



## CITY OF LAUREL, MARYLAND

**\*\*Note: Yellow highlights indicate amendments made at Council requests\*\***

**\*\*Note: Green highlights indicated amendments made at direction of legal counsel and staff since first draft\*\***

### ORDINANCE NO. 2038 **"OPTION B"**

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND TO AMEND CHAPTER 6 ARTICLE I, SECTION 6.1- PURPOSE, SECTION 6-2- APPLICABILITY, SECTION 6-3- DEFINITIONS, ARTICLE II, SECTION 6-4- THE BOARD OF ELECTION SUPERVISORS AND ELECTION JUDGES- APPOINTMENTS, SECTION 6-5- POWERS AND DUTIES OF THE BOARD OF ELECTION SUPERVISORS, SECTION 6-6- COMPENSATION AND OATHS OF BOARD OF ELECTION SUPERVISORS, ARTICLE III, VOTERS, SECTION 6-7- VOTERS LISTS, ARTICLE IV- CANDIDATES FOR PUBLIC OFFICE, SECTION 6-9- NOMINATIONS AND CERTIFICATES OF CANDIDACY, SECTION 6-10- QUALIFICATIONS FOR CANDIDATES FOR PUBLIC OFFICE, SECTION 6-11, ACCEPTANCE OF NOMINATIONS FOR PUBLIC OFFICE, SECTION 6-12- CANDIDATES TO COMPLY WITH LAWS AND REGULATIONS, SECTION 6-13- ELECTION OF PUBLIC OFFICIALS TO BE NON-PARTISAN, ARTICLE V- CONDUCT OF ELECTIONS, SECTION 6-14- ESTABLISHMENT OF WARD ELECTION DISTRICTS, SECTION 6-15 ELECTION DAY, SECTION 6-16- ELECTIONEERING ACTIVITIES, SECTION 6-17 CONDUCT AT POLLING PLACES, SECTION 6-18- CHALLENGERS AND WATCHERS, SECTION 6-19- CAMPAIGN MATERIALS, SECTION 6-20- CANVASS OF ELECTION, SECTION 6-21- RETURNS, SECTION 6-22- CERTIFICATION OF RESULTS, SECTION 6-23- RECOUNTS, ARTICLE VI- FAIR CAMPAIGN FINANCE ACT, SECTION 6-24- DISTRIBUTION OF SUMMARY OF ELECTION LAWS, SECTION 6-25- APPOINTMENT OF CAMPAIGN TREASURER; CANDIDATE JOINING TICKET OR SLATE, SECTION 6-26- CONTRIBUTIONS AND EXPENDITURES OF PASS THROUGH TREASURER, SECTION 6-27- BOOKS, RECORDS, AND RECEIPTS OF TREASURER, SECTION 6-28- CONTRIBUTIONS OF CANDIDATE, SECTION 6-29- LIMITS OF CONTRIBUTIONS; SECTION 6-30- EXPENDITURES BY TREASURER, SECTION 6-31- ELECTION REPORTS TO BE FILED BY TREASURER, SECTION 6-32- REQUIREMENTS FOR FILING OF REPORTS BY SUCCESSFUL CANDIDATE, SECTION 6-33- MAINTENANCE OF REPORTS, ARTICLE VII- VIOLATIONS OF ELECTION LAWS AND APPLICABLE PENALTIES, SECTION 6-34- PROHIBITED CONDUCT, SECTION 6-35- PENALTIES FOR CERTAIN PROHIBITED CONDUCT; AND PROVIDING AN EFFECTIVE DATE.

*Sponsored by the President at the request of the Administration.*

**WHEREAS**, on January 11, 2021, the Mayor and City Council of Laurel, Maryland approved Ordinance No. 1964, repealing and replacing Chapter 6- Elections in its entirety; and

**WHEREAS**, following the 2023 City of Laurel General Election, the Board of Election Supervisors conducted a complete review of the City Code regarding Elections and recommended the amendments to update the election laws of the City of Laurel; and

**WHEREAS**, the Mayor and City Council of Laurel, Maryland agree with the recommendations of the City of Laurel Board of Election Supervisors on the changes as set forth herein; and

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, by the Mayor and City Council of Laurel, Maryland that Chapter 6 of the Laurel City Code be and hereby is amended as follows:

## **Chapter 6 - ELECTIONS**

### **ARTICLE I. - GENERAL PROVISIONS**

#### **Sec. 6-1. - Purpose.**

The purpose of this ~~e~~Chapter 6 and the election procedures contained herein govern the qualifications of voters and candidates for elective office, and the manner and procedures for the conduct of elections and elections processes in the City of Laurel, Maryland.

#### **Sec. 6-2. - Applicability.**

The provisions of this chapter shall apply to all elections, including all general, special, runoff, or referenda held subsequent to ~~November 2019~~ November 2024.

#### **Sec. 6-3.- Definitions.**

As used in this chapter and article 600 of the Charter, the following terms shall have the meanings indicated unless a contrary meaning is clearly intended from the context in which the term appears:

*Ballot* means any approved ballot, whether as a paper ballot, write-in ballot, ~~absentee~~ Vote by Mail ballot, provisional ballot, or any ballot cast in any approved voting machine or device.

*Board* means the Board of Election Supervisors for the City of Laurel and the members thereof.

*Board of Appeals* means the City of Laurel Board of Appeals.

*Business entity* means any corporation, limited liability company, general or limited partnership, or sole proprietorship (including a private consulting operation, joint venture, unincorporated association or firm, institution, trust, foundation, or other organization), whether organized for profit or not. As used in this chapter, the term "business entity" shall not include a political committee registered with the city.

~~*Campaign committee* means any combination of two (2) or more persons appointed by one (1) or more candidates or other persons, or formed in any other manner which has as a principal purpose the promotion of the success or defeat of a ballot question or candidate for elected office.~~

*Campaign finance entity* means a political committee established under this article.

*Campaign funds* means any funds contributed or loaned to a candidate, campaign finance entity, or campaign committee.

~~*Campaign materials*~~ means tangible material in any digital, electronic, printed, or other format principally intended to promote the success or defeat of any candidate(s), principle(s), or propositions(s), which has been, will be, or is sought to be submitted to a vote in any city election, including, but not limited to, any pamphlet, circular card, sample ballot, dodger, poster, advertisement, matchbook, nail file, balloon, or any other printed, multi-graph, photographed, typewritten, written manner or statement, or any matter of statement which may be copied by any device or method, or which may hereafter be used for making copies of printed or written matter in any form whatever for publication, display, or distribution, relating to or concerning any candidate or prospective candidate for public office or the acceptance or defeat of any proposition.

*Candidate* means a candidate for public office.

***Canvass means the entire process of vote tallying, vote tabulation, and vote verification, culminating in the production and certification of the election results.***

*Charter* means the Charter of the City of Laurel then and there in force and effect.

*City* means the City of Laurel, Maryland.

*City council* means the duly elected City Council of Laurel, Maryland.

***City Solicitor means the duly appointed City Solicitor of Laurel, Maryland.***

*Code* means the City of Laurel Code then and there in force and effect.

Underlining indicates new language added.

~~Strikethroughs indicate language deleted.~~

\* \* \* Asterisks indicate intervening language and section unchanged.

