Summary Guide

Citizens' Election Fund
Howard County, Maryland

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INTRODUCTION AND OVERVIEW

In 2011, The General Assembly established the Commission to Study Campaign Finance Law. On December 31, 2012, the General Assembly issued its final report. It recommended that the counties be authorized to establish their own public financing programs for county offices. In 2013, the General Assembly passed, and the Governor signed HB 1499, the Campaign Finance Reform Act of 2013, giving county governments the authority to implement a public financing program.

Pursuant to Maryland Election Law §13-505, any county in the State may elect to establish a system of public campaign financing for elective offices in the executive and legislative branches of the County's government. Any program established under this provision is to be administered by the Chief Financial Officer of the County and subject to regulation and oversight by the Maryland State Board of Elections.

Each county shall determine the criteria that candidates must satisfy to become eligible for participation in the Program. Participation in a Public Campaign Financing Program is not mandatory for candidates. The decision for a candidate to participate is voluntary and one can only participate if running for a covered county elective office. The County's Program may include regulations on campaign financing, contributions, expenditures, reporting and campaign material that are stricter than those of State law.

HOWARD COUNTY ESTABLISHES A CITIZENS' ELECTION FUND PROGRAM

On November 8, 2016, the voters of Howard County approved an amendment to the County Charter requiring the County Council to create by ordinance a Citizens' Election Fund system for candidates for County Council or County Executive. Section 907 of the Howard County Charter required that a Citizens' Election Fund System be adopted. The Howard County Council stated that the goal and intent of establishing the program was 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 wealthy individuals, corporations, businesses, political action groups, and other large organizations.

A bill to establish a voluntary Citizens' Election Fund system was introduced on April 3, 2017 in Howard County, Maryland which was ultimately enacted on July 3, 2017 with an effective date of September 2, 2017. *See* Howard County Code, Title 10, Subtitle 3. The Howard County Code provides that candidates who wish to receive public contributions for elections for the County Executive and County Council may apply for certification as eligible for public campaign financing.

COMMISSION TO RECOMMEND FUNDING FOR THE CITIZENS' ELECTION FUND

Howard County Code, Title 10, Subtitle 3, also established a Citizens' Election Fund Commission, hereinafter called the "Commission." *See* Howard County Code §10.310. The Commission consists of seven members. Each member of the County Council will nominate one member and the County Executive will nominate two members for a four-year term beginning on May 1, 2019. The term of a member of the Commission nominated by the County Executive begins during the first year of a County Council term and the term of a member of the Commission nominated by a member of the County Council begins during the third year of a County Council term. Each member must be a resident of the County and be a registered voter. The member of the Commission shall not be a candidate for the public office during the previous, current or next

election cycle, shall not be a lobbyist registered with the County, and shall not be the chair or treasurer for an open campaign account. The Commission must elect a chairperson and vice-chairperson of the Commission.

The Commission must calculate, not later than 180 calendar days prior to the end of the fiscal year, the total amount estimated for the full election cycle and the amount to be included in the current expense budget for the ensuing fiscal year to fully fund the Citizens' Election Fund System. *See* Howard County Charter Section 907; Howard County Code §10.310(g)(1).

SOURCES OF FUNDING

The Citizens' Election Fund is comprised of the following funding sources: (1) money appropriated to the fund; (2) any unspent money remaining in a certified candidate's Citizen funded campaign account after the candidate is no longer a candidate; (3) any public contribution returned to the fund; (4) any donations made to the fund; (5) any fines collected under Howard County Code section 10.311; and (6) any earnings on money in the fund. *See* Howard County Code §10.305.

*******IMPORTANT NOTICE*******

ALL COMPAIGN ACCOUNTS, TRANSACTIONS AND PAPERWORK ARE SUBJECT TO AUDIT.

IMPORTANT TERMS AND DEFINITIONS - Howard County Code §10.300

Applicant Candidate means a candidate who is seeking to be a certified candidate in a primary or general election.

Campaign Finance Entity has the meaning stated in Title 1, subtitle 1 of the Election Law article of the Maryland Code.

Certified Candidate means a candidate who is certified as eligible for public campaign financing from the fund.

Citizen Funded Campaign account **means** a campaign finance account into which eligible contributions will be received and from which money may be spent in accordance with Howard County Code, Title 10, Subtitle 3.

Commission means the Citizens' Election Fund Commission.

CPI means the Consumer Price Index for all urban consumers: all items in Baltimore-Columbia-Towson, MD as published by the United States Department of Labor, Bureau of Labor Statistics.

Contested Election means an election, including a special election, in which there are more candidates for an office than the number who can be elected into that office.

Contribution has the meaning stated in Title 1, subtitle 1 of the Election Law article of the Maryland Code.

County Board means the Howard County Board of Elections.

County resident means a natural person who resides in Howard County.

Director means the Director of the Department of Finance or the Director's designee.

Election Cycle has the meaning stated in Title 1, subtitle 1 of the Election Law article of the Maryland Code.

Eligible Contribution means an aggregate donation in a four-year election cycle from an individual, including an individual who does not reside in the County that does not exceed the contribution limit set in the Howard County Code, Title 10, Subtitle 3. (Not all eligible contributions are qualifying).

Fund means the Citizens' Election Fund.

Participating candidate means a certified candidate who has received a public contribution from the Fund for a primary or general election.

Public Contribution means money disbursed from the Fund to a certified candidate.

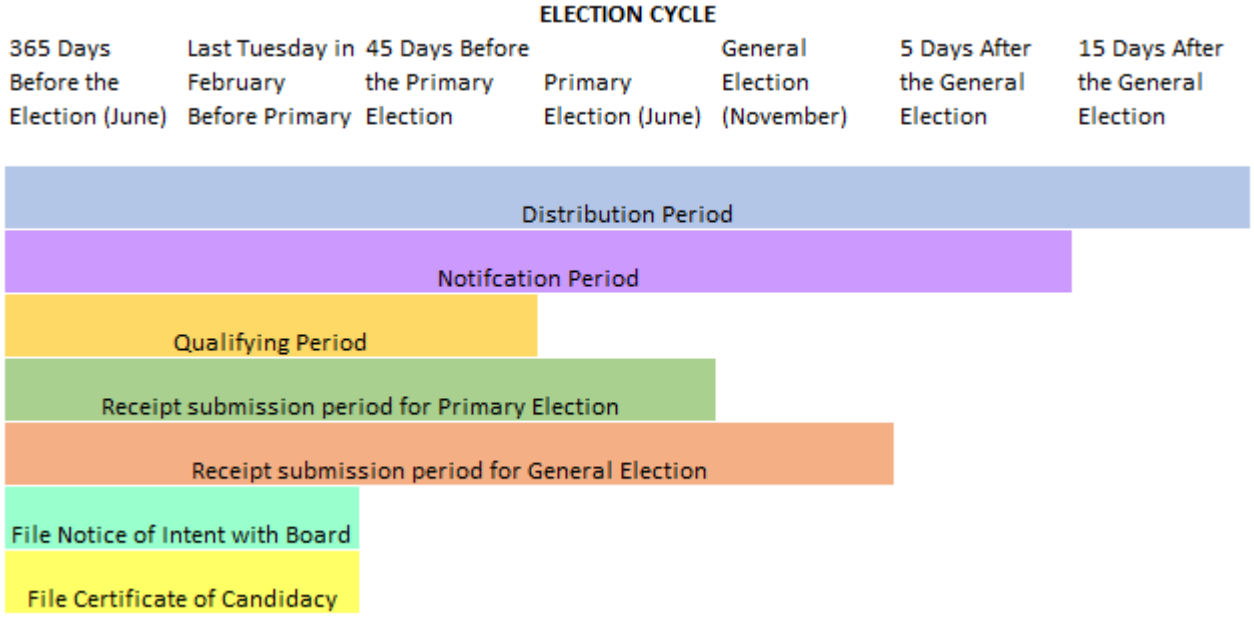
Qualifying Contribution means an eligible contribution in support of an applicant candidate that is: (1) made by a County resident, (2) made after the beginning of the qualifying period, but no later than the next general election; and (3) acknowledged by a receipt. (Not all eligible contributions are qualifying).

Qualifying Period means the time beginning on January 1 following the last election for the office the candidate seeks and ending 45 calendar days before the date of the primary election; or for a special election, the time that the County Council sets by Resolution.

Slate has the meaning stated in Title 1, subtitle 1 of the Election Law article of the Maryland Code.

State Board means the Maryland State Board of Elections.

CITIZENS' ELECTION FUND – ELECTION CYCLE CHART



Distribution Period*:* This is the period during which the County distributes public contribution from the Fund to a certified candidate. The period begins 365 calendar days before the primary election and ends 15 calendar days after the date of the general election. *See* Howard County Code §10.306(a).

