

Article - Election Law

§1-101.

(a) In this article the following words have the meanings indicated unless a different meaning is clearly intended from the context.

(b) “Absentee ballot” means a ballot not used in a polling place.

(b-1) “Address confidentiality program” means:

(1) the Address Confidentiality Program for victims of domestic violence under Title 4, Subtitle 5, Part IV of the Family Law Article; or

(2) the Human Trafficking Address Confidentiality Program under Title 7, Subtitle 3 of the State Government Article.

(b-2) “Administrative policy affecting voting rights” means any action relating to voter registration, provisional voting, absentee voting, or the location of a polling place or early voting center.

(c) “Authorized candidate campaign committee” means a political committee established under Title 13 of this article and authorized by a candidate to promote the candidate’s candidacy.

(d) (1) “Ballot” or “official ballot” includes:

(i) an absentee ballot;

(ii) a provisional ballot;

(iii) a document ballot; or

(iv) a voting machine ballot.

(2) “Ballot” or “official ballot” does not include:

(i) a sample ballot; or

(ii) a specimen ballot.

(e) “Ballot face” means a single side of a sheet on which are printed some or all of the contests to be voted on by a voter.

(f) “Ballot issue committee” means a political committee that is formed to promote the success or defeat of a question or prospective question to be submitted to a vote at an election.

(g) “Ballot style” means a unique aggregation of contests that make up the ballot for a particular group of voters identified by common characteristics of residence location, party affiliation, or both.

(h) “Campaign finance entity” means a political committee established under Title 13 of this article.

(i) “Campaign finance report” means a report, statement, affidavit, or other document that is:

(1) authorized or required under this article;

(2) related to the campaign finance activities of a campaign finance entity or to expenses associated with a legislative newsletter; and

(3) filed or submitted on a form prescribed by the State Board under this article.

(j) “Campaign manager” means a person designated by a candidate, or the candidate’s representative, to exercise general overall responsibility for the conduct of the candidate’s political campaign.

(k) (1) “Campaign material” means any material that:

(i) contains text, graphics, or other images;

(ii) relates to a candidate, a prospective candidate, or the approval or rejection of a question or prospective question; and

(iii) is published, distributed, or disseminated.

(2) “Campaign material” includes:

(i) a qualifying paid digital communication;

(ii) any other material transmitted by or appearing on the Internet or other electronic medium; and

(iii) an oral commercial campaign advertisement.

(l) (1) “Candidate” means an individual who files a certificate of candidacy for a public or party office.

(2) “Candidate” includes:

(i) an incumbent judge of the Court of Appeals or Court of Special Appeals at an election for continuance in office; and

(ii) an individual, prior to that individual filing a certificate of candidacy, if a campaign finance entity has been established on behalf of that individual.

(l-1) (1) “Central committee” means a political committee for a political party established under Title 4 of this article.

(2) “Central committee” includes a political committee for a political party that engages in campaign finance activity that is subject to Title 13 of this article.

(m) (1) “Contest” means:

(i) the aggregate of candidates who run against each other or among themselves for nomination for, or election to, an office or multiple offices of the same category; or

(ii) the positive and negative voting options for a question submitted to the voters.

(2) “Contest” includes, in a general election for an office, the write-in option.

(n) “Continuing political committee” means a political committee that is permitted to continue in existence from year to year.

(o) (1) “Contribution” means the gift or transfer, or promise of gift or transfer, of money or other thing of value to a campaign finance entity to promote or assist in the promotion of the success or defeat of a candidate, political party, question, or prospective question.

(2) “Contribution” includes:

(i) proceeds from the sale of tickets to a campaign fund-raising event; and

(ii) a coordinated expenditure as defined in § 13–249 of this article.

(3) “Contribution” does not include the costs associated with the establishment, administration, or solicitation of voluntary contributions to a political action committee established by a corporation, limited liability company, general partnership, limited partnership, membership organization, trade association, cooperative, or corporation without capital stock as long as the political action committee only solicits contributions from employees of the organization that established the political action committee, or members of the organization that established the political action committee, and the employees or members are participating in a payroll deduction program established by the employer of the employee or member.

(p) “County” means a county of the State or Baltimore City.

(q) “Disabled” means having a temporary or permanent physical disability.

(r) (1) “Distributor” means a person engaged for profit in the distribution of campaign material by hand delivery or direct mail.

(2) “Distributor” does not include salaried employees, agents, or volunteers of the person.

(s) (1) “Document ballot” means a ballot used with a voting system in which the voter individually is issued a ballot on which to indicate one or more votes.

(2) “Document ballot” includes:

(i) a machine–read ballot, such as an optically scanned ballot;
and

(ii) a hand–counted paper ballot.

(t) “Driver’s license” includes an identification card issued by the Motor Vehicle Administration.

(u) “Elderly” means 65 years of age or older.

(v) (1) “Election” means the process by which voters cast votes on one or more contests under the laws of this State or the United States.

(2) “Election” includes, unless otherwise specifically provided in this article, all general elections, primary elections, and special elections.