*Contribution* means the gift or transfer, or promise of gift or transfer, of money or other thing or value to a candidate or campaign finance entity to promote or assist in the promotion of the success or defeat of a candidate, ballot question, or prospective ballot question.

*Contributor* means any person or entity who makes a contribution, as the same is defined in this section.

*Councilmember* means an elected or appointed member of the Laurel City Council.

*County board* means the Prince George's County Board of Elections.

*Early voting day* means any day(s) close to, but in advance of, ~~an~~ election day as designated and authorized by the ~~e~~City ~~e~~Council for polls to be open to ~~qualified~~ voters for the purpose of casting ballots in an election.

*Election* means the process by which voters cast votes on one (1) or more contests under the law.

*Election day* means the official date for any general, referenda, runoff, or special election.

*Ethics commission* means the Ethics Commission for the City of Laurel.

*Expenditure* means a gift, transfer, disbursement, or promise of money or a thing of value by or on behalf of a campaign finance entity to promote, or assist in the promotion of the success or defeat of a candidate, political party, ballot question, or prospective ballot question in any election.

*Financial institution* means any bank that is licensed to receive deposits and make loans and is insured by the Federal Deposit Insurance Corporation; or, a credit union insured by the National Credit Union Insurance Fund.

*In-kind contribution* means the conferral of any benefit or value, other than money, contributed directly or indirectly to any candidate(s), campaign finance entity(ies), or political committee(s), including, but not limited to: goods; services for which the contributor would normally charge; or any payments made to a third-party on behalf of a candidate, political committee, or campaign finance entity. The assigned value of any in-kind contributions made by a contributor shall be defined as the fair market value of the in-kind contribution. In-kind contributions shall not include the contribution of a contributor's own time or use of a personal vehicle.

*Independent expenditures* means an expenditure by a person or a political committee for the publication or distribution of political matter advocating the election or defeat of an identified candidate which was not made in coordination or cooperation with, or with the consent of, or in consultation with, a candidate or the candidate's committee or campaign finance entity; or for the purpose of promoting the success or defeat of any matter or issue which has been submitted to a vote at an election, or is in the process of being petitioned to referendum.

Underlining indicates new language added.

~~Strikethroughs indicate language deleted.~~

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*Mail-in-~~b~~B~~allot~~ or ~~V~~vote-by-~~M~~mail* means the process whereby voters make application for and submit completed ballots by either mail or in-person drop-off at a location authorized by the board of election supervisors.

**Political committee means any combination of two (2) or more persons appointed by one (1) or more candidates or other persons, or formed in any other manner which has as its a principal purpose of the promotion of the success or defeat of a ballot question or candidate for elected office.**

*Provisional ballot* means a ballot that is cast by an individual but not counted until the individual's qualifications to vote have been confirmed by the ~~b~~B~~oard~~ of ~~e~~E~~lection~~ ~~s~~S~~upervisors~~.

*Public office* means either the ~~m~~M~~ayor~~ or a member of the ~~e~~C~~ity~~ ~~e~~C~~ouncil~~.

*Registration* means the act by which a person becomes qualified to vote in any election.

*Report* means a campaign finance report filed with the ~~b~~B~~oard~~ of ~~e~~E~~lection~~ ~~s~~S~~upervisors~~ under this chapter.

**Slate means a political committee of two or more candidates who join together to conduct and pay for joint campaign activities.**

*Special election* means any election to resolve tie votes in any election, or to fill vacancies that arise at any time more than eighteen (18) months prior to any scheduled general election.

*State ~~B~~oard* means the State of Maryland Board of Elections.

*Surplus campaign funds* means any amount of money which remains in a candidate's campaign account after payment of all expenses, loans, and obligations after the certification of an election, at a time when the candidate or committee has elected not to pursue further elective office.

*Treasurer* means any person appointed by a candidate or campaign committee to receive or disburse money or other things of value to promote the success or defeat of any candidate or principle or proposition submitted to a vote at any election.

*Voter* means a person who is registered ~~and qualified~~ to vote in any election in the ~~e~~C~~ity~~.

## ARTICLE II - ELECTION OFFICIALS

### Sec. 6-4. - The ~~b~~B~~oard~~ of ~~e~~E~~lection~~ ~~s~~S~~upervisors~~ and ~~e~~E~~lection~~ ~~j~~J~~udges~~— Appointment.

Underlining indicates new language added.

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(a) There shall be a ~~b~~Board of ~~e~~Election ~~s~~Supervisors. The ~~b~~Board shall be responsible for managing and supervising all elections in the ~~e~~City. The ~~b~~Board shall be comprised of five (5) qualified duly registered voters of the City. The Board shall include a chairperson and four (4) chief judges comprised of two (2) from ~~of each of the two (2) wards~~.

(b) On or before the second Monday of March 2019, and on the same day every four (4) years thereafter, the ~~m~~Mayor shall, with the advice and consent of the ~~e~~City ~~e~~Council, appoint a voter to serve as chairperson of the ~~b~~Board. The ~~m~~Mayor, with the approval of the ~~e~~City ~~e~~Council, shall appoint two (2) chief judges, ~~one~~ two ~~(12)~~ from each of the two (2) wards. The appointment of the two (2) chief judges shall be for a term of four (4) years and they shall serve until their successors ~~shall~~ have been nominated and duly qualified.

(c) In the event of a vacancy of the chairperson of the ~~b~~Board, or either or both of the chief judges, whether by sickness, death, or other inability to serve and discharge their respective duties and responsibilities, the ~~m~~Mayor, with the approval of the ~~e~~City ~~e~~Council, may appoint a substitute chairperson or chief judge(s) in accordance with this section.

(d) The ~~m~~Mayor shall have the power to remove any member of the ~~b~~Board or any election judge, for cause, with the approval of the ~~e~~City ~~e~~Council.

(e) Restrictions on members of the board, judges and employees. During their term(s) or tenure, members of the ~~b~~Board, election judges, and permanent, part-time, or temporary employ~~y~~ee(s) of the ~~b~~Board shall not: hold any other office within the ~~e~~City; be a candidate for public office; hold any position with any campaign finance entity or campaign committee; or, serve or assist any combination of candidates, campaign finance entity(ies), or campaign committee(s) in campaign activities. Members of the ~~b~~Board, election judges, and permanent, part-time, or temporary employee(s) of the ~~b~~Board may not actively participate in, support, or otherwise promote the success or defeat of any candidate or ballot question while holding office or being employed by the ~~b~~Board. Members of the ~~b~~Board, election judges, and permanent, part-time, or temporary employee(s) of the ~~b~~Board shall not directly or indirectly enter into any contract or contracts with the ~~e~~City.

## **Sec. 6-5. - Powers and ~~d~~Duties of the ~~b~~Board of ~~e~~Election ~~s~~Supervisors.**

(a) *Powers and duties.* The ~~b~~Board of ~~e~~Election ~~s~~Supervisors shall manage, oversee, and supervise the conduct of all elections for public office in the city.

(b) *Actions of the Board.* As deemed necessary from time to time, the board, with the approval of the city administrator, may obtain assistance and support from the ~~e~~City staff to assist the ~~b~~Board in the discharge of its official duties.