Notification Period: This is the period during which the Board of Elections may notify the Director of Finance that a distribution must be made from the Fund to an eligible candidate. The period begins 365 calendar days before the primary election and ends 5 calendar days after the general election.

Qualifying Period*:* This is the period during which candidates may submit receipts to the Board of Elections to become a Certified Candidate. The period begins on January 1 following the last election and ends 45 calendar days before the primary election. *See* Howard County Code §10.300(s).

Receipt Submission Period(s)*:* This is the period during which a qualified candidate may submit receipts to the Board of Elections to receive public contributions from the Fund. Submissions are due no later than 11:59 PM on primary election or general election day. *See* Howard County Code §10.303(c) and §10.306 (g).

Candidate Filing Notice of Intent: Candidates must file a notice of intent with the Board of Elections not later than 9 p.m. on the last Tuesday in February in the year in which the primary election will be held.

See attached **EXHIBIT A** for an outline of the Current Election Cycle

SECTION I: PUBLIC CAMPAIGN FINANCING - HOW TO BEGIN

To become certified in the Public Campaign Financing Program, an applicant candidate must be a Howard County resident running for County Executive or the County Council.

Prior to raising a contribution governed by the Howard County Public Financing Program, an applicant candidate must complete the following steps to begin the certification process and participate in the Howard County Citizens' Election Fund:

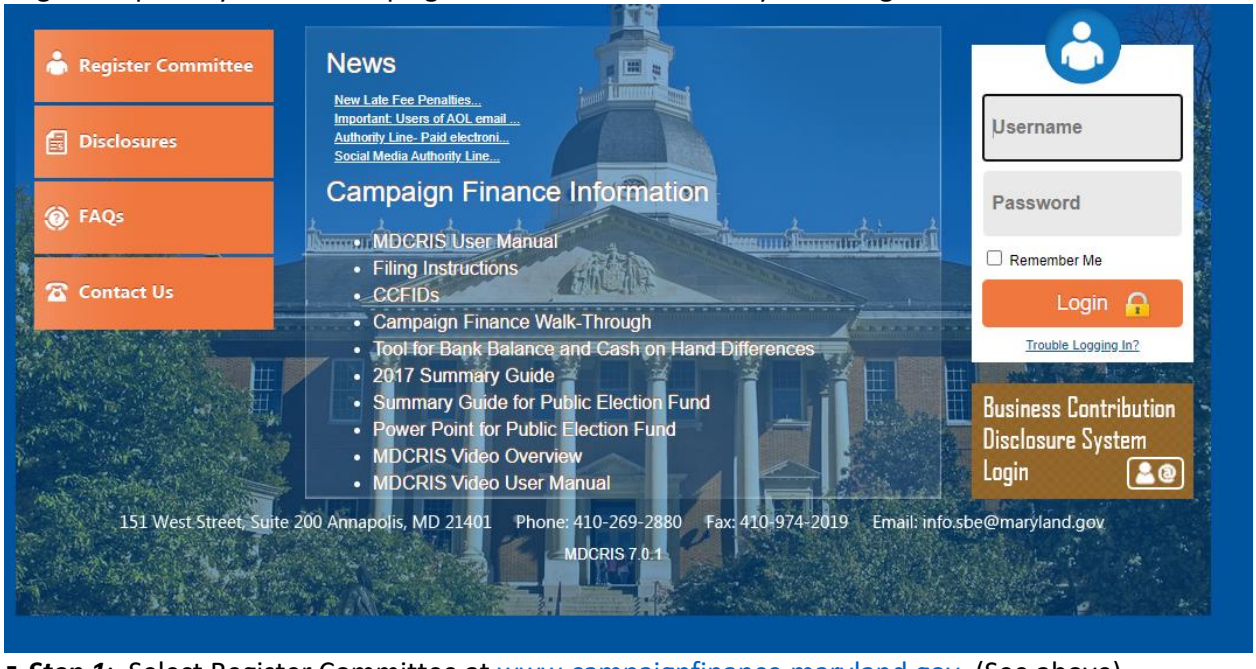
- Register the Public Finance Committee via the electronic filing system (MDCRIS) not later than 9 p.m. on the last Tuesday in February in the year in which the primary election will be held. Detailed instructions are included in Section II "How to Register a Public Financing Committee in MDCRIS."

- File the Notice of Intent to Qualify with the State Board of Elections. The Notice of Intent to Qualify is automatically generated at the time of establishing a public financing committee. Detailed instructions are included in the next section.

- Open a publicly funded campaign account with a bank. The purpose of this account is to receive deposits of all contributions, matching public distributions, and to make expenditures. **Any other campaign finance entity associated with the candidate must be closed or be made inactive (no deposits made into the account and no funds withdrawn from the account) during the period the candidate seeks public funds.** Detailed instructions are included in Section V, "Documents Needed to Open a Publicly Funded Campaign Bank Account."

SECTION II: HOW TO REGISTER A PUBLIC FINANCING COMMITTEE IN THE MARYLAND CAMPAIGN REPORTING INFORMATION SYSTEM (MDCRIS)

Register a publicly funded campaign committee in MDCRIS by following the below instructions:

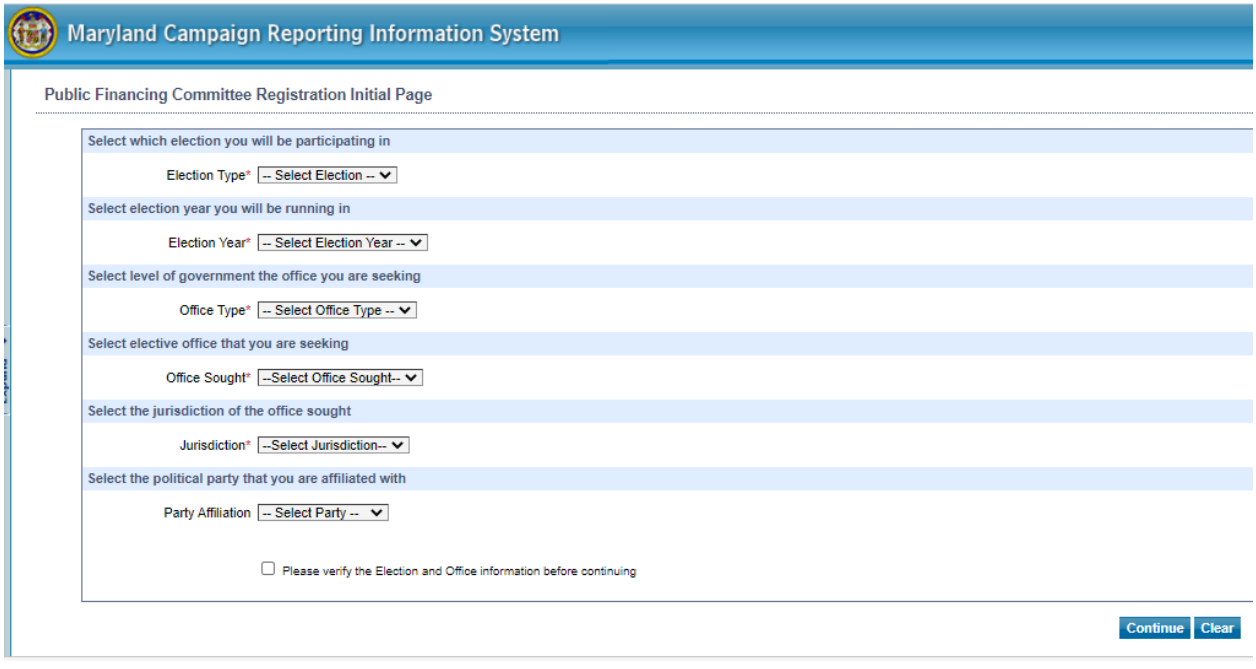


- ***Step 1***: Select Register Committee at www.campaignfinance.maryland.gov. (See above)
- ***Step 2***: Select Public Financing Committee. (*See* below)

- ***Step 3***: The next screen advises that one of the following will be needed to complete the registration online:

1. Driver's license number;
2. The last 4 numbers of Social Security Number; or
3. Voter Registration ID number. Select "Continue."

- ***Step 4***: The following information will be entered on the next screen which is the information for the ***Notice of Intent***. Once entered, check the box at the bottom of the screen to verify the information and then select "Continue.



- Election Type;
- Election Year;
- Office Type;
- Office Sought;
- Jurisdiction; and
- Party Affiliation.

▪ ***Step 5***: The next screen is establishment of the Public Financing committee. Enter the following information and select "Continue."

