

Unofficial Copy
G1
SB 330/96 - EEA

1997 Regular Session
7r1588

By: Senators Pinsky, Collins, Craig, Sfikas, and Green

Introduced and read first time: January 23, 1997

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

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

3 FOR the purpose of altering the number of signatures of registered voters required to
4 nominate candidates by petition; and generally relating to the petition signature
5 requirements for nomination by petition of certain candidates in certain elections
6 and the placement of the names of candidates representing certain political parties
7 on the election ballot.

8 BY repealing and reenacting, with amendments,
9 Article 33 - Election Code
10 Section 4B-1(h) and 7-1(b)
11 Annotated Code of Maryland
12 (1993 Replacement Volume and 1996 Supplement)

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

15 **Article 33 - Election Code**

16 4B-1.

17 (h) (1) Unless the party is required to select its nominees for public office by
18 primary election pursuant to § 5-1 of this article, the nominees for public office of the
19 party shall be selected in the manner provided in the interim constitution and bylaws of
20 the party, but no such nominee shall appear upon the ballot at any general election unless
21 the nominee has complied with all the requirements of the provisions of the subtitle
22 "Nomination by Petition" of this article, including the filing of petitions with the election
23 board or the several boards of the State, which shall bear in addition to the name of the
24 nominee, the name of the party, signed by not less than [three percent (3%)] 1% of the
25 registered voters who are eligible to vote for the office for which election at the general
26 election is sought.

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

2

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

4 7-1.

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

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

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

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

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

22 [(3)] (4) For purposes of this subsection, the number of registered voters
23 shall be determined as of the commencement of the period, specified in § 3-8(b)(2) of
24 this article, before the primary election for which the nomination is sought.

25 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
26 October 1, 1997.