(c) *Administrative duties and record keeping.* In addition to any power, duty, or responsibility provided in the ~~e~~City Charter, the ~~b~~Board shall have the authority to direct the ~~e~~City ~~e~~Clerk in:



- (1) Issuing and maintaining all election records in a separate filing system provided by the eCity, and
- ~~(2) Keeping, maintaining, administering, and updating the supplemental voter registry and accepting, examining and, as appropriate, approving registration applications for the supplemental voter registry.~~
- (d) *Campaign finance.* The ~~b~~Board shall have authority to provide, receive, and review campaign finance reports and all supportive information and correspondence submitted therewith and thereafter certify that campaign reports are timely and complete as outlined in this chapter, and the ~~b~~Board may delegate some or all of these responsibilities.
- (e) *Election duties.* In addition to any power, duty, or responsibility provided for in the Charter and elsewhere in this chapter, the ~~b~~Board shall:
- (1) Provide for the processes to certify candidates ~~nominations~~ for elected public office;
  - (2) Verify the eligibility of candidates for public office and thereafter to certify ~~nominations~~ of eligible candidates;
  - (3) Select and train election judges to assist in the operation of polling places for elections in the eCity;
  - (4) Issue the official election ballot;
  - (5) Provide a form for the certification of challengers and watchers;
  - (6) Provide for ~~absentee~~ vote by mail and provisional ballots;
  - (7) Prescribe, print, or obtain all necessary forms and related materials in such mediums as the ~~b~~Board may approve, and, if printed, in such quantities as may be reasonably be deemed necessary for the conduct of an election;
  - (8) Oversee operations of all polling places;
  - (9) Validate the authenticity and compliance with applicable laws governing the ~~of all returned absentee~~ of Vote by Mail ballots and any provisional ballots completed and submitted in early voting or on election day;
  - (10) Oversee the count, canvass, and certification of all election results;
  - (11) Provide for the recount of ballots; and
  - (12) Provide guidelines for the use of ~~mail-in ballots/vote-by-mail~~ ballots.

(f) *Enforcement and review.* In addition to any power, duty, or responsibility provided for in the Charter or in this Code, the ~~h~~Board shall:

(1) Administer and enforce all election laws;

(2) Supervise and exercise control over all activities taking place in and around polling locations on any election or early voting days, including to regulate the conduct of candidates, campaign orders, challengers, and watchers; and

(3) Conduct administrative reviews of complaints made and directed to the ~~h~~Board in matters involving all aspects relating to the conduct of election matters.

(g) *Rulemaking.* The ~~h~~Board shall have the authority to enact such rules and administrative procedures and regulations as may be necessary to implement the provisions of this chapter and article 600 of the Charter.

## **Sec. 6-6. - Compensation and ~~e~~Oaths of ~~h~~Board of ~~e~~Election ~~s~~Supervisors.**

(a) The ~~h~~Board and election judges shall receive compensation for their services as may be from time to time determined by the ~~m~~Mayor, with the approval of the ~~e~~City ~~e~~Council, using funds derived from the operating budget of the ~~e~~City.

**(b) Each Election Judge shall take an oath administered by the Mayor to read as follows:**

**Do you solemnly swear that you will obey and support the Constitution of the United States, the Constitution and laws of the State of Maryland, the Charter and Code of the City of Laurel, and that you will fairly, honestly and impartially execute the office of Election Judge, according to the Constitution and laws of this State?**

**(c) Immediately following the oath, each Election Judge shall sign a printed copy of the oath. The signed oath shall be retained by the City Clerk and filed with the election documents.**

## **ARTICLE III. - VOTERS**

### **Sec. 6-7. - Voter lists.**

*List of registered voters.* All eligible persons registered to vote with the ~~e~~County ~~h~~Board of ~~e~~Elections, who reside in the ~~e~~City, and whose names appear on a list of registered voters, supplied by the ~~e~~County ~~h~~Board, shall be considered registered voters of the ~~e~~City and shall have their names placed upon the voter register.



## Sec. 6-8. - Reserved.

## ARTICLE IV. - CANDIDATES FOR PUBLIC OFFICE

### Sec. 6-9. - ~~Nominations and~~ Certificates of eCandidacy.

(a) All individuals wishing to have their name included on a ballot as a candidate for public office shall:

(1) Be duly registered and ~~qualified~~ voters in the eCity;

(2) File a completed candidate packet which including includes, but is not limited to, a certificate of candidacy and affidavit, appointment of treasurer, financial disclosure form, and all additional documents as may be required of all candidates by the Board, on the forms prescribed and provided by the ~~h~~Board on or before 12:00 noon on date set by the Board but no later than the first Friday in the month of August ~~the last Friday in the month of September~~ of the year that the election is to be held and tender the filing fee in an amount to be established by the ~~h~~Board; and

(3) Comply with all other qualifications and provisions of this Code, the Charter, and laws of the ~~s~~State.

(b) The ~~h~~Board shall timely review all ~~certificates of candidacy~~ submissions provided in the candidate packets and shall conduct any necessary investigations to determine eligibility of each applicant for candidacy, including verification that the applicant prospective candidate satisfies the residency requirements. ~~is a bona fide resident of the c~~City.

(c) The ~~h~~Board shall meet on a date set by the Board but no later than the ~~on the first~~ third Monday in ~~October~~ August of any election year to accept and review the required documentation of each applicant for ~~nomination~~ candidacy ~~to run~~ for public office.

### Sec. 6-10. - Qualifications for cCandidates for pPublic eOffice.

(a) All candidates for public office shall be ~~qualified~~ duly registered voters as defined in this chapter; and

(b) No person shall be deemed qualified to be a candidate for public office if:

(1) Such person is in arrears in the payment of any eCity tax, assessment, fine, penalty, or other financial obligation, without limitation, unless such tax, assessment, penalty, or other financial obligation etc., ~~without limitation~~, is the subject of an active and timely appeal to the appropriate tribunal or authority having jurisdiction over the appeal;

(2) Such person is in violation of any ordinance, regulation, statute, or provision ~~etc.~~, arising under the Charter or the Code, unless the violation is subject to a timely appeal to the appropriate tribunal or authority having jurisdiction over the appeal; ~~and~~

(3) Such person is in violation of any of the provisions of the Code or Charter governing elections and election laws of the ~~e~~City, including, but not limited to, any reporting requirements arising under the Code or the Charter, unless the violation is subject to a timely filed, pending and proper appeal; ~~;~~ or

(4) Such person fails to file an affidavit attesting and averring under oath or affirmation that the person is not in violation of any of the provisions in this section or any other requirement set forth in this chapter.

~~Candidate Financial Disclosure - ref to ethics law, 2.56.~~

(c) Decisions on a person's qualifications, including satisfaction and compliance with all other provisions governing qualifications for candidacy for public office shall be determined by the ~~b~~BBoard. ~~In the event that A~~any person is aggrieved by a decision of the ~~b~~BBoard ~~on candidacy and contests any ruling which determines the qualifications or sufficiency of a nomination of a person candidate for public office, that person shall have the right to appeal the decision within three (3) business days thereof to the b~~BBoard of aAppeals. ~~Appeals from decisions of the board shall be filed within three (3) calendar days of the date of the Board's decision. The Board of Appeals shall schedule and hear any appeals referred to it within ten (10) calendar days of the date of the appeal. In the event that a person is aggrieved by any action of the b~~BBoard of aAppeals rendered under this section, the person shall have the right to appeal the matter to the Circuit Court for Prince George's County. Decisions of the circuit court shall be final with no further right of appeal.