1. Committee Name;
2. Candidate Information: Name, Address, Date of Birth, email address, Phone & Fax;
3. Chairperson Information: Name, Address, Date of Birth, email address, Phone & Fax;
4. Treasurer Information: Name, Address, Date of Birth, email address, Phone & Fax;
5. Additional Contact Information (Optional);
6. Publicly Funded Campaign Account Information;

MDCRIS will generate the following documents for the committee to print after the submission:

- Notice of Intent
- Statement of Organization

Note: During initial registration, please list bank account number as 999999999 as temporary placeholder if not opened. Once the account is opened with a bank, this account number must be updated. Detailed instructions on Editing Campaign Information are located in Section IV.

SECTION III: STATE BOARD OF ELECTIONS APPROVAL OF COMMITTEE

After submission and review by the State Board, an email will be sent to the Candidate, Chairman, and Treasurer with a temporary password to access MDCRIS. The email will occur within 24 hours. If this email is not received within 24 hours, please verify that the email was not received in a spam folder. If not received, contact the State Board at 410-269-2880.

After receiving the email with the temporary password, each committee member will need to log into MDCRIS, with the assigned temporary password and create a unique personal password. The username to be used during login is the email address listed in the Committee Registration.

SECTION IV: HOW TO EDIT PUBLIC FINANCING COMMITTEE REGISTRATION INFORMATION

If at any time, the registration information should need to be edited, the committee may log into MDCRIS and follow these instructions:

- ***Step 1***: From the menu on the left side of the screen, select **EDIT**.

- ***Step 2***: This selection will allow you to edit reported information.
- ***Step 3***: Once the information is edited, select the box on the bottom of the page that states "I certify these changes…." and select **SUBMIT**.
- ***Step 4***: The system will save the edited information and state at the top of the page if the edited information was saved successfully.
- ***Step 5***: Then select **OK**.

SECTION V: DOCUMENTS NEEDED TO OPEN A PUBLICLY FUNDED CAMPAIGN BANK ACCOUNT
To open a publicly funded campaign account, the following may be requested by the financial institution:
- Employer Identification Number

File Form SS-4 with the Internal Revenue Service (Application for Employer Identification Number) https://www.irs.gov/uac/form-ss-4-application-for-employer-identification-number-ein. A personal social security number cannot be used.
- Resolution of Authority - Banks should accept the processed Statement of Organization to a newly formed public financing committee by the State Board. This document will be generated after completing registration in MDCRIS.
- Personal Identification.

As a reminder, once the committee's publicly funded campaign account is opened with the financial institution, this account number MUST be entered in MDCRIS to ensure timely deposits of publicly matched funds for the certified candidate.

SECTION VI: CONTRIBUTION REQUIREMENTS
Once the public financing committee is established through MDCRIS and the publicly funded campaign account is opened with the financial institute of choice, the candidate can:

- Begin collecting qualifying contributions to meet the required contribution amount to become a certified candidate. **No contributions made prior to filing your Notice of Intent will be considered a qualifying contribution**.

Elective Office	Number of Qualifying Contributions* ($250.00 Max per election cycle)	Aggregate Total
County Executive	500	$40,000.00
County Council	125	$10,000.00

* See SECTION VII for definition of qualifying contribution.

- All contributions, whether qualifying or eligible, must be deposited into the applicant candidate's publicly funded campaign account. Each qualifying contribution must have a proof of receipt that will be submitted to the State Board at the time of requesting a public contribution. Each receipt must have the contributor's name, residential address, and be signed by the contributor directly or by the digital signature method approved by the State Board. The signature card name must match the name of contributor to be considered a qualifying contribution.
- Minimum requirements to qualify for Public Financing for each elective office are as follows:
- Further details on spending regulations are in Section XXXIX.

SECTION VII: QUALIFYING CONTRIBUTIONS

A qualifying contribution must satisfy the following criteria:

- An aggregate donation of at least $5.00 but no more than $250.00;
- Contributed in support of an applicant candidate during the four-year election cycle;
- The maximum amount of a contribution from a single resident to an applicant candidate is $250.00 during each election cycle.
- The contributor must be a County resident;
- Contributions must be made during the qualifying period;
- Contributions must be acknowledged by a receipt that identifies the contributor's name, residential address, and be signed by the contributor directly or by a digital signature.

Note: In-Kind donations do not count as qualifying contributions.

SECTION VIII: ELIGIBLE CONTRIBUTIONS

An eligible contribution must satisfy the following criteria and will not be matched by public funding:

- An aggregate donation of $250.00 or less from an individual in support of a candidate during the election cycle;
- Each eligible contribution must have a proof of receipt that will be submitted to the State Board;
- The contributor does not have to be a County resident.
- An applicant candidate may accept up to $12,000 in contributions or loans consisting of a combined total of not more than $6,000 from each of the following family members: (i) the applicant candidate; (ii) a child who is at least 18 years old; (iii) a spouse, (iv) a parent; or (v) a sibling;
- Not all eligible contributions are qualifying.

SECTION IX: IMPERMISSIBLE CONTRIBUTIONS

An applicant candidate must not accept the following contributions:

- A private contribution from any group or organization, including a political action committee, a corporation, labor organization or a State or local central committee of a political party.
- A private contribution from a sole proprietor, LLC or LLP.
- A private contribution or contributions from an individual in an aggregate greater than $250.00 during a four (4) year election cycle.
- A loan from anyone other than the applicant candidate, their child who is at least 18 years old, their spouse, their parent, or their sibling.
- Anonymous contributions.

SECTION X: MATCHING FORMULA

The minimum contribution amount for a match is $5. Any contribution below $5 will not be matched or eligible as a qualifying contribution.

COVERED OFFICE	Matching ratio for Public Dollars	Qualified Contribution Threshold	Maximum Public Contribution
County Executive	7 to 1	First $50	$700,000 Per Election Cycle
	4 to 1	$51 - $100	
	1 to 1	$101 - $150	
	0	$151+	
County Council	5 to 1	First $50	$85,000 Per Election Cycle
	3 to 1	$51 - $100	
	1 to 1	$101 - $150	
	0	$151+	

SECTION XI: IN-KIND CONTRIBUTIONS

An In-Kind contribution of property, goods, or services is not eligible to receive public election matching dollars.

SECTION XII: APPLICANT CANDIDATE AND APPLICANT CANDIDATE'S FAMILY LOANS AND CONTRIBUTIONS

An applicant candidate may accept up to $12,000 in contributions or loans consisting of not more than $6,000 from family members into the publicly funded campaign account during the four-year election cycle. Family members include the applicant candidate, a child who is at least 18 years old, a spouse, a parent, a sibling. The loan or contribution amount is not eligible for matching citizens' election funds.

NOTE: CANDIDATE/CANDIDATE'S FAMILY LOANS MUST BE REPORTED IN MDCRIS UNDER CONTRIBUTIONS. SEE MDCRIS REPORTING FOR FURTHER INSTRUCTIONS.

SECTION XIII: RECEIPT OF CONTRIBUTIONS

A separate receipt must be obtained from the contributor with the contributor's name, residential address, and be signed by the contributor directly or by digital signature. The contributor must also certify Howard County residency. Without a receipt of contribution, the contribution will not qualify for matching dollars from the Citizens' Election Fund. ***Sample below.***

Electronic Contribution Receipt

Contribution Received By: XXXX for Council

Contribution ID #:

Contribution Received on: XX/XX/xxxx

Name of Contributor:

Amount of Contribution: $150.00

Contributor Address:

Attestation:

By typing my name in the e-signature block below, I hereby certify the following:

- I understand that State and County law requires that a contribution be in my name and be from my own funds. This contribution is being made from my personal credit or debit card account, billed to and paid by me for my personal use out of my personal funds, is not being reimbursed in any manner, and is not being made as a loan. This contribution is not being made from the funds of a business entity, political action committee, labor organization, or other organization or group.
- I understand that because Candidate X is participating in Howard County's public campaign finance program, I may not contribute more than $150 to his campaign during the four year cycle January 1, 2019 through December 31, 2022.

E-signature:

Resident of Howard County: Yes

SECTION XIV: BANK CHECKS

A cancelled check does not qualify as a signed contribution receipt for matching Citizens' Election Fund purposes. The contributor must sign and provide a receipt as an additional document acknowledging the contribution to be a qualified contribution for public fund matching.

A qualifying contribution made in bank check form must be printed with a name to match the name on the signed receipt of contribution.

- For example, a bank check has two names printed on the document, with a Howard County address, one of the names must be the name of the Howard County resident contributor.
- For an additional example, a bank check has two names printed on the document, with a Howard County address, the contributor can sign the document using the initials of one of the names printed on the check. (i.e. the name printed on the check is John A. Contributor and signed as J. A. Contributor.)

