campaigns.

The County Council has asked the Office of Legislative Oversight (OLO) to evaluate the impacts of the program. If you were a candidate, campaign manager, or campaign treasurer in a campaign for County Executive or County Council in the 2022 election, OLO is asking for your participation in a short survey.

We would like you to help us understand how the option for public campaign matching funds impacted your campaign. The survey will take no more than 7-10 minutes to complete. All responses will be kept anonymous.

If you have any questions, please contact Blaise DeFazio at blaise.defazio@montgomerycountymd.gov.

Thank you for your participation!

Websites

Public Election Fund Liaison

Department of Finance Election Fund Website

Office of Legislative Oversight Survey on Montgomery County Public Campaign Finance Program

2.

* 1. Which of the following, if any, best describes your role in the campaign for County Executive or Councilmember in Montgomery County in the 2022 election?

- Candidate for County Executive
- Worked for a campaign for County Executive
- Other role in County Executive campaign
- Candidate for Councilmember
- Worked for a campaign for Councilmember
- Other role in Councilmember campaign
- None of the above

* 2. Did the candidate in the campaign that you were a part of you file a Notice of Intent with the Maryland State Board of Elections to qualify for public campaign funding in Montgomery County?

- Yes
- No

Office of Legislative Oversight Survey on Montgomery County Public Campaign Finance Program

3.

3. What were the primary reasons that you/your candidate did not participate in the Public Election Fund? (select all that apply)

- Did not know about the Public Election Fund
- Could raise more money through traditional campaign finance rules
- Did not want to deal with the administrative burden of participating

Other (please specify)

Office of Legislative Oversight Survey on Montgomery County Public Campaign Finance Program

4.

* 4. Were you (or your candidate) certified by the State Board of elections to receive public campaign financing from the Public Election Fund?

- Yes
- No
- Prefer not to answer
- Other

* 5. Did you (or your candidate) take public funds?

- Yes
- No
- Prefer not to answer
- Other

6. Based on your participation in the Public Election Fund, were there specific prohibitions on spending that hindered your campaign?

7. Please describe any specific processes or steps required for participation in the Public Election Fund that caused confusion, delay, or disruption to the campaign you worked with.

Office of Legislative Oversight Survey on Montgomery County Public Campaign Finance Program

5.

8. Where you (or your candidate) on the ballot in the primary election in 2022?

- Yes
- No
- Prefer not to answer

9. Please describe your interaction(s), if any, if you sought out help or information from County Government staff about the Public Election Fund. Could anything about the interaction(s) be improved? Examples include staff in the Office of Consumer Protection, Department of Finance, and Office of the County Attorney.

10. Please describe your interaction(s), if any, if you sought out help or information from Maryland State Board of Elections staff about the Public Election Fund. Could anything about the interaction(s) be improved?

11. Please describe your experience using the Maryland State Board of Elections' Maryland Campaign Reporting Information System (MDCRIS) to file campaign finance documentation.

12. How often did you have to correct mistakes in the submission of documentation to MDCRIS?

- Many Times
- Sometimes
- Rarely
- Never

13. Please explain any suggestions for improvements or changes that you have for Montgomery County's Public Election Fund program?

14. Please share any other information that you think is relevant.