## **Sec. 6-11. - ~~Acceptance of nominations~~ Filing for Candidacy for pPublic oOffice; wWithdrawal of eCandidacy.**

(a) Any person accepting filing for candidacy ~~a nomination~~ for public office shall file along with the nominating petition, file a written affirmation under oath stating the person's an affidavit containing a sworn statement providing at a minimum the candidate's name, date of birth, residence address, and Social Security number, and such other information as the Board of Election Supervisors may require of all candidates. The statement shall be made on forms provided and approved by the ~~b~~BBoard of eElection sSupervisors. Any candidate who fails to comply with the filing requirements set forth herein, or who files a false statement shall be deemed unqualified and the ~~b~~BBoard shall remove that candidate's name from the ballot prior to the election.

(b) Candidates may withdraw their candidacy at any time on or before the Monday following the filing deadline for applications for candidacy. Candidates withdrawing candidacy shall file a final report under sSection 6-312.

## Sec. 6-12. - Candidates to ~~e~~Comply with ~~l~~Laws and ~~r~~Regulations.

Every candidate shall be responsible for compliance with all laws, statutes, and regulations, including compliance by any challenger or watcher identified and appointed by the candidate or the campaign committee at or around a polling place on any election or early voting day. In addition, every candidate shall be responsible for the lawful placement of signs, placards, campaign advertisements, or other campaign related materials in any public right(s)-of-way, or on any ~~e~~City property.

## Sec. 6-13. - Election of ~~p~~Public ~~e~~Officials to be ~~n~~Non-~~p~~Partisan.

Candidates for public office shall not run for office as a candidate, representative, or nominee of any political party.

## ARTICLE V. - CONDUCT OF ELECTIONS

### Sec. 6-14. - Establishment of ~~w~~Ward ~~e~~Election ~~d~~Districts.

For election purposes, the ~~e~~City shall be divided into two (2) wards as the same are described in the Charter.

### Sec. 6-15. - Election ~~d~~Day.

Elections, other than special elections, shall be held on the first Tuesday of November of each year an election for public officials is to be held. Polls shall be open to ~~qualified~~ registered voters. Voting shall commence at 7:00 a.m. and continue until 8:00 p.m.

### Sec. 6-16. - Electioneering ~~a~~Activities.

(a) *General conduct of persons prior to election days, on or before early voting days and on election day.* The ~~b~~Board shall be responsible for and have authority to control all activities conducted in connection with elections, including the concurrent exercise of authority and jurisdiction over placement of campaign materials, signage, displays, placards, stickers, and other advertisements related to any political campaign. The ~~b~~Board, along with the City of Laurel Department of Fire Marshal and Permit Services, shall enforce all sign ordinances and other regulations governing ~~for~~ placement of campaign materials, campaign signage, displays, placards, stickers, and other advertisements related to any political campaigns which shall not be displayed or erected more than forty-five (45) days prior to election day and shall be removed within seven (7) days following the election. In addition, on all days other than election day or any early voting days, the ~~b~~Board, along with the City of Laurel Department of Fire Marshal and Permit Services, shall remove and may thereafter destroy or dispose

of any signs, displays, placards, stickers, and other advertisements related to any political campaign placed in any public right-of-way, on any property owned or controlled by the Ccity, or on other public property located in the eCity.

(b) *Authority of election judges.* At each polling place, each of the duly appointed election judges shall be vested with authority to keep and maintain the peace. In addition, the chief judge shall have the authority to contact **any duly qualified law enforcement agency having jurisdiction in the City** ~~law enforcement~~ for: any breach of the peace; any breach of election laws of the eCity; any interference with the progress **or conduct** of an election, the canvass of the ballots, or the ascertainment and transcription of the votes recorded on voting machines or ballots cast. **Election judges in the City shall have the same duties, responsibilities, and powers as the same are delegated to election judges under Title 10 of the Election Article of the Maryland Annotated Code, and as more particularly set forth in Section 10-393 of the Election Article of the Maryland Annotated Code.**

(c) *Electioneering at polling places.* No person shall canvass, electioneer, post, or distribute any campaign material or other handouts of any kind in any polling place or within a **one-hundred-foot** radius from the ~~front~~ **main entrance to** ~~of~~ any polling location. Polling places and voting stations shall be frequently cleaned to ensure ~~the~~ removal of any candidate paraphernalia and any other campaign or election related materials.

(d) *Traffic control.* The ~~b~~Board shall have the authority to: control ingress and egress to polling places; to ensure the safe and unimpeded passage for all voters and members of the public to polling places; ~~and to prevent any obstruction or impediment to voters and the public in accessing or leaving any polling locations;~~ **and to identify parking areas for voters and all others seeking access to a polling place under the restrictions created in this Code, the Charter, and the laws of the State.** The chief judge shall have the authority to direct law enforcement officers to maintain unfettered and unimpeded access to polling places.

(e) *Signage at polling places on election or early voting days.* The ~~b~~Board shall have the authority to control the placement of signs, displays, billboards, vehicles, advertisements, and other election related promotional materials at or near polling places to ensure that no sign, display, billboard, vehicle, advertisement, or other campaign related materials obstruct, impede, or otherwise interfere with safe passage and travel in and out of polling locations. This provision is not intended to prohibit vehicles bearing bumper stickers or other campaign signage from using public thoroughfares for purpose of accessing polling places.

(f) *Law enforcement.* It shall be the duty of all sworn law enforcement officers (on or off duty) present at polling places to obey the lawful order of any election judge to enforce the provisions of this chapter.

## Sec. 6-17. - Conduct at polling places.

Underlining indicates new language added.

~~Strikethroughs indicate language deleted.~~

\* \* \* Asterisks indicate intervening language and section unchanged.

(a) Each of the chief judges s has the authority to keep the peace and to cause any person to be arrested for any breach of the peace, or for any breach of the election laws of the ~~e~~City, or any interference with the progress or conduct of an election, the canvass of ballots, or the ascertainment and transcription of the votes recorded on the voting machines. It shall furthermore be unlawful for any person to canvass, electioneer or post any campaign material in a polling place or on public property within a certain radius from the entrance and exit of the building closed to that part of the building in which voting occurs. ~~This radius shall be that established pursuant to Ann. Code of Md, Art. 33, Sec. 24-23, as amended from time to time.~~

(b) The chapter is ~~n~~ not intended to prevent vehicles bearing campaign stickers or signs from using public thoroughfares that may be within the established radius for ingress and egress. Nor is this chapter intended to prevent canvassing, electioneering, and posting of any campaign material outside of the prescribed limit.

(c) It shall be the duty of all officers of the law present to obey the order of any election judge, and an officer making an arrest shall be protected in so doing ~~fulling~~ as if a warrant had been issued to him to make such arrest.

