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SB 330/96 - EEA

1997 Regular Session  
7lr1588

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**By: Senators Pinsky, Collins, Craig, Sfikas, and ~~Green~~ Green, Ferguson, and Teitelbaum**

Introduced and read first time: January 23, 1997  
Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 13, 1997

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CHAPTER \_\_\_\_\_

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

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1 nominee, the name of the party, signed by not less than [three percent (3%)] 1% of the  
2 registered voters who are eligible to vote for the office for which