



**ANNE ARUNDEL COUNTY
OFFICE OF THE COUNTY AUDITOR**

To: Councilmembers, Anne Arundel County Council
From: Michelle Bohlayer, County Auditor
Date: May 10, 2023
Subject: Auditor's Review of Legislation for the May 15, 2023 Council Meeting

**Bill 19-23:
Public Safety – Ban the
Bag Act of Anne Arundel
County (As Amended)**

Summary of Legislation

This bill prohibits the retail distribution of plastic bags in Anne Arundel County, defines certain terms, establishes the duties of certain retail establishments, makes a violation a Class C civil offense, provides for the enforcement of the prohibition on plastic bags, and provides for a delayed effective date.

We commented on this bill in our letters dated March 29, 2023, April 12, 2023, and April 27, 2023. At the May 1, 2023 Council meeting, this bill was amended to extend the deadline by which a retail establishment may provide paper and reusable carryout bags at no cost from November 1, 2023 to February 1, 2024 and delay the effective date of the bill from October 1, 2023 to January 1, 2024. This bill was also amended to exclude from the definition of plastic carry out bag a bag used to contain, package, or wrap cigars or loose tobacco. This bill was also amended to change the short title of the bill to “Bring Your Own Bag Plastic Reduction Act.” We have no further comments on this bill.

**Bill 25-23:
General Provisions –
Public Campaign
Financing**

Summary of Legislation

This bill establishes a public campaign financing system to include the following provisions:

- Establishes the Public Campaign Financing Fund (Fund) for County elected offices that is administered by the Controller;
 - Allows candidates to choose whether to participate in the system and establishes requirements for participation;
 - Establishes a Public Campaign Financing System Commission (Commission) consisting of seven County residents appointed by the County Council and two County residents appointed by the County Executive;
 - Provides for the qualifications, terms, and members of the Commission; and
 - Requires the Commission to calculate, not later than 180 days prior to fiscal year end, the total amount estimated for the full
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election cycle and the amount to be included in the current expense budget for the next fiscal year to fully fund the system.

The bill provides that each fiscal year the County Executive will include in the proposed budget the amount calculated by the Commission as necessary to fully fund the system for the fiscal year.

Review of Fiscal Impact

This bill will have a fiscal impact. Per the Maryland State Board of Elections, to date Baltimore City and Howard, Montgomery, and Prince George's Counties have approved public campaign financing systems but currently only Howard and Montgomery County have operational programs. Montgomery County appropriated over \$14 million for public campaign financing during the fiscal year 2016 – 2022 period and distributed \$3.5 million to 20 candidates for the 2022 primary election. Howard County appropriated \$1.25 million during the fiscal year 2021 – 2022 period for public campaign financing.

Per the Administration's fiscal note, if candidates in Anne Arundel County's 2022 primary and general election had utilized the campaign finance system proposed in the bill, the cost is estimated to have ranged from \$2 million to \$8.4 million, depending on participation.

The proposed fiscal year 2024 budget does not provide funding to implement this bill.

The Administration does not expect a change in workload from this bill, however, the bill establishes new requirements that may result in an increase in staff workload depending upon the participation. These requirements include managing the new Commission, developing reports, conducting program education and outreach, and managing the new Fund. Montgomery County has one full-time position dedicated to coordinating information about its public campaign finance program.