## Sec. 6-18. - Challengers and ~~w~~Watchers.

(a) *Authorized.* Each candidate or political committee shall have the right to designate a registered voter as a challenger and watcher at each place of registration and election. Such persons shall be assigned to such designated positions s near the judges inside the registration or polling room, so as to enable them to see each person as ~~he~~ they enter a polling place offers to register to vote. The challengers and watchers shall be protected in the discharge of their duty by the judges.

(b) *Certificate as evidence of right to be present.* A certificate signed by any candidate or chairman of a ~~campaign~~ political committee shall be sufficient evidence of the right of such challenger and watcher to be present in the registration or polling room. ~~A~~ A certificate shall meet the requirements established by of the Board.

(c) *Rights; unlawful acts.* Each challenger ~~or~~ and watcher shall have the right to remain in the polling place from the time the polls are opened until the returns are completed. It shall be unlawful for any such challenger and watcher to inquire or ascertain for what candidate any voter may intend to vote, or has voted, or to converse in the polling place or within one hundred (100) feet thereof with any voter or to assist them in the preparation of the voter's ballot or in the operation of the voting machine. Any challenger and watcher offering or attempting to do so shall lawfully be ejected by the judges and shall also be subject to the punishment provided in this chapter.

(d) *Removal.* A challenger and watcher may be removed at any time by the same person who appointed the challenger ~~or~~ and watcher.

(e) *Other persons allowed in polling places.* Persons other than accredited challengers and watchers who desire to challenge the vote of any person shall be permitted to enter the polling place for that purpose, but a majority of the judges may limit the number of persons to be allowed in the polling places at any one time for such purpose; and all such persons shall leave the polling place as soon as the right to vote of the person challenged by them has been decided.

(f) *Form of certificate.* The form for the certificate of a challenger and watcher shall be in the following form:

\_\_\_\_\_

#### CHALLENGERS AND WATCHERS CERTIFICATE

City of Laurel, Maryland

\_\_\_\_\_, 20\_\_\_\_

To the Judges of Election:

This is to certify, ~~That~~ that \_\_\_\_\_, a registered voter, has been designated by me to act as Challenger and Watcher, for \_\_\_\_\_ Election District, during the Election to be held on \_\_\_\_\_, 20\_\_\_\_.

Respectfully submitted,

(Name of Candidate or Chairman of Campaign Committee)

(Office)

Duties ~~and~~ of Challengers and of Watchers

**"Provided that a challenger and watcher complies with all regulations and provisions of the Charter, the Code, and any direction given by an election judge, e**  
Each challenger and watcher shall have the right to remain in the polling room in the designated area from the time the polls are opened until they are closed, and after that time ~~he~~ they shall be permitted to remain until the returns are completed."

A challenger and watcher shall not converse with voters, assist a voter in voting, or operate a voting machine.

#### Sec. 6-19. - Campaign ~~m~~Materials.

\_\_\_\_ Underlining indicates new language added.

~~Strikethroughs indicate language deleted.~~

\* \* \* Asterisks indicate intervening language and section unchanged.



(a) All campaign materials published, disseminated, distributed or otherwise made available to the public in any format shall contain the authority line of a candidate, campaign finance unit or campaign committee, or statement of disclaimer by the person, committee, or entity responsible for issuance, publication or dissemination of the material.

(b) *Authority line.* Except as otherwise provided in this section, any item of campaign material authorized by a candidate, campaign finance entity or political committee shall contain, set apart from any other message, a legible authority line that clearly states as follows:

(1) **As to campaign material published, distributed, or disseminated by** ~~If to a candidate or campaign finance entity: the name and address of the treasurer of the each campaign finance entity responsible for production, distribution, publication and/or dissemination of the campaign material; and as to each treasurer named, the name and address of the candidate and campaign finance entity for which the treasurer is acting responsible for the campaign material;~~ and

(2) **As to campaign material published, distributed, or disseminated by any other person or entity,** ~~If from any committee, individual, or other entity responsible for production, distribution, publication and/or dissemination of the campaign material, the name and address of the person or entity responsible for the campaign material.~~

(c) Notwithstanding anything contained herein to the contrary, if the campaign material is too small to include the information required under this subsection **(b)(1) in a legible manner,** the authority line need only contain the name and title of the treasurer or person or **of one campaign finance entity responsible for the campaign material and the name of the campaign finance entity for which the treasurer is acting. If the campaign material is too small to include the information required under subsection (b)(2) in a legible manner,** the authority line need only contain the name of the ~~or person or entity responsible for the campaign material.~~

(d) **Campaign materials not authorized by candidate.** ~~For Campaign materials that are not authorized are is published or distributed in support of or in opposition to a candidate, but is not authorized by a candidate or the campaign finance entity, the campaign materials shall include the following message:~~

"This information has been authorized and paid for by (NAME OF THE PAYOR, PERSON OR ORGANIZATION), (NAME OF TREASURER, IF ANY), Treasurer. This message has not been authorized or approved by any candidate."

## Sec. 6-20. - Canvass of eElection.

(a) *Tallying voting machines.* The ~~b~~Board of ~~e~~Election ~~s~~Supervisors shall tally the machine votes once the polls have been closed. Once the voting machine tallies have been completed those results will be publicly announced as the unofficial results.

(b) *Tallying paper ballots.* The ~~b~~**B**oard of ~~e~~**E**lection ~~s~~**S**upervisors shall meet no later than 5:00 p.m. on the day after the election to tally the paper ballots.

(c) *[Illegible or mismarked ballots.]* Illegible or mismarked ballots shall be counted so long as a majority of the ~~b~~**B**oard of ~~e~~**E**lection ~~s~~**S**upervisors agrees that the intent of the voter can be ascertained. Partial ballots that vote for less than the number of candidates running for an office or leave some offices blank shall be counted for any candidate clearly voted for.

## Sec. 6-21. - Returns.

(a) *Preparation.* The chief judges shall make duplicate statements or returns of the result of the canvass of said votes, each of which shall, if possible, be upon a single sheet of paper, and shall contain a caption containing the day on which said election was held and the hours thereof, and showing the whole number of votes given for each candidate, designating the office for which they were given. Such statements or returns shall be printed, or partly printed or written. In case a proposition of any kind has been submitted to the voters at any election, it shall also show in like manner the number of votes for and against such proposition. At the end of each such statement or return shall be printed or written a certificate that the same is correct in all respects; which certificate and each sheet of paper forming a part of the statement shall be signed by the judges of such election.

(b) *Where sent.* ~~If any judge shall decline to sign such return, he or she shall state his or her reasons thereof in writing, and a copy thereof, signed by himself or herself shall be enclosed with each return; If any judge shall decline to sign such return, the judge shall set forth their reason for declining in a signed writing and a copy shall be enclosed with each return.~~ Each return or statement shall be enclosed in an envelope which shall then be securely sealed and each of the judges shall then write his or her **their** name across the **sealed** fold of the envelope. All envelopes shall be delivered to the chief of judge to be delivered to the ~~b~~**B**oard of elections.

(c) *Challenges.* All challenges to elections or votes ~~much~~ **shall** be in writing fully stating the grounds for such challenge and delivered to the chairperson of the ~~b~~**B**oard of ~~e~~**E**lections **Supervisors** by ~~5:00~~ **12:00** p.m. on the Thursday following the Tuesday election.