SECTION XV: DIGITAL SIGNATURES

A contribution receipt from the contributor with a digital signature means a document provided to the State Board where the donor made an affirmative action acknowledging the contribution to a publicly financed candidate. This is more than checking a box but an action. A check mark, as evidence of the signature, will not be accepted by the contributor for matching funds.

- For example, evidence that the donor affirmatively typed in his or her initials or name at the time of making the contributions understanding the law and its requirements for making a contribution. The supporting documentation of a digital signature must include a record with a time stamp of when the action occurred. *See* §1-101(y) of the Election Law Article of the Maryland Annotated Code for a definition of an electronic signature.

SECTION XVI: CERTIFICATION OF CANDIDATE

Once the initial registration and contribution requirements are satisfied to become eligible for Howard County Public Campaign Financing, all documents to determine certification of a participating candidate must be filed with the State Board. This filing must be completed through the MDCRIS platform. The Board must certify an applicant candidate no later than 10 business days after receiving the following information:

- Receipts for the required number of qualifying contributions and required aggregate total dollar amount;
- A declaration from the candidate agreeing to follow the regulations governing the use of Citizens' Election Fund contributions (completed at the time of registration);
- A campaign finance report that includes:
  - each qualifying contribution received;
  - each expenditure made; and
  - all receipts associated with each contribution and expenditure; and
- A certificate of candidacy for a covered office.

NOTE: A CANDIDATE MAY SUBMIT ONLY ONE APPLICATION FOR CERTIFICATION FOR ANY ELECTION. IF AN APPLICATION IS DENIED, THE APPLICANT MAY REVISE THE APPLICATION ONCE IF DONE BEFORE THE DEADLINE. CANDIDATES MAY ONLY MAKE CORRECTIONS TO PREVIOUSLY SUBMITTED CONTRIBUTIONS AND MAY NOT SUBMIT NEW CONTRIBUTIONS. OTHERWISE, THE DECISION BY THE BOARD AS TO CERTIFY A CANDIDATE IS FINAL.

SECTION XVII: CERTIFICATION IS ONLY REQUIRED ONCE
A candidate needs only to qualify once in order to become a certified candidate during an election cycle. A certified candidate who accepts a matching public contribution during a primary election becomes a participating candidate for the general election. Certification is not required for both the primary and the general election.

SECTION XVIII: CERTIFICATION FOR GENERAL ELECTION AFTER NOT PARTICIPATING DURING THE PRIMARY ELECTION
The Howard County Code doesn't specifically prohibit a candidate from participating in the Citizens' Election Fund Program in the general election if they did not participate in the Program during the primary election. An example for this situation would be a candidate for a non-principal political party or a candidate participating in an uncontested primary election. However, the candidate must qualify to be a participant during the qualifying period. Therefore, unless a candidate has qualified to participate in the Program prior to the primary election taking place, they would be precluded from participating as a CEF candidate in the general election.

A certified candidate nominated by petition may receive a public contribution for the general election if:
- The candidate's nomination is certified by the County Board;
- The candidate did not participate in a primary election;
- The candidate meets the requirements of certification; and
- Established a public financing committee and publicly funded account.

SECTION XIX: CERTIFICATION FOR ELECTIVE OFFICE AFTER PREVIOUSLY QUALIFYING FOR A SEPARATE ELECTIVE OFFICE
If a participating candidate seeks a County elective office different from the one the candidate was certified for during the same election cycle, the candidate must:

- Withdraw from the election;
- Repay to the Director all distribution(s) made by the Fund:
- Apply for certification with the Board for the new County elective office.

NOTE: THE BOARD'S PREVIOUSLY APPROVED CONTRIBUTIONS FOR THE COUNTY ELECTIVE OFFICE FROM WHICH THE CANDIDATE HAS WITHDRAWN CAN BE USED TOWARDS THE CERTIFICATION FOR THE NEW COUNTY ELECTIVE OFFICE.

SECTION XX: PARTICIPATION IN THE PRIMARY ELECTION BUT NOT GENERAL ELECTION
In the event that a certified candidate accepted a public contribution during the primary election and won, the candidate is automatically qualified for the Public Election Program for the general election. If the candidate chooses to withdraw from participation in the Program for the general election, the candidate must follow the specific withdrawal procedures.

SECTION XXI: HOW TO FILE CAMPAIGN FINANCE REPORTS THROUGH MDCRIS

The MDCRIS can be accessed using any internet browser. The log in for the system is located at www.campaignfinace.maryland.gov. The system can be accessed by entering the user's report email as a username and the personal password created.

SECTION XXII: HOW TO ENTER A CONTRIBUTION

- From the menu located on the left side of the committee's home page, select ***ENTER***

CONTRIBUTION TYPE	PERMITTED/NOT PERMITTED	*QUALIFYING/NOT QUALIFYING*
Candidate Loan	PERMITTED	NO
Cash	PERMITTED	YES
Check	PERMITTED	YES
Credit Card	PERMITTED	YES
Electronic Fund Transfer	PERMITTED	YES
Coordinated In-Kind	NOT PERMITTED	NO
In-Kind	PERMITTED	NO
Other Income	PERMITTED	NO
Payroll Deduction	PERMITTED	YES
Raffle or Wheel (Cash)	PERMITTED	YES
Raffle or Wheel (Check)	PERMITTED	YES
Raffle or Wheel (Credit Card)	PERMITTED	YES
Refund/Rebate	PERMITTED	NO
Ticket Purchase (Cash)	PERMITTED	YES

CONTRIBUTIONS/TRANSFERS/IN-KIND CONTRIBUTIONS.

- Select the appropriate filing period.
- Select the appropriate contribution type: (See Below)
- After the proper contribution type is selected, then select the appropriate contributor type. For each contribution type, there are various contributor types to select:

Individual- Matching Fund must be selected in order for the contributor type to have that contribution reviewed to be public fund matching. Any other selection will not be reviewed for matching.

CONTRIBUTOR'S INFORMATION - When entering the contributor's information, a search feature is available by typing the contributor's name in the **SEARCH CONTRIBUTOR** field. If the contributor is found in the committee's database, the information can be automatically entered into the contributor information fields by highlighting the name and then pressing **ENTER**. This will automatically display the contributor's information in the appropriate fields.

If the contributor's information is not available through the **SEARCH CONTRIBUTOR'S** field, manually enter the contributor's information as follows:

○ Full Name;
○ Address;
○ County of residence (must be Howard County to be matched by citizens' election funding);

The employer and occupation information is not required as the allowable contribution amount in a publicly funded campaign cannot exceed $250.00.

NOTE: AFTER ENTERING ALL THE CONTRIBUTOR INFORMATION IN THE APPROPRIATE FIELDS, IF YOU CHANGE THE CONTRIBUTION TYPE, THE CONTRIBUTOR'S INFORMATION WILL BE DELETED.

▪ **CONTRIBUTION DETAILS**-The contribution details must be entered manually. The following information will be entered for each contribution:

○ Contribution Date;
○ Contribution Amount;
○ Check Number;
○ If necessary, a comment box is located in the Contribution Details Sections.

Select **SAVE** at the bottom of the screen.

SECTION XXIII: HOW TO ENTER AN EXPENDITURE

▪ From the menu located on the left side of the committee's home page, select ***ENTER EXPENDITURE AND OUTSTANDING OBLIGATIONS.***
▪ Select the appropriate filing period.
▪ Select the appropriate Payee Type (See Below).
▪ **PAYEE INFORMATION-**When entering the payee's information, a search feature is available by typing the payee's name in the **SEARCH PAYEE** field. If the payee is found in the database, the information can be automatically entered into the payee information fields by highlighting and selecting **ENTER**. This will automatically display the payee's information in the appropriate field.

