
By: Senators Pinsky, Sfikas, and Teitelbaum
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Assigned to: Economic and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted with floor amendments
Read second time: March 14, 1996

CHAPTER ____

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

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1 the party, but no such nominee shall appear upon the ballot at any general election
2 unless the nominee has complied with all the requirements of the provisions of the
3 subtitle "Nomination by Petition" of this article, including the filing of petitions with the
4 election board or the several boards of the State, which shall bear in addition to the name
5 of the nominee, the name of the party, signed by not less than ~~three percent (3%)~~ 1% of
6 the registered voters who are eligible to vote for the office for which election at the
7 general election is sought; ~~AND SHALL HAVE THEIR NAMES AND PARTY AFFILIATION~~
8 ~~PLACED ON THE BALLOT. THESE NOMINEES SHALL:~~

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

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

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

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

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

25 7-1.

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

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

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

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

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

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

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