(d) *Preservation of ballots.* All ballots or official voting tallies of any ~~e~~**C**ity election shall be preserved for at least six (6) months from the date of the election, after which time they may be destroyed. ~~Absentee~~ **Vote by Mail** ballot applications, certifications, ballot envelopes, and ballots shall be kept separate from ballots cast in the regular voting places and retained for six (6) months after the election.

## Sec. 6-22. - Certification of ~~r~~**R**esults.

Underlining indicates new language added.

~~Strikethroughs indicate language deleted.~~

\* \* \* Asterisks indicate intervening language and section unchanged.

The eCity eCouncil shall meet on the Thursday after each election at the Joseph R. Robison Laurel Municipal Center or other location designated by the mMayor and eCity eCouncil to receive and certify the election returns as provided in section 6-21.

Within 30 days after the results of a City election are certified, the City Clerk shall submit to the State Board an electronic copy of the election results for each office or question voted on at the election, including:

(1) vote totals for each office or question reported separately by each of the following voting methods, if applicable:

(i) in-person early voting;

(ii) Vvote by Mmail;

(iii) provisional voting; and

(iv) in-person election day voting.

## **Sec. 6-23. - Recounts.**

(a) *Mandatory recount.* The bBoard shall conduct a recount of the votes cast in an election if the difference in the number of votes between the two (2) highest vote getting candidates for mMayor and/or eCouncilmember at-large is less than three (3.00) percent of the total number of votes cast for that office. In addition, the bBoard shall conduct a recount of the votes cast in an election if the difference in the number of votes between the two (2) highest vote getting candidates for eCouncilmember for each ward is less than three (3.00) percent of the total votes for eCouncilmember cast for eCouncilmember in that ward.

(b) *Permissive recount.* The bBoard may conduct a recount of votes cast in an election upon filing of a written petition for recount submitted by a candidate who voted in the election. The petition shall be filed with the bBoard within twenty-four (24) hours of the public announcement of the returns. The petition shall set forth the alleged basis supporting the request for recount. The petitioner shall bear the burden of proof to provide evidence of any irregularities in the election, including, **but not limited to:** proof of persons casting multiple votes in the election; irregularities in the casting, counting, or canvassing of any early voting, absentee, provisional, or machine ballots cast at any polling place; or irregularities resulting from any alleged fraud in the election process, the conduct of the election, or the canvass thereof. Any petitioner seeking a permissive recount shall submit a deposit of one thousand dollars (\$1,000.00) with the petition for any request for recount of a mayoral and at-large council race. A deposit of five hundred dollars (\$500.00) shall be submitted with any petition for recount in connection with a request for recount of results in any councilmanic election for Ward 1 or Ward 2. The bBoard shall have the discretion to waive or reduce the amount of the required deposit. The bBoard

shall have sole authority to determine, in its discretion, whether to grant a permissive recount upon a majority vote of members of the ~~b~~Board.

## ARTICLE VI. - FAIR CAMPAIGN FINANCE ACT

### Sec. 6-24. - Distribution of ~~s~~Summary of ~~e~~Election ~~l~~Laws.

The ~~e~~City ~~e~~Clerk shall summarize provisions of the election laws of the ~~e~~City relating to campaign contributions and expenditures and provide for the distribution of this summary to all candidates for election to public office at the time such candidates file for election and shall prepare and include in such distribution to each candidate specimen forms provided for in this Chapter. ~~subtitle.~~

### Sec. 6-25. - Appointment of ~~e~~Campaign ~~t~~Treasurer; Resignation of Treasurer; ~~e~~Candidate ~~j~~Joining ~~t~~Ticket or ~~s~~Slate.

(a) Each candidate for, or election to, public office, upon or before, and as a condition precedent to qualifying as such candidate, shall appoint one (1) campaign treasurer and shall file the name and address of the campaign treasurer with the ~~b~~Board as provided in subsection (c) of this section. A campaign treasurer shall be a resident of ~~the~~ Maryland and have resided in the state for six (6) months prior to the date of ~~his or her~~ their appointment. Every treasurer so appointed shall accept such appointment, in writing, prior to filing thereof. The ~~b~~Board shall not accept any certificate of candidacy unless the name of the treasurer has been filed with it as provided in this subsection. No candidate's family member shall be appointed or serve as a treasurer.

(b) The ~~e~~City ~~e~~Clerk shall devise and maintain a form for appointment of a treasurer and the acceptance of such appointment by the treasurer. Each candidate shall obtain and use, without alteration, the ~~e~~City 's form for appointment of a treasurer.

(c) Any candidate, after filing the name of a treasurer as prescribed in subsection (a) of this section, may choose, at any time after such filing and the first filing to join a group, combination or organization of candidates, commonly known as a "ticket" or "slate," at which time the candidate must notify the ~~b~~Board of the fact that he has joined the ticket or slate by submitting the Appointment of Treasurer Slate form. The treasurer of the ticket or slate shall report in the same manner as the treasurer of any political committee as prescribed in this article.

(d) No person may solicit or collect funds to be used in furtherance of the election to municipal office of any person who has not filed a ~~certificate of candidacy~~ complete candidate packet including and the notice of appointment of treasurer required by subsection (b) of this section.

(e) A treasurer who resigns shall do so in writing on a form prescribed by the Board of Election Supervisors filed with the City Clerk. The candidate immediately shall appoint and file a new treasurer in accordance with this section. The treasurer's resignation shall not be effective until a successor is registered with the City Clerk. A treasurer, when resigning, shall certify that the treasurer has served until all duties have been performed and a successor was duly chosen.

**Sec. 6-26. - Contributions and ~~e~~Expenditures of ~~p~~Pass ~~t~~Through ~~t~~Treasurer;  
Campaign Bank Accounts.**

(a) A political committee must establish a checking account exclusively for campaign use. The checking account must be established at a financial institution that is located or operates branches in Maryland. The name of the political committee must be on the account. All income (including loans) must be deposited in the campaign bank account. Personal bank accounts of the responsible officer or the candidate may not be used.

(b) All contributions, money or other valuable things collected, received or disbursed by any candidate, slate or committee for any purpose, shall be paid over to and made to pass through the hands of the treasurer and shall be disbursed by ~~him or her~~ the treasurer; and it shall be unlawful and a violation of this chapter for any candidate or any member of a committee, slate or for any member of a political committee, to make any expenditure, to disburse or expend money or any other valuable things, for any purposes until the money or other valuable things so disbursed or expended shall have passed through the hands of the treasurer; except, that it shall not be unlawful for a candidate, or a person designated by ~~him~~ the candidate, to expend ~~his~~ their own personal funds; provided, that such expenditure is reported to the treasurer, a receipt is issued by the treasurer and the treasurer's report indicates whether those funds are reimbursed.