If the payee's information is not available through the **SEARCH** feature, manually enter the payee's information as follows:
○ Business/Organization
○ Mailing Address

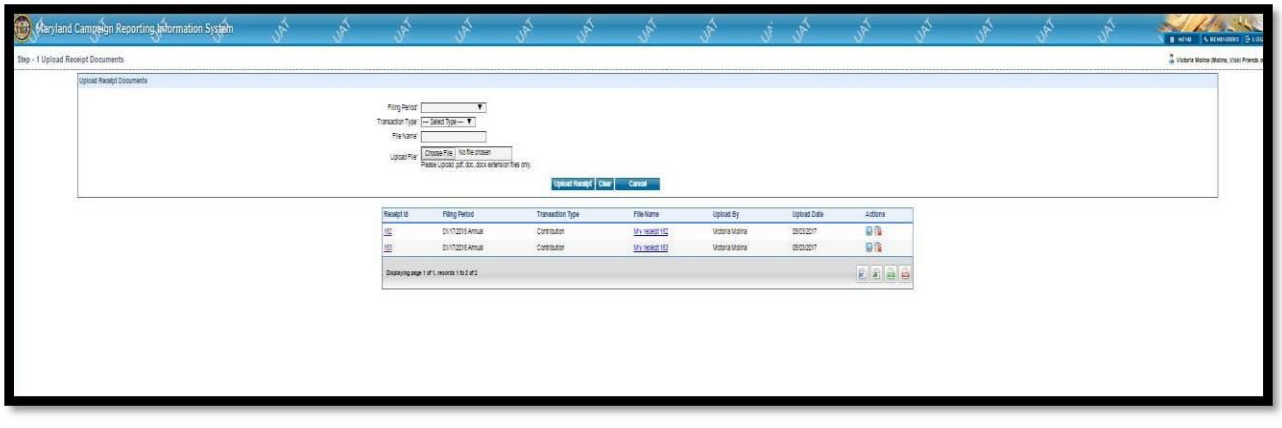
▪ **EXPENDITURE DETAILS**-The following information is required to be reported for each expenditure:
○ Expenditure Date
○ Expense Category
○ Expense Purpose
○ Expense Amount
○ Outstanding Obligation
○ In-Kind Question
○ Payment Method

▪ **VENDOR DETAILS**- Vendor details are required if information is not the same as the payee-used for reimbursement entries:
○ Name of the Vendor
○ Address.

▪ Select **SAVE.**

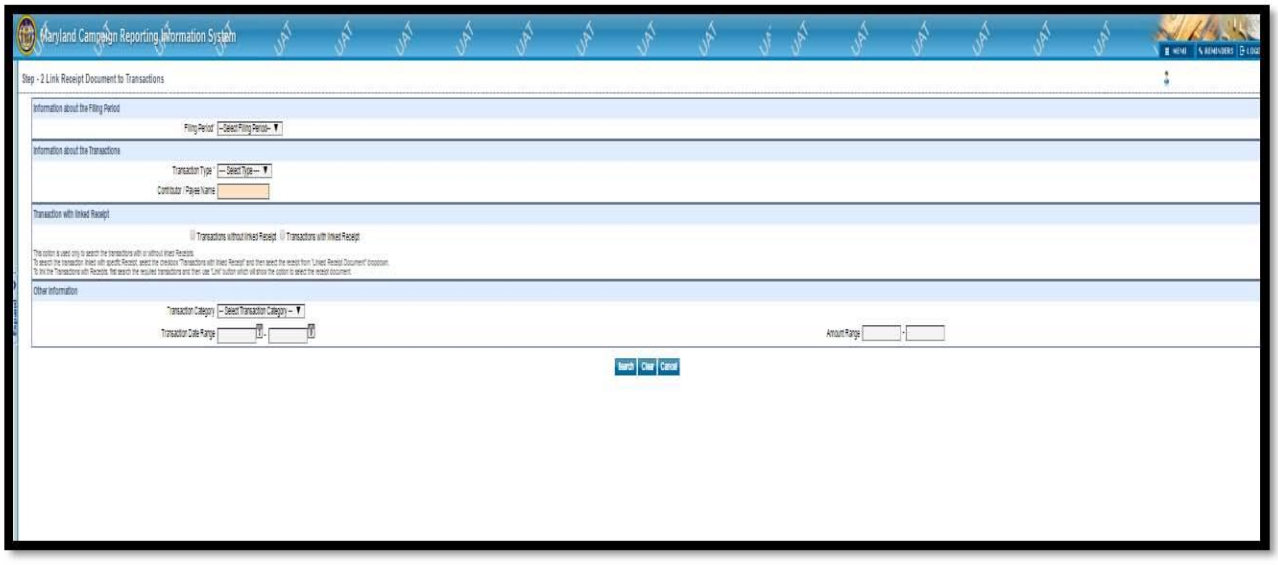
SECTION XXIV: HOW TO LINK RECEIPTS (A TWO STEP PROCESS)

STEP ONE - UPLOADING RECEIPTS
▪ After scanning receipts as a pdf;
▪ Log into MDCRIS;
▪ From the menu located on the left side of the committee's home page; select Receipt Documents.
▪ The following screen will ask for the following information:
○ Filing period;
○ Transaction type (Contribution or Expenditure);
○ File Name (Name of file in which scanned receipt was saved);
▪ In the next field, the uploaded document will need to be located on the computer, highlighted and entered. This will place the file in the field to be uploaded to the program.
▪ Once uploaded, the program will advise that the file was uploaded successfully to MDCRIS.
▪ The uploaded receipts will list as shown below.



NOTE: IF A RECEIPT IS LINKED INCORRECTLY AND NEEDS TO BE DELETED, THE ENTRY CAN BE DELETED FROM THIS SCREEN. LOCATE THE INCORRECT RECEIPT AND SELECT THE RED X ON THE RIGHT SIDE OF THE SCREEN. THIS WILL DELETE THE RECEIPT.

STEP TWO - LINKING RECEIPT DOCUMENTS
After all receipts are uploaded to MDCRIS, the receipts have to be linked to the corresponding contribution. The instructions are as follows:
▪ From the menu located on the left side of the committee's home page, select Receipt Documents:



- Select Filing Period;
- Select Transaction Type (Contribution/Expenditure);
- Select Contributor/Payee Name (This field has a search feature). Begin typing the contributor's name, once the name is found, highlight and select **ENTER**;
- Select **TRANSACTION WITHOUT LINKED RECEIPT**;
- **OTHER INFORMATION FIELD** is available if the contributions need to be filtered further.
- Select **SEARCH.**
- The program will list all contributions from the contributor on the screen.
- Select the corresponding contribution by checking the box on the left side of the listed contribution and select **LINK.**
- The program will then ask which document to link:

- Select the receipt name in the drop down box that corresponds with the contribution and **UPDATE LINK**.
- The program will advise if the receipt linked properly.

SECTION XXV: HOW TO UNLINK RECEIPTS THROUGH MDCRIS

If a receipt was improperly linked to a contribution, a receipt can be unlinked by using the following instructions:

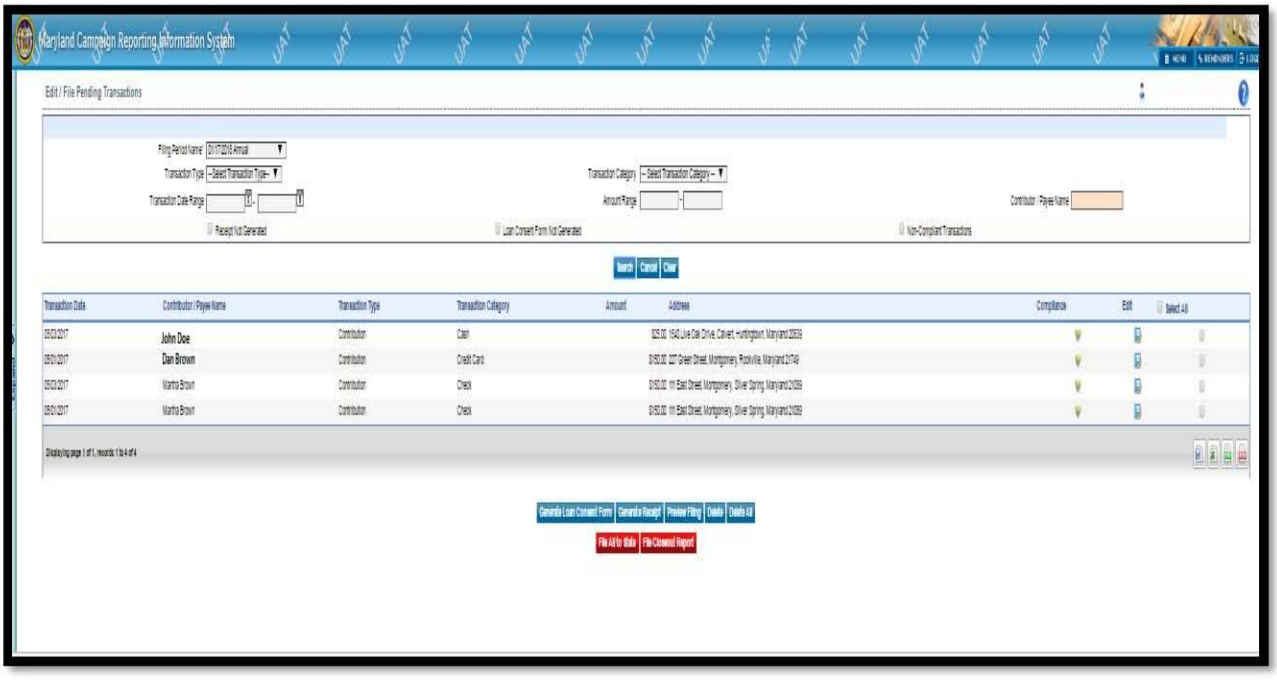
- Select Filing Period;
- Select Transaction Type (Contribution/Expenditure);
- Select Contributor/Payee Name (This field has a search feature). Begin typing the contributor's name, once the name is found, highlight and select **ENTER**;
- Select **TRANSACTION WITH LINKED RECEIPT**;
- A drop down box will appear to select the name of the Linked Receipt Document;
- SEARCH;
- Select the contribution that should be unlinked and select **UNLINK;**
- The program will advise if the receipt was unlinked successfully.

