
By: **Senator Stone (Chairman, Ethics and Election Law Subcommittee)**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 5, 2003

CHAPTER 22

1 AN ACT concerning

2 **Election Law - Parties Using an Open Primary - Notice to State Board**

3 FOR the purpose of requiring a political party that chooses to permit voters not
4 affiliated with the party to vote in the party's primary election to provide certain
5 notice to the State Board of Elections.

6 BY repealing and reenacting, with amendments,

7 Article - Election Law

8 Section 8-202

9 Annotated Code of Maryland

10 (2003 Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article - Election Law**

14 8-202.

15 (a) A principal political party, as determined by the statement of registration
16 issued by the State Board under § 3-509(b) of this article:

17 (1) shall use the primary election to:

18 (i) nominate its candidates for public office; and

19 (ii) elect all members of the local central committees of the political
20 party; and

1 (2) may use the primary election in the year of a presidential election to
2 elect delegates to a national presidential nominating convention.

3 (b) Except for a nominee for President or Vice President, the name of a
4 nominee of a principal political party may not appear on the ballot in a general
5 election if the individual has not:

6 (1) been nominated in the primary election; or

7 (2) been designated to fill a vacancy in nomination in accordance with
8 Subtitle 5 of this title.

9 (C) IF A POLITICAL PARTY CHOOSES TO PERMIT VOTERS NOT AFFILIATED
10 WITH THE PARTY TO VOTE IN THE PARTY'S PRIMARY ELECTION, THE CHAIRMAN OF
11 THE PARTY'S STATE CENTRAL COMMITTEE SHALL SO NOTIFY THE STATE BOARD AT
12 LEAST 6 MONTHS BEFORE THE DATE OF THE PRIMARY ELECTION.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2003.