**Sec. 6-27. - Books, ~~r~~Records and ~~r~~Receipts of ~~t~~Treasurer.**

(a) *Account books.* Every treasurer shall keep detailed, full and accurate accounts in proper books, to be called "account books," to be provided and preserved by the treasurer ~~him or her~~, of all contributions, money or valuable things received by or promised to, and all expenditures, disbursements and promises of payment or disbursements of money or valuable things made by any committee, or any of its officers or members, or by any person acting under its authority, or on its behalf or by such treasurer, and setting forth in such statement and accounts the sum or valuable thing so received, disbursed or promised, as the case may be, and the date when, the name of the person and ~~his or her~~ their address from whom received or promised, or to whom paid or promised, as the case may be, and the object and purposes for which the sum, or other valuable thing, was received, disbursed or promised, as the case may be. Such books and records may be destroyed or discarded at any time after one (1) year

from the date of filing the final report required under this chapter unless a court of competent jurisdiction shall order their retention for a longer period.

(b) *Campaign contribution receipts.*

(1) Upon receipt and before depositing a campaign contribution, a "campaign contribution receipt" shall be issued by the treasurer to each person or treasurer of a committee, slate or group or organization of persons making a contribution to the campaign or purchasing a ticket or tickets to any campaign-related event or purchasing any campaign-related item or items in the amount of fifty-one dollars (\$51.00) or more, or upon receipt for any lesser amount, to the candidate, slate or committee of which ~~he is~~ they are the treasurer, setting forth:

- a. The date of the contribution or purchase of a ticket or other item;
- b. The name and address of the person making the contribution or purchase of a ticket or other item;
- c. The amounts of the individual contributions and/or cost of the ticket(s) or other item(s) and the total for all contributions and/or purchases;
- d. The name of the candidate or organization.

(2) A check received by a treasurer shall itself serve as a receipt and no additional receipt shall be necessary. Such check shall be recorded by the treasurer in the account books and shall include the date of the check, the amount of the check, the bank upon which it is written and the name of the person signing the check.

(3) The treasurer shall retain all campaign contribution receipts with ~~his~~ their books and records as required by subsection (a) of this section and report the information therein in the statement of contributions and expenditures required under this chapter.

(4) The campaign contribution receipt issued to a contributor shall serve as evidence of a contribution by such contributor.

(c) *Anonymous contributions.* Any money or other thing of value received from any unknown person or source by any treasurer or other person slate or committee authorized to incur obligations or to pay or defray obligations or expenses under the provisions of this chapter, shall not be used for any political purpose whatsoever, but shall be paid by the treasurer, slate or other persons or committee so receiving the same to the city finance officer who shall donate the funds to a non-profit organization within the Ccity limits.

## Sec. 6-28. - Contributions of cCandidate.



(a) *Contribution.* Any person who is a candidate for public office may make voluntary contributions or payment of money to any treasurer, subject to the provisions and restrictions of this chapter, and for any of the purposes permitted by this chapter, and for no other purposes.

(b) *Expenses.* Any person who is a candidate for public office may pay that candidate's ~~own~~ **bona fide campaign-related** personal expenses for filing fees, telegrams, telephoning, travel and board. The payment of such personal expenses shall not be subject to the limitations provided in ~~s~~**Section 6-30.**

## **Sec. 6-29. - Limits of ~~e~~**C**Contributions.**

It shall be unlawful for any individual, either directly or indirectly, to contribute any money or thing of value greater **than** four thousand dollars (\$4,000.00) in any ~~e~~**C**ity election. The limit of contribution shall be considered for adjustment after each general election.

## **Sec. 6-30. - Expenditures by ~~t~~**T**reasurer.**

(a) *Proper expenditures.* It shall be lawful for any treasurer in connection with any election and in making provisions therefore, to pay all lawful expenses including, but not limited to, the following expenses:

(1) Hiring of ~~halls~~ **venues** and music for public meetings and for advertising the same;

(2) Printing~~, and~~ circulating, **and/or distributing** political articles, circulars, pamphlets and books or renting radio and television time and newspaper space for political speeches and advertising;

(3) Printing and distributing the sample or specimen ballots or instructions to voters, subject, however, to such prohibitions or restrictions as may be imposed by this chapter upon the publication and distribution of such sample or specimen ballots or instructions;

(4) Renting rooms and headquarters;

~~5) Compensating clerks, stenographers and typists employed in the committee rooms;~~

~~(56)~~ **(56)** Traveling and other legitimate expenses of political agents, committees, and public speakers; **and**

~~(67)~~ **(67)** Necessary postage, stationery, telegrams, telephoning, and printing expenses.

(b) *Time for presentation of statement of money due.* Any statement of money owing by a treasurer must be presented for payment to the treasurer within thirty (30) days following the

election in connection with which such liability was incurred and shall include receipts and documentation for all expenditures made in connection with a campaign.

**Sec. 6-31. – ~~Election~~ Campaign Finance ~~r~~Reports to be ~~f~~Filed by ~~t~~Treasurer.**

(a) The treasurer designated by a candidate prior to an election shall file reports or statements of contributions and expenditures as prescribed by the ~~b~~Board of ~~e~~Election ~~s~~Supervisors.

(1) A successful candidate, shall file a final campaign financial report that is accepted and approved as sufficiently itemized and complete by the ~~election b~~Board or its designee no later than noon on the day **that is three (3) calendar days** prior to the date on which the successful candidate takes office.

(2) Unsuccessful candidates shall file a final campaign finance report that is accepted and approved as sufficiently itemized and complete by the ~~election b~~Board or its designee within thirty (30) days of the election.

(b) Before filing a final campaign finance report, the treasurer shall pay all outstanding obligations. It shall be the responsibility of each candidate to advise the candidate's creditors that invoices must be received by the candidate within fourteen (14) days of the election. Any unpaid debts reflected in the final campaign finance report shall be deemed a contribution and therefore subject to the limitations of contributions prescribed in ~~s~~Section 6-2930.

(c) It is the responsibility of the treasurer to file the report and such report shall be in full and accurate detail. Each report shall contain all contributions received and expenditures made since filing of the initial report. Any campaign financial report which simply displays lump sum funds spent or obligated to campaign consultants, public relations firms or other entities without reasonable itemization of services provided shall be rejected and returned to the treasurer as failing to meet campaign finance reporting guidelines.

(d) **Disposition of Surplus Funds. After all campaign expenditures have been made and prior to filing a final campaign finance report under subsection (a) of this section, any remaining balance in the account of the campaign finance entity shall be returned pro rata to the contributors or paid to:**

**(1) the City;** ~~or~~

(2) A charitable organization registered or exempt from registration under the Maryland Charitable Solicitations Act in Section 6-101 et seq of the Business Regulation Article of the Annotated Code of Maryland; ~~or~~

**(3) In the case of a continuing campaign committee, surplus funds may be carried forward to be used in a subsequent election cycle provided such funds are reported as carry-forward receipts during the subsequent election cycle.**

~~It shall be unlawful for a treasurer to accept money or any other thing of value for or intended to be used on behalf of the candidate more than twenty one (21) days after an election.~~

(e) A violation of this section shall be punishable in accordance with ~~s~~Section 6-365.

### **Sec. 6-32. - Requirement for f~~F~~iling of C~~C~~ampaign Finance r~~R~~eports by s~~S~~uccessful e~~E~~candidate.**

(a) No person shall enter upon the duties of any public office, or receive any salary, benefits or emoluments related thereto, unless and until the successful candidate shall have filed the campaign finance reports required under this chapter.

