

Article - Election Law

[Previous][Next]

§5-904.

(a) This section does not apply if only one Governor and Lieutenant Governor unit files a certificate of candidacy for the nomination of a political party for those offices in a primary election.

(b) (1) If a candidate for Governor dies, withdraws the candidacy, or becomes disqualified for any reason after the deadline for filing a certificate of candidacy for a primary election under § 5-303 of this title, the remaining candidate for Lieutenant Governor of that unit may:

(i) designate the Lieutenant Governor candidate as the successor candidate for Governor and appoint a successor candidate for Lieutenant Governor; or

(ii) designate a successor candidate for Governor.

(2) The names of any Governor and Lieutenant Governor candidate unit that is designated under paragraph (1) of this subsection shall be listed jointly on the primary election ballot.

(c) (1) The successor candidate for Governor designated by the Lieutenant Governor candidate under subsection (b)(1)(ii) of this section, or the former candidate for Lieutenant Governor who subsequently is designated as the candidate for Governor together with the candidate appointed as the successor candidate for Lieutenant Governor under subsection (b)(1)(i) of this section, each shall file a certificate of candidacy with the State Board.

(2) The certificate of candidacy shall be filed:

(i) by the fifth day following the withdrawal deadline specified under § 5-502 of this title, if the former candidate for Governor files a certificate of withdrawal;

(ii) by the fifth day following the day of the death or disqualification of the former candidate for Governor, if that former candidate dies or is disqualified less than 45 days before the day of the primary election; or

(iii) not later than 40 days before the day of the primary election, if the former candidate for Governor dies or is disqualified 45 days or more before the day of the primary election.

(3) A certificate of candidacy may not be filed under subsection (c)(2)(ii) of this section less than 10 days before the day of the primary election.

(d) If the death or disqualification of a former candidate for Governor occurs less than 10 days before the day of the primary election, the existing Governor and

Lieutenant Governor unit whose filing is complete:

(1) shall remain on the ballot; and

(2) if nominated, a vacancy in the office of Governor shall be declared and filled under § 5-1005 of this title as if the death or disqualification had occurred after the primary election.

[Previous][Next]