SECTION XXVI: HOW TO FILE A REPORT THROUGH MDCRIS:

- From the menu located on the left side of the committee's home page, select **EDIT/FILE PENDING TRANSACTION**.
- Select **SEARCH**. (See Exhibit 1 below)
- The next screen will display all transactions for the report being transmitted.

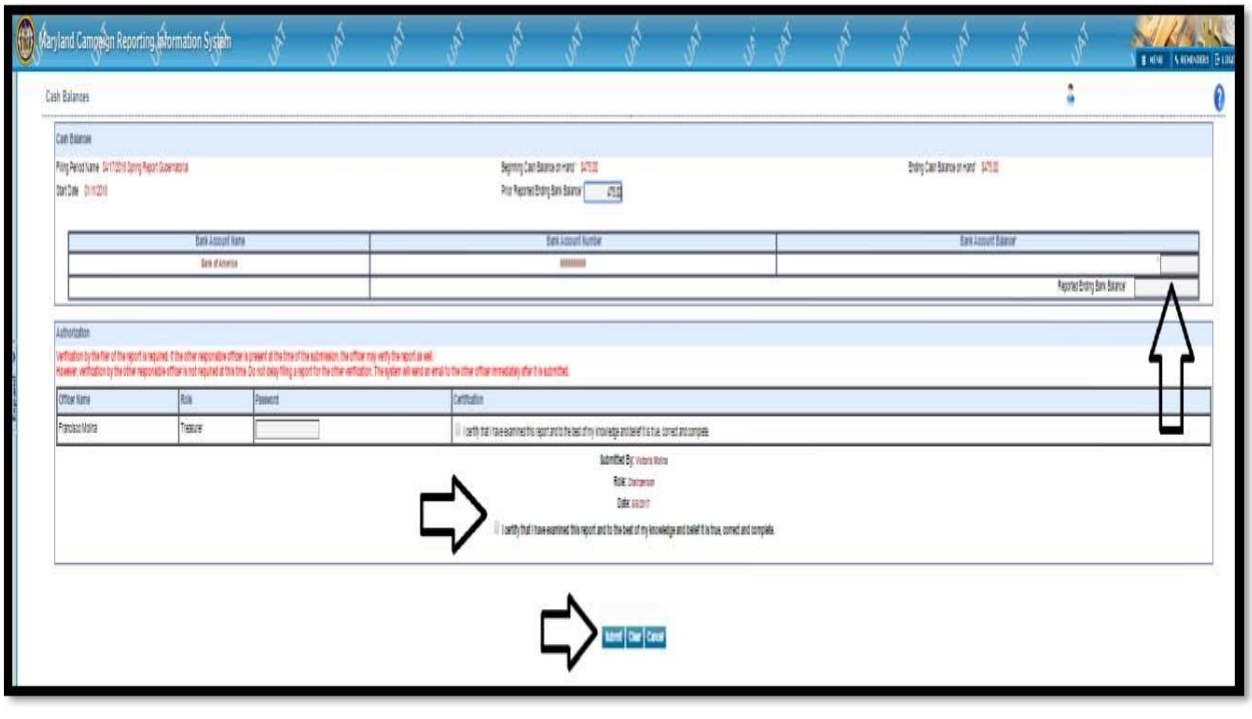
EXHIBIT 1

- Once the contributions and receipts are linked, select the **SELECT ALL** box or manually check each entry to be sent and select **FILE ALL TO STATE**.



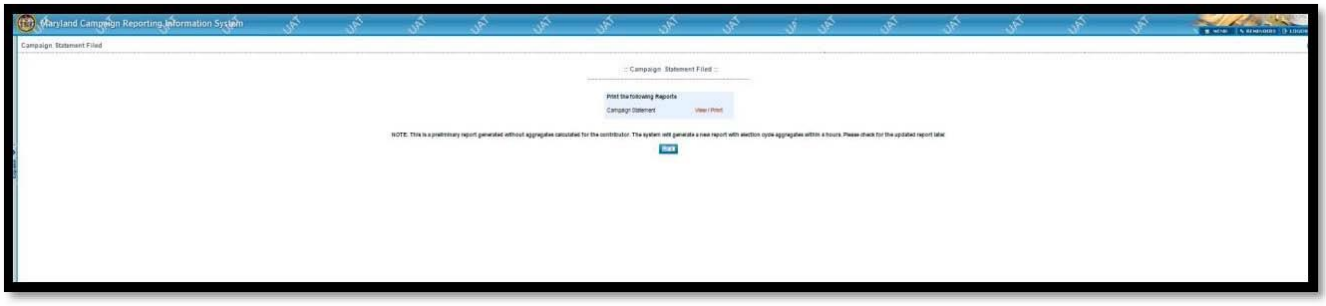
▪ The program will inquire if you want to submit for public funds. SELECT **OK** or **CANCEL**. If **OK**, the program will ask to certify your public funding request. SELECT **OK** or **CANCEL**.

▪ The Cash Balance Screen. This screen asks for your account balance. The amount entered must match the balance in MDCRIS. If the balances do not match, start by adding to the committee's balance any uncashed but reported checks. A good practice is to balance the MDCRIS account like a checking account.



▪ If the treasurer's password is not available, skip over verification of treasurer. DO NOT check the box that states that the treasurer has verified the entry. In addition, the password box must be empty. If it is empty,

there will be no dots inside the box.



- Check bottom of screen that states the information is certified and select **SUBMIT**.
- Screen will then state that the report is transmitting.
- Once the report is finished transmitting the program will ask to view or print.

NOTE: IF THIS IS YOUR FINAL REPORT, PLEASE SELECT FILE CLOSEOUT REPORT. AS A REMINDER, A CAMPAIGN ACCOUNT MUST HAVE A $0.00 BALANCE TO PROCEED WITH FINAL REPORT

SECTION XXVII: REPORTING REQUIREMENTS

All Reports must be filed using the MDCRIS. This program can be accessed using any internet browser, logging in at www.campaignfinance.maryland.gov. Reports for your committee can be filed up to 11:59 p.m. on your filing date deadline. Once your report has been submitted through MDCRIS, an email will be sent acknowledging your submission. Please see the Maryland State Board of Elections website for their mandatory reporting schedule.

NOTE: THE BEGINNING TRANSACTION DATE FOR ALL REPORTS IS THE DAY AFTER THE ENDING TRANSACTION DATE OF THE PRIOR REPORT. THIS INCLUDES FILING ANY OPTIONAL CITIZENS' ELECTION FUND REPORTS. IF THE COMMITTEE IS NEW, THE BEGINNING TRANSACTION DATE IS THE DATE THE COMMITTEE WAS FORMED.

SECTION XXVIII: CITIZENS' ELECTION FUND REPORTS

A public financing committee may file additional reports requesting public funds. These optional reports can only be filed on the first and third Tuesday of February, March and July for the primary election and of September and November for the general election after the distribution period has begun.

Again, to receive publicly matched funding, the public financing committee must provide to the State Board a campaign finance report that includes:

- each qualifying contribution received;
- each expenditure made by the candidate;
- all receipts associated with each contribution and expenditure.

SECTION XXIX: DISTRIBUTIONS OF PUBLIC FUNDS

After a review of the submission by the State Board, the Director of Finance for Howard County is then notified to deposit the authorized matching publicly funded campaign contribution into the certified candidate's publicly funded campaign account. Such deposit shall be within three (3) business days after the State Board authorizes the public contribution.

The Board must determine the amount of a public contribution that each participating candidate is to receive, based on the amount reflected in the receipts as presented to the Board and the formula for the respective County elective office.

NOTE: A CANDIDATE WILL NOT RECEIVE MATCHING PUBLIC FUNDING MONEY FOR: 1) ANY IN-KIND SERVICES, PROPERTY, OR GOODS; AND 2) A CONTRIBUTION MADE BY THE CANDIDATE OR THE CANDIDATE'S SPOUSE.

The Director must process all authorized public contributions by the due date and in the order they were received.

