5lr2627CF SB 204

By: Delegate Turner

Introduced and read first time: February 6, 2015

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

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Election Law - Primary Election Dates in the Presidential Election Year

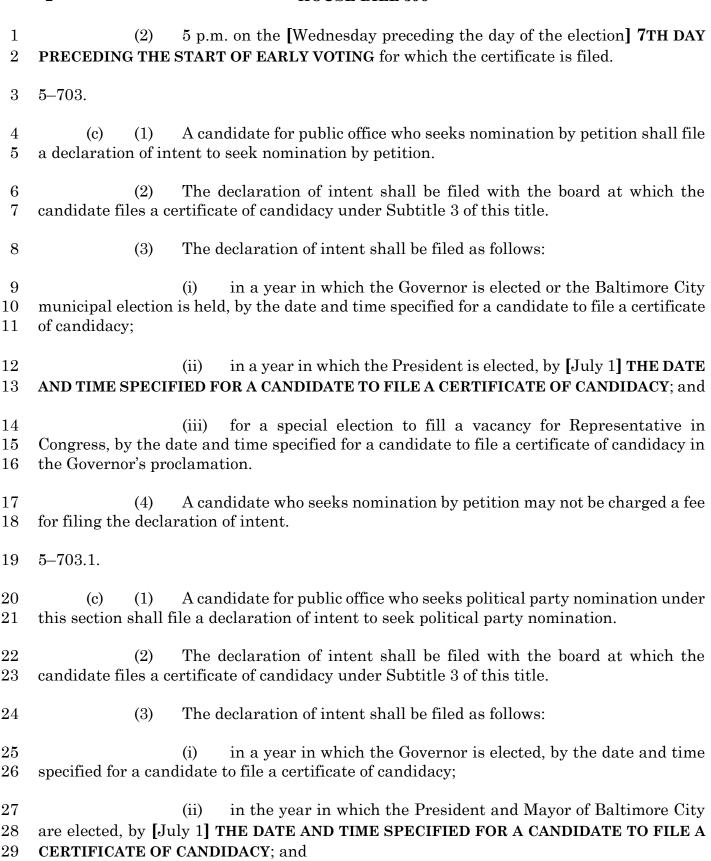
- 3 FOR the purpose of altering the date of the statewide primary election in the year in which the President of the United States is elected; altering the date of the primary election 4 5 for municipal offices in Baltimore City in the year in which the President of the 6 United States is elected; making certain conforming changes; clarifying certain 7 provisions of law concerning the filling of certain vacancies in nomination; repealing 8 an obsolete provision of law concerning the printing of certain ballots; and generally 9 relating to primary election dates in the presidential election year and the nomination of candidates. 10
- 11 BY repealing and reenacting, with amendments,
- 12 Article Election Law
- 13 Section 5–303(c), 5–703(c), 5–703.1(c), 5–801(b), 5–1002(b), 5–1003(b), 5–1004(b),
- 6-210(e), 8-201, 8-502(c), 9-207(a), 9-215(a), and 13-309(a)
- 15 Annotated Code of Maryland
- 16 (2010 Replacement Volume and 2014 Supplement)
- 17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 18 That the Laws of Maryland read as follows:
- 19 Article Election Law
- 20 5–303.
- 21 (c) The certificate of candidacy for the election of a write—in candidate shall be 22 filed by the earlier of:
- 23 (1) 7 days after a total expenditure of at least \$51 is made to promote the 24 candidacy by a campaign finance entity of the candidate; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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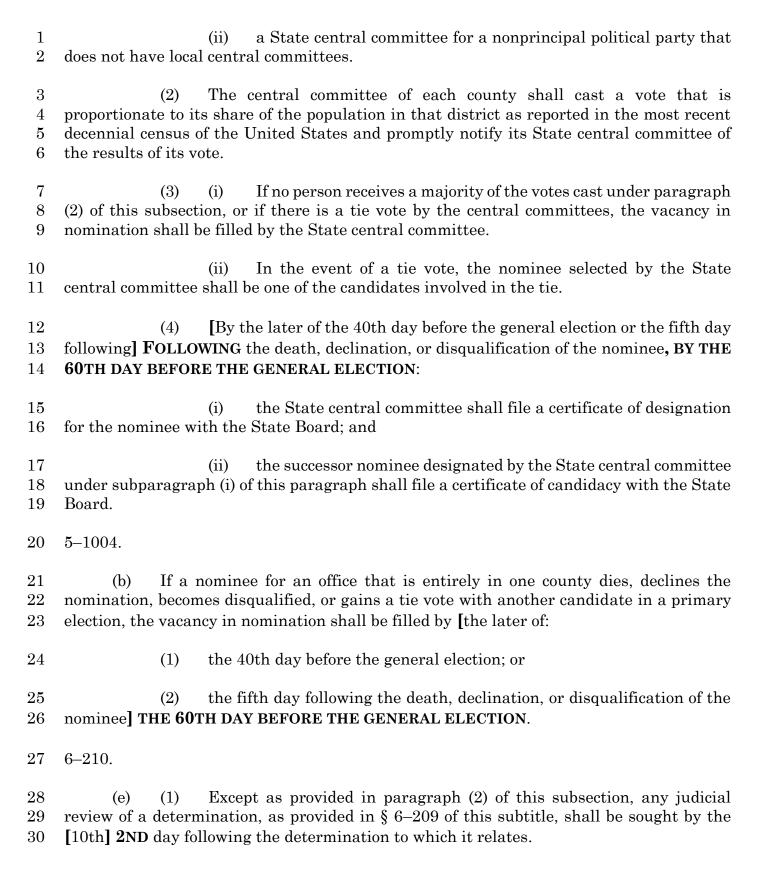
(iii) for a special election to fill a vacancy:

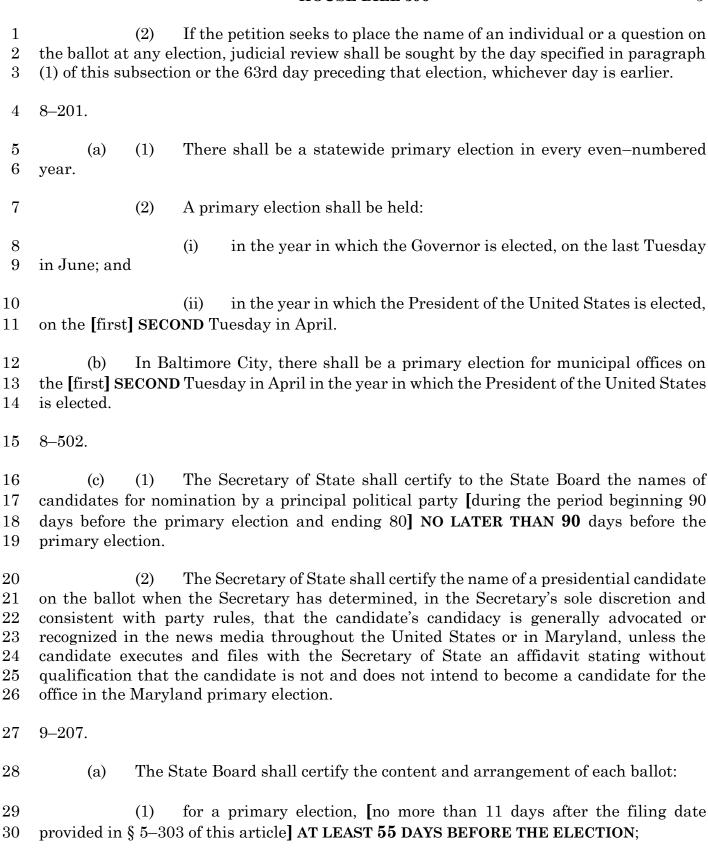
- 1 1. for Representative in Congress, by the date and time 2 specified in the Governor's proclamation for a candidate to file a certificate of candidacy; or 3 2.for a local public office, by the date and time specified in the county proclamation for a candidate to file a certificate of candidacy. 4 5 A candidate who seeks nomination by political party may not be charged a fee for filing the declaration of intent. 6 7 5-801. 8 (b) The certificate of declination shall be under oath and filed: 9 with the board at which the certificate of candidacy was filed; and (1) 10 in the year of a gubernatorial election [or the year of an election (2)(i) for the Mayor of the City of Baltimore], within 2 days after the election results are certified; 11 12 13 in the year of a presidential election, by the 70th day preceding (ii) the general election. 14 15 5-1002.16 (1)A vacancy in nomination that occurs because a nominee dies, declines 17 the nomination, or is disqualified for any cause shall be filled by the State central 18 committee of the political party to which the nominee belongs BY THE 60TH DAY BEFORE 19 THE GENERAL ELECTION. 20 (2)By the later of the 40th day before the general election or the fifth day 21following the death, declination, or disqualification of the former nominee: 22[the] THE State central committee shall file a certificate of (i) 23 designation for the nominee with the State Board[; and]. 24[the] THE successor nominee designated by the State central 25committee under subparagraph (i) of this paragraph shall file a certificate of candidacy 26 with the State Board.
- 28 (b) (1) A vacancy in nomination under this section that occurs because the 29 nominee dies, withdraws the candidacy, or is disqualified for any reason shall be filled by:

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5-1003.

30 (i) a vote of the central committees of the political party in each of 31 the counties included in the district of that nominee; or





for a general election, at least 55 days before the election;

for a special primary election, at least 18 days before the election; and

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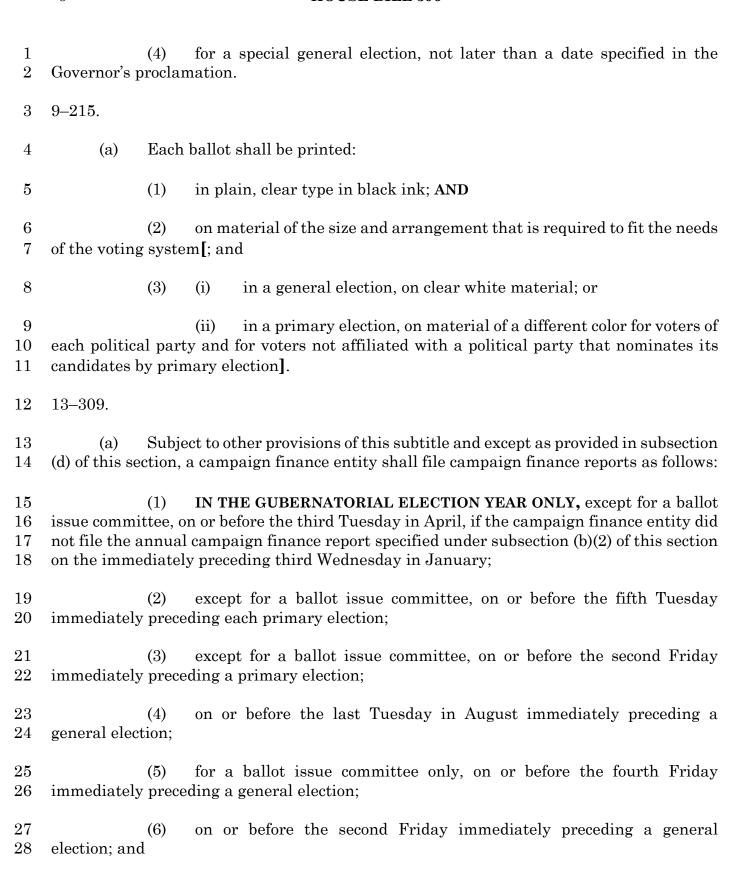
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(2)

(3)

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(7)



on or before the second Tuesday after a general election.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 2 October 1, 2015.