(3) “Election” does not include, unless otherwise specifically provided in this article, a municipal election other than in Baltimore City.

(w) “Election cycle” means the period that begins on the January 1 that follows a gubernatorial election and continues until the December 31 that is 4 years later.

(x) “Election register” means the list of voters eligible to vote:

(1) in a precinct on election day; or

(2) in a county early voting center during early voting.

(y) “Electronic signature” means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

(z) “Electronic storage format” means a computer disk or other information storage and retrieval medium approved by the State Board.

(aa) “Expenditure” means a gift, transfer, disbursement, or promise of money or a thing of value by or on behalf of a campaign finance entity to:

(1) promote or assist in the promotion of the success or defeat of a candidate, political party, question, or prospective question at an election; or

(2) pay for the publication expense of a legislative newsletter under Title 13, Subtitle 4 of this article.

(bb) (1) “Independent expenditure” means a gift, transfer, disbursement, or promise of money or a thing of value by a person expressly advocating the success or defeat of a clearly identified candidate or ballot issue if the gift, transfer, disbursement, or promise of money or a thing of value is not made in coordination, cooperation, consultation, understanding, agreement, or concert with, or at the request or suggestion of, a candidate, a campaign finance entity of a candidate, an agent of a candidate, or a ballot issue committee.

(2) For purposes of this subsection, “clearly identified” means:

(i) the name of the candidate appears;

(ii) a photograph or drawing of the candidate appears; or

(iii) the identity of the candidate or ballot issue is apparent by unambiguous reference.

(bb-1) “Legislative party caucus committee” means a political committee that is established to promote the election of candidates of a single political party to one of the two Houses of the General Assembly.

(cc) “Local board” means a county board of elections.

(dd) “Majority party” means the political party to which the incumbent Governor belongs, if the incumbent Governor is a member of a principal political party. If the incumbent Governor is not a member of one of the two principal political parties, “majority party” means the principal political party whose candidate for Governor received the highest number of votes of any party candidate at the last preceding general election.

(dd-1) “Online platform” means any public-facing website, web application, or digital application, including a social network, ad network, or search engine, that:

(1) has 100,000 or more unique monthly United States visitors or users for a majority of months during the immediately preceding 12 months; and

(2) receives payment for qualifying paid digital communications.

(ee) “Partisan organization” means a combination of two or more individuals formed for the purpose of organizing a new political party.

(ff) “Political action committee” means a political committee that is not:

(1) a political party;

(2) a central committee;

(3) a slate;

(4) a legislative party caucus committee;

(5) an authorized candidate campaign committee; or

(6) a ballot issue committee.

(gg) “Political committee” means a combination of two or more individuals that has as its major purpose promoting the success or defeat of a candidate, political party, question, or prospective question submitted to a vote at any election.

(hh) “Political party” means an organized group that is qualified as a political party in accordance with Title 4 of this article.

(ii) “Precinct” includes:

- (1) an election district in a county that is not divided into precincts;
- (2) an election precinct in an election district that is divided into precincts; or
- (3) a precinct in a ward of the City of Baltimore.

(jj) “Principal minority party” means the principal political party whose candidate for Governor received the second highest number of votes of any party candidate at the last preceding general election.

(kk) “Principal political parties” means the majority party and the principal minority party.

(ll) “Provisional ballot” means a ballot that is cast by an individual but not counted until the individual’s qualifications to vote have been confirmed by the local board.

(ll-1) “Qualifying paid digital communication” means any electronic communication that:

- (1) is campaign material;
- (2) is placed or promoted for a fee on an online platform;
- (3) is disseminated to 500 or more individuals; and
- (4) does not propose a commercial transaction.

(mm) “Responsible officers” means the chairman and treasurer of a political committee.

(nn) “Sample ballot” means a facsimile of a ballot used for informational purposes by a person or entity other than a local board.

(oo) “Slate” means a political committee of two or more candidates who join together to conduct and pay for joint campaign activities.

(pp) “Specimen ballot” means a facsimile of a ballot used by a local board to provide notice to registered voters of the contents of the ballot.

(qq) “State Administrator” means the State Administrator of Elections.

(rr) “State Board” means the State Board of Elections.

(ss) “Transfer” means a monetary contribution that is made by one campaign finance entity to another campaign finance entity, other than one made by or to a political club.

(tt) “Treasurer” means an individual appointed in accordance with Title 13, Subtitle 2 of this article.

(uu) “Vote” means to cast a ballot that is counted.

(vv) “Voting machine” includes:

- (1) a mechanical lever machine; and
- (2) a direct recording electronic voting device.

(ww) “Voting machine ballot” means a ballot posted on or in the voting machine and referred to by the voter to indicate the voting locations for each contest.

(xx) “Voting system” means a method of casting and tabulating ballots or votes.

(yy) “Write-in candidate” means an individual whose name will not appear on the ballot but who files a certificate of candidacy in accordance with § 5-303 of this article.

(zz) “Write-in vote” means a vote cast, in a contest at a general election, for an individual whose name is not on the ballot for that contest.