SECTION XXX: DISTRIBUTION OF FUNDS TIMING

A public financing committee may seek public funds during the distribution period, which begins 365 calendar days before the primary election and ends fifteen (15) calendar days after the date of either the primary or the general election in which the candidate is participating.

SECTION XXXI: MAXIMUM PUBLIC CONTRIBUTIONS

The maximum public contribution from the Fund to a certified candidate is calculated separately for the primary election and for the general election.

A candidate who wins the nomination after receiving County matching funds up to the maximum during the primary, may continue to receive matching funds from the County up to the maximum amount during a contested general election for additional qualifying contributions received.

SECTION XXXII: EXCEEDING PUBLIC CONTRIBUTIONS LIMIT

The Director must not approve a distribution of a public contribution from the Fund to a participating candidate that would exceed the aggregate public contribution limit for either a primary or general election for that County elective office.

In the event that a public contribution exceeded the public contribution limit for the County elective office, the Board must notify the participating candidate within five business days from the date of that determination in writing, and the participating candidate must repay the Fund within five business days from the date of receipt of the letter.

If, the amount is not repaid to the Fund within five business days, the interest charges (prime interest rate) will accrue.

SECTION XXXIII: DISTRIBUTION PERIOD CLOSED

The Board, upon notification from the Director that certain authorized public contributions have not and will not be remitted to the public campaign funds and that the distribution period is closed, must notify the participating candidate(s) within ten business days from the date of notification from the Director in writing.

SECTION XXXIV: PRIMARY ELECTION RESULTS
Within 30 calendar days after the County Board certifies the results of the primary election, a participating candidate who is not certified to be on the ballot for the general election must return any unspent money in the candidate's publicly funded campaign account to the Fund.

SECTION XXXV: WITHDRAWAL
In the event that a candidate chooses to opt out of the Citizens' Election Fund Program, the candidate must file a statement of withdrawal with the Board of Elections and the Commission. *See* form provided in Section: *Provided Documents*.
Additionally, the following criteria will apply with regard to any public contribution:

- A candidate may opt out of the Citizens' Election Fund Program at any time before the Citizens' Election Fund contribution is received by the candidate's publicly funded campaign account.
- If a candidate receives any distributions from the Citizens' Election Fund and later withdraws from the Program, for whatever reason, the candidate must return all Citizens' Election Fund contribution amounts, including interest within 10 business days. Interest is to be computed using the prime lending rate (published by the Federal Reserve Board as of January 1 in the year in which the distribution is repaid) to the Citizens' Election Fund.
    - A candidate who withdraws shall repay the fund before repaying any personal loans to the candidate's campaign.

SECTION XXXVI: PUBLIC FUNDING ACCOUNT INFORMATION
On or before July 1 of the year preceding the primary election, the Director must determine if the amount in the Fund is sufficient to meet the maximum public contributions reasonably expected to be required during the next election cycle. If the Director determines that the total amount available for distribution in the Fund is insufficient to meet the allocations required by this section, the Director must reduce each public contribution to a certified candidate by the same percentage of the total public contribution.

SECTION XXXVII: INSUFFICIENT FUNDS IN THE FUND
If the Director determines that there are insufficient funds in the Fund for the full distribution authorized by the Board, the Director shall reduce each public contribution by the same percentage.

SECTION XXXVIII: ZERO ACCOUNT BALANCE OF PUBLIC FUNDING ACCOUNT
If the Director determined that the Fund has a zero balance, the Director must notify the County Executive, County Council Chair, and Board within five business days from the date of that determination. If the Board has determined that the public contribution limits for the respective County elective offices have not been reached, the Board may continue to authorize public contributions and notify the Director, and the Director must hold these authorized public contribution notifications until such time that the Fund has a balance greater than zero. At such time, the Director must process authorized public contributions in the following order:

- Previously authorized public contributions that were not paid due to insufficient funds.
- Any authorized public contributions that were held must be processed by date and in the order of the earliest date first to the latest date and based on the date they were authorized by the Board.

All requests for matching funds will be distributed in the same order in which the requests were received until all requests have been satisfied or funds have been exhausted.

If the Director determined that the Fund has a zero balance on the day after the end of the Distribution period, but holds authorized public contributions that were not processed due to insufficient funds, the Director must notify the Board detailing the amounts not paid by date authorized and by candidate.

SECTION XXXIX: CONTESTED ELECTIONS

Public Campaign Financing is only available to candidates participating in contested elections. A "contested election" is defined as an election in which there are more candidates for an office than the number who can be elected to that office.

An election does not have to be contested in both the primary and the general election in order to be a "contested election." The primary and general elections are separate elections and the determination of whether an election is contested is made independently for each election. An election is contested if there are more candidates for the office than the number who can be elected to that office. For example, if there are two Democrats and one Republican running for a single County Council seat in the primary, the Democratic primary election is contested, but the Republican primary is not contested.

The Director must be notified by the Board within five business days from the date that the Board determines that a participating candidate is no longer in a contested election. If a participating candidate is no longer in a contested election, no further distributions to the participating candidate from the Fund can be made.

SECTION XL: ALLOWABLE USES OF MONEY

The allowable uses of money in a publicly funded campaign account are limited to expenses directly related to election campaign activities and expenses incurred during the specific time period for either the primary or general election. Additionally, all goods and services that are received once a candidate has filed their intent to participate in the Program must be paid for out of the candidate's publicly funded campaign account.

SECTION XLI: PURCHASING MATERIALS PRIOR TO FILING NOTICE OF INTENT

Assets that the candidate has paid for and received prior to filing their notice of intent to participate in the Program can be used but only in a limited capacity. Otherwise, pre-purchasing by a non-public financing committee for campaign materials or items is prohibited.

- Example 1: On March 1, 2021, Candidate A contracts with a bus manufacturer to build a custom campaign bus and pays $100,000 in full for the bus to be built and delivered on July 1, 2021. On April 1, 2021, Candidate A files a notice of intent to participate in the Citizens' Election Fund with the State Board. On July 1, 2021, upon receipt of the pre-paid campaign bus, Candidate A would be in violation of the Citizens' Election Fund regulations which prohibit the advanced purchase of goods and services with ineligible contributions received outside of the Program.

- Example 2: On March 1, 2021, Candidate B contracts with a web developer to create a campaign website for the cost of $10,000 and pays in full at the time. On March 21, 2021, the website is completed with an ongoing monthly fee of $99, which began on March 21, 2021. On April 21, 2021, Candidate B files their notice of intent to participate in the Citizens' Election Fund with the State Board. Upon filing this notice of intent, Candidate

B now pays the monthly website fee of $99 from the candidate's publicly funded campaign account. This is considered to be an allowable expense. The candidate does not have pay for a new campaign website.

SECTION XLII: PROHIBITED USES OF MONEY

Prohibited uses of money in a publicly funded campaign account include personal use or expenses relating to holding office, payment of a personal endorsement, and the payment of late filing fees.

The candidate must not pay for any campaign expenses after filing a notice of intent with the Board to seek public funding with any campaign finance account other than the candidate's publicly funded campaign account.

Expenses incurred prior to the time that the applicant candidate was certified by the Board are not permissible and therefore are not allowable uses of public funds.

SECTION XLIII: TRANSFERS

- A public financing committee may not make transfers to any candidate, political party, or political action committee.
- A political committee may not make a transfer into a candidate's publicly funded campaign account.

SECTION XLIV: COMPLAINTS AGAINST USE OF PUBLIC FUNDING

All complaints regarding uses of public campaign funding should be filed with the Commission in accordance to Howard County Code §10.307(b).

SECTION XLV: MEMBERSHIP OF SLATE

A participating candidate may not be a member of a slate.

SECTION XLVI: CONTRIBUTION SURPLUS

All unspent funds remaining in the certified candidate's public financing campaign account must be returned to the Citizens' Election Fund at the end of the candidate's contested campaign. For candidates who win a contested primary election and continue on to a contested general election, they may retain the unspent funds and continue to receive eligible contributions up to the general election for the covered office for which they are a certified candidate.

On or before December 31 after the general election, a participating candidate must return to the Fund any unspent money in the candidate's Citizen Funded Campaign account.

SECTION XLVII: AUTHORITY LINES

Generally, each item of campaign material must include an authority line, set apart from the other printing or content of the campaign material. The authority line must state name and address (unless the address is on file with the State Board) of the person who is responsible for the production and distribution of the campaign material.

Campaign material includes signs, buttons, letters, tickets, solicitations, radio and television advertisements, websites, social media accounts, bumpers stickers and paraphernalia such as pencils, hats and t-shirts.

The authority line for a public financing committee must contain:
- The name of the Treasurer; and
- The name of the campaign finance entity.

Example of authority line for a committee
Committee to Elect Mary Smith, John Jones, Treasurer

If the material is too small to permit the inclusion of all required information in a legible manner, the material need only contain the name and title of the treasurer.
The Office of the Attorney General has stated that almost no material is too small to permit inclusion of the complete authority line. Accordingly, every effort should be made to include the entire authority line.

Mailings
If there is more than one piece or item bearing the candidate's name in a mailing (for example, a brochure, a cover letter, a bumper sticker, a reproduction of a newspaper article), each piece must bear the authority line. An envelope that does not include the name of the candidate, the name of the campaign finance entity, or a campaign slogan is not required to contain an authority line.

Campaign Material on Electronic Media
Webpages and Social Media accounts:
Candidates and political committees that have a web page or social media account must place an authority line on the home or landing page of the website or social media account. An authority line is not required after each post or tweet. However, since each post or tweet is considered campaign material, the political committee is required to retain a copy of posts and tweets for at least one year.

Electronic Media Advertisement:
Electronic media advertisement by a political committee is required to have an authority line. If the electronic media advertisement is too small for an authority line then:
- The ad must allow the viewer to click on the ad and take the viewer to a home or landing page that displays the authority line; or
- Register the ad with the State Board.

Examples of electronic advertisement ads deemed too small:
- A paid text advertisement that is 200 characters or less in length
- A micro bar; or
- A button ad.

Copies of Campaign Material
Each political committee is responsible for publishing and distributing an item of campaign material and is required to keep a sample copy of the item for at least one year after the general election following the date when the item was published or distributed. For each item of campaign material disseminated through the internet, the sample copy may be either a paper facsimile copy or an electronic copy that can be produced as a paper facsimile upon request. These requirements do not apply to a billboard or a sign distributed by a political committee.

ADDITIONAL RESOURCES

Howard County Council Legislative Branch -
https://cc.howardcountymd.gov/About-Us

Maryland Code: Election Law article
https://advance.lexis.com/container?config=00JAA1NTM5MzBmZC02MTg2LTQzNmEtYmI5Yy0yZWEwYzA1OGEwNTYKAFBvZENhdGFsb2fdgr2eooaZj7MpSZGOIwWq&crid=b40ee67b-8d0d-47b8-b5f9-df6c42cb31de

Maryland State Board of Elections -
https://elections.maryland.gov/campaign_finance/index.html

Maryland Campaign Reporting System
www.campaignfinance.maryland.gov

Howard County Maryland Government; Department of Finance -
https://www.howardcountymd.gov/Departments/Finance/Citizens-Election-Fund

Council Bill 30-17: Citizens' Election Fund Established
https://elections.maryland.gov/campaign_finance/documents/CB30-2017final.pdf

Howard County Executive Regulation 12-15: Citizens' Election Fund
https://www.howardcountymd.gov/LinkClick.aspx?fileticket=1SX9DPJnH1M%3d&tabid=2875&portalid=0

Citizens' Election Fund Program: Frequently Asked Questions
https://www.howardcountymd.gov/LinkClick.aspx?fileticket=ntz3ear_Y1o%3d&tabid=2875&portalid=0
Note: The FAQs are a supplement to this Summary Guide, please be sure to check often for updates.

County Code: Citizens' Election Fund
https://library.municode.com/md/howard_county/codes/code_of_ordinances?nodeId=HOCOCO_TIT10ELELDI_SUBTITLE_3CIELFU

Maryland Campaign Reporting Information System Help Desk
www.elections.state.md.us
Email: info.sbe@maryland.gov
Phone: 410-269-2880
Fax: 410-974-2019
Business Hours: 8:00AM - 5:00 PM, M – F

Under penalty of perjury, the undersigned candidate for elective office in Howard County and the responsible officers for the publicly funded campaign account, intend to qualify for public contributions from the Citizens' Election Fund. We understand that the publicly funded campaign account is subject to the contribution limitations and expenditure restrictions set forth in §13-505 of Election Law Article of the Annotated Code of Maryland, COMAR Title 33, Subtitle 13, Chapter 14, and Howard County Code §§10.300-10.311.

State of Maryland

Notice of Intent to Qualify for Public Contributions – Howard County

The candidate and responsible officers agree to raise qualifying and eligible contributions and expend public contributions only out of the publicly funded campaign account designated below. All other political committees affiliated with the candidate must not receive any public contributions and must cease campaign finance activities. Any violation of the Howard County Citizens Election Fund law is a Class A civil violation. Additionally, the candidate and responsible officers may be subject to penalties in §§13-603 and 13-604 of Election Law Article of the Annotated Code of Maryland.

Date: _____

Information on Candidate:

_____
Name

_____
Signature of Candidate

_____
Residential Address

Publicly Funded Campaign Account Information:

_____
Name and number of the Publicly Funded Campaign Account

_____ _____
Bank Account Number **Name of Bank**

_____ _____
Treasurer **Chairman**

_____ _____
Signature of Treasurer **Signature of Chairman**

_____ _____
Residential Address of Treasurer **Residential Address of Chairman**

Contact Person: Jared DeMarinis, Director, Candidacy and Campaign Finance

Maryland State Board of Elections
Division of Candidacy and Campaign Finance
P.O. Box 6486 · 151 West Street, Suite 200 · Annapolis, MD 21401-0486
410-269-2880 · 800-222-8683 · MD Relay 800-735-2258
www.elections.state.md.us

SAMPLE

CONTRIBUTION CARD
(The contributor should complete and review the card in its entirety.)

Committee Name
Contribution Type ☐ Check ☐ Cash ☐ Money Order ☐ Credit Card
Amount $_____
Contributor Name _____
Home Address _____
City/State/Zip _____
County of Residence: _____
Optional: Tel. _____ Email _____
Account Holder _____ Card Type _____
Account Number _____ Expiration Date _____

I understand that State law and County regulations requires that a contribution be in my name and be from my own funds. I hereby affirm that this contribution is being made from my personal funds, is not being reimbursed in any manner, and is not being made as a loan; in addition, in the case of a credit card contribution, I also hereby affirm that this contribution is being made from my personal credit card account, billed to and paid by me for my personal use, and has no corporate or business affiliation.

_____ _____
Contributor's Signature Date of Contribution

SAMPLE

IN-KIND CONTRIBUTION FORM

(Committee Name)

Name: _____
Address: _____
City/State/Zip: _____
County of Residence: _____
Signature: _____
Date:_____

☐ Services/Facilities Provided Fair Market Value of Contribution: $_____
☐ Property Given Date Received: _____/_____/_____
☐ Expenses Paid Documentation Attached: ☐ Yes ☐ No

_____
_____
_____
_____
_____
_____
_____

The campaign committee must explain and keep documentation showing how the fair market value of the in-kind contribution was determined. Attach supporting documentation to this form. This form and documentation will be requested during the election cycle and as part of your post-election audit.

State of Maryland

Notice of Withdrawal from the Citizens' Election Fund – Howard County

Under penalty of perjury, the undersigned candidate for elective office in Howard County and the responsible officers for the publicly funded campaign account, intend to withdraw from the Citizens' Election Fund program. We understand that the withdrawal means that the publicly funded campaign account must return with interest all Citizens' Election Fund contributions within 10 business days. Any violation of the Howard County Code, Title 10, Subtitle 3 Citizens' Election Fund is a Class A civil violation. Additionally, the candidate and responsible officers may be subject to penalties in §§13-603 and 13-604 of Election Law Article of the Annotated Code of Maryland.

This form must be submitted to the Howard County Citizens' Election Fund Commission at citizenselectionfund@howardcountymd.gov and the Maryland State Board of Elections.

Date: _____

Information on Candidate:

_____
Name

_____
Signature of Candidate

_____
Residential Address

Publicly Funded Campaign Account Information:

_____
Name and number of the Publicly Funded Campaign Account

_____ _____
Bank Account Number Name of Bank

_____ _____
Treasurer Chairman

_____ _____
Signature of Treasurer Signature of Chairman

_____ _____
Residential Address of Treasurer Residential Address of Chairman

Contact Person: Jared DeMarinis, Director, Candidacy and Campaign Finance

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www.elections.state.md.us

EXHIBIT A - 2022 ELECTION CYCLE

365 Days Before the Election (June)	Last Tuesday in February Before Primary Election	45 Days Before the Primary Election	Primary Election (June)	General Election (November)	5 Days After the General Election	15 Days After the General Election
6/28/2021	2/22/2022	5/14/2022	6/28/2022	11/8/2022	11/13/2022	11/23/2022

Distribution Period

Notifcation Period

Qualifying Period

Receipt submission period for Primary Election

Receipt submission period for General Election

File Notice of Intent with Board

File Certificate of Candidacy