

# **Bond Case Briefs**

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## **ELECTIONS - MARYLAND**

### **Montgomery County v. Fraternal Order of Police**

**Court of Special Appeals of Maryland - April 3, 2015 - A.3d - 2015 WL 1508677**

Fraternal order of police officers brought declaratory judgment action against county and individual county employees, alleging county improperly used county funds to campaign for passage of local ballot question. The Circuit Court entered judgment in favor of association. County appealed.

The Court of Special Appeals held that:

- County's political activity in support of ballot referendum was non-partisan, permissible government speech;
- A charter county's traditional authority to budget and appropriate money necessarily includes the authority to spend that money to advance a non-partisan governmental purpose;
- State campaign finance laws requiring that campaign finance activity, including activity regarding a ballot issue, be conducted through a duly-registered political committee, do not apply to campaign finance activity of local governments; and
- County executive and director of county's office of public information did not become a political committee, as would be required to adhere to campaign finance and reporting laws, by using county funds to support a county campaign in support of ballot referendum.