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**By: Senators Pinsky, Sfikas, and Teitelbaum**  
Introduced and read first time: January 29, 1996  
Assigned to: Economic and Environmental Affairs

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A BILL ENTITLED

1 AN ACT concerning

2 **Elections - Nomination of Candidates - Petition Signature Requirements**

3 FOR the purpose of requiring that the names of certain persons who satisfy the  
4 requirements for nominees of certain political parties have their names and party  
5 affiliations printed on certain election ballots; requiring that a vacancy in  
6 nomination of a political party be filled in a certain manner; requiring certain  
7 nominees to file certain documents, pay certain fees, and comply with certain  
8 election campaign requirements; altering the number of signatures of registered  
9 voters required to nominate candidates by petition; and generally relating to the  
10 petition signature requirements for nomination by petition of certain candidates in  
11 certain elections and the placement of the names of candidates representing certain  
12 political parties on the election ballot.

13 BY repealing and reenacting, with amendments,  
14 Article 33 - Election Code  
15 Section 4B-1(h) and 7-1(b)  
16 Annotated Code of Maryland  
17 (1993 Replacement Volume and 1995 Supplement)

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

20 **Article 33 - Election Code**

21 4B-1.

22 (h) (1) Unless the party is required to select its nominees for public office by  
23 primary election pursuant to § 5-1 of this article, the nominees for public office of the  
24 party shall be selected in the manner provided in the interim constitution and bylaws of  
25 the party[, but no such nominee shall appear upon the ballot at any general election  
26 unless the nominee has complied with all the requirements of the provisions of the  
27 subtitle "Nomination by Petition" of this article, including the filing of petitions with the  
28 election board or the several boards of the State, which shall bear in addition to the name  
29 of the nominee, the name of the party, signed by not less than three percent (3%) of the  
30 registered voters who are eligible to vote for the office for which election at the general  
31 election is sought] AND SHALL HAVE THEIR NAMES AND PARTY AFFILIATION  
32 PLACED ON THE BALLOT. THESE NOMINEES SHALL:

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1 (I) BY THE FIRST MONDAY IN AUGUST OF THE YEAR OF THE  
2 GENERAL ELECTION, FILE THE CERTIFICATE OF CANDIDACY AND FILING FEE  
3 REQUIRED UNDER §§ 4A-1 AND 4A-6, RESPECTIVELY, OF THIS ARTICLE;

4 (II) APPOINT A CAMPAIGN TREASURER AND FILE THE NAME IN  
5 ACCORDANCE WITH THE PROVISIONS OF § 26-3 OF THIS ARTICLE; AND

6 (III) FILE THE FINANCIAL DISCLOSURE STATEMENT REQUIRED  
7 UNDER TITLE 15, SUBTITLE 6 OF THE STATE GOVERNMENT ARTICLE.

8 (2) (I) If a nominee of a party [has filed a valid petition for nomination in  
9 compliance with all the requirements of the subtitle "Nomination by Petition" of this  
10 article, but] dies or declines the nomination before election day, the central committee of  
11 the political party with which said nominee is affiliated[,] may fill the vacancy in the  
12 nomination of the party in the manner provided in §§ 9-2 through 9-5, inclusive, of this  
13 article.

14 (II) The political party shall not nominate more than one candidate for  
15 each public or party office to be filled at the succeeding general election, except to fill a  
16 vacancy in a prior nomination.

17 7-1.

18 (b) (1) A candidate for public office seeking nomination by petition shall file:

19 (i) A declaration of his intent to seek nomination by petition, in a  
20 form prescribed by the State Administrative Board of Election Laws, at the time and  
21 place provided in Subtitle 4A of this article for filing, by other candidates, of certificates  
22 of candidacy. A candidate seeking nomination by petition may not be charged a fee for  
23 filing a declaration of intent. A declaration of intent is not required of any candidate for  
24 public office in a year in which the President of the United States is elected.

25 (ii) A certificate of candidacy not later than 5 p.m. on the first Monday  
26 in August in the year in which the general election is to be held at the place and in the  
27 manner provided in Subtitle 4A of this article and shall comply with all other applicable  
28 provisions of the subtitle, in the same manner as candidates for nomination at a primary  
29 election.

30 (2) In order to have the name of a proposed candidate placed on the ballot  
31 under this section, the candidate shall file with the appropriate board petitions signed by  
32 not less than [3 percent] 1% of OR 20,000 OF, WHICHEVER IS LESS, the registered voters  
33 who are eligible to vote for the office for which the nomination by petition is sought.

34 (3) Petitions shall be filed as required by subsection (c) of this section.

35 [(3)] (4) For purposes of this subsection, the number of registered voters  
36 shall be determined as of the commencement of the period, specified in § 3-8(b)(2) of  
37 this article, before the primary election for which the nomination is sought.

38 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
39 October 1, 1996.