(b) The provisions of this section, with respect to the timing for the filing of campaign finance reports, shall be mandatory and not discretionary. A candidate who fails to fulfill said requirement shall be deemed to have withdrawn ~~his or her~~ their certificate of candidacy and forfeited the candidate's right to elective office.

### **Sec. 6-33. Payment for Political Endorsement Prohibited ~~on early voting days and election day.~~**

(a) Prohibited. No candidate, or campaign committee, or any person acting on behalf of any of the foregoing may at any time, directly or indirectly, pay or incur any obligation to pay, nor may any person receive, directly or indirectly, any sum of money or thing of value in return for a political endorsement.

### **Sec. 6-334. - Maintenance of r~~R~~eports.**

The ~~b~~Board shall keep and maintain all filings and reports filed pursuant to the provisions in the Charter and Code for a period of eight (8) years following the date of the election for which the report was submitted. This may be in the form of scanned documents, and filed electronically. Submitted reports shall be posted on the ~~e~~City website for the general public to review.

## **ARTICLE VII. - VIOLATIONS OF ELECTION LAWS AND APPLICABLE PENALTIES**

### **Sec. 6-345. - Prohibited e~~E~~conduct.**

(a) In addition to provisions of the Charter, no person shall violate any of the following, nor shall any person solicit, induce, procure, assist, direct, or otherwise cause another person to commit any of the following acts or omissions.

(1) A person may not directly or indirectly give, offer, or promise money, aid, a gift, an advantage, a preferment, an emolument, or any other valuable thing to another person for the purpose of inducing or procuring that person to vote or refrain from voting for or against:

a. An individual, question, or measure at an election; or

b. The election of a candidate for public office.

(2) A person may not directly or indirectly receive, accept, request, or solicit money, aid, a gift, an advantage, a preferment, an emolument, or any other valuable thing from another person for the purpose of inducing or procuring a third person to vote or refrain from voting for or against an individual, question, or measure in any election.

(3) A person may not vote or refrain from voting for or against an individual, question, or measure at an election, in consideration of money, aid, a gift, an advantage, a preferment, an emolument, or any other valuable thing paid, received, accepted, or promised to the advantage of that person or of another person.

(4) A person, to defray the costs of a campaign finance entity, may not directly or indirectly pay, give, or promise money or any other valuable thing to any person other than a campaign finance entity.

(5) Notwithstanding the provisions of subparagraph (4), the foregoing shall not apply to the following:

a. An individual volunteering the individual's time or personal vehicle; and

b. Advertising costs or other expenses incident to the expression of personal views, provided that the advertising costs and expenses are not coordinated between the campaign finance entity, the candidate or anyone acting on behalf of the candidate or campaign finance entity.

(6) A person may not directly or indirectly pay or promise to pay a campaign finance entity in a name other than the person's name.

(7) A responsible officer of a campaign finance entity may not knowingly receive a payment or promise of payment and enter it or cause it to be entered in an account book in a name that the responsible officer knows is not the name of the person that made the payment or the promise to pay.

(8) An employer who pays employees in envelopes may not mark on or enclose in the envelopes a political motto, device, or argument that contains express or implied threats intended to influence the political opinions or actions of those employees.

(9) During the ninety (90) days before an election, an employer may not exhibit, or make in the employer's workplace any threat, expressed or implied, intended to influence the political opinions or actions of the employer's employees.

(10) A person may not publish, disseminate, or distribute, or cause to be published, disseminated, or distributed, any campaign material that does not bear an authority line required under the Code or Charter.

(11) A candidate may not make a payment, contribution, or expenditure, or incur any liability to pay, contribute, or expend, from the candidate's personal funds any money or valuable thing that is not a proper loan or contribution by a candidate to the campaign finance entity.

(12) An individual may not sign the name of any other individual on any form or other document under this title, without the authority of the individual whose name is signed.

(13) An individual may not falsely state or misrepresent the name or identity of any contributor making contributions or use a false name or false identity in connection with any campaign contribution.

## **Sec. 6-356. - Penalties for certain prohibited conduct.**

(a) A person who violates subsection 6-35(a) shall be: ~~guilty of a misdemeanor and upon conviction is:~~

(1) Subject to a fine not exceeding one thousand dollars (\$1,000.00) ~~or imprisonment not exceeding sixty (60) days, or both; and~~

(2) Shall be ineligible to hold any public office for a period of four (4) years after the date of the offense.

(b) Any person, campaign finance entity, or committee who violates any of the other provisions of the Code or Charter shall be guilty of a municipal infraction(s). The ~~b~~Board shall have the power and authority to impose fines for said infractions not exceeding a fine of one thousand dollars (\$1,000.00). In addition to the ~~b~~Board's power to impose fines for violations of any provision of this chapter or the Charter, the ~~b~~Board shall have the authority and power to remove the candidate from the ballot. Any person aggrieved shall have the right to appeal the decision within five (5) business days thereof to the Circuit Court for Prince George's County, pursuant to Title 7 of the Maryland Rules of Procedure. ~~by any action of the ~~b~~Board under this section shall have all the rights of appeal set forth in section 6-10 for violations of this chapter.~~

(c) Assessment of late fees and penalties. The ~~b~~Board shall be authorized and empowered to assess late fees on any person, campaign committee, or campaign finance entity for failure to timely file ~~any~~ applicationss, reportss, statementss of contributions or expenditures, or any other

material or, information required under the Code or Charter, or as may be requested by the ~~b~~Board based on any submission made by a person responsible for filing the report, statement, or applications, ~~shall be assessed against any candidate, treasurer of any campaign finance entry, or campaign committee responsible for submission of the materials required under this section.~~ The late fee amount is twenty dollars (\$20.00) per day for every day or part of a day that a submission due to the ~~b~~Board is overdue. The ~~e~~Clerk to the ~~b~~Board shall accept for any late filed report, statement of contributions or expenses, and any other material required to be submitted under the Code, Charter or at the request of the ~~b~~Board. Late fees shall not continue to accrue on any late filed report, statement of contributions or expenditures, or any other filing due under this section provided that the person required to make the submission fully and completely complies with the filing requirements. Notwithstanding the foregoing, incomplete submissions to the ~~b~~Board required under the Code, Charter or at the ~~b~~Board's request shall, in the ~~b~~Board's discretion, continue to accrue late fees until all information required shall be properly submitted to the ~~b~~Board. Person(s) responsible for filing any of the materials or information required under the Code or Charter shall not pay directly, or indirectly any late fees or fines assessed under this section using monies derived from contributions made to the candidate or campaign finance entity.

**AND, BE IT FURTHER ENACTED AND ORDAINED**, that this Ordinance shall take effect on the date of its passage.

**PASSED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

**ATTEST:**

\_\_\_\_\_  
**SARA A. GREEN, CPM, MMC**  
City Clerk

\_\_\_\_\_  
**KYLA M. CLARK**  
President of the City Council

**APPROVED** this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
**KEITH R. SYDNOR**  
Mayor

\_\_\_\_ *Underlining indicates new language added.*

~~Strikethroughs~~ *indicate language deleted.*

\* \* \* *Asterisks indicate intervening language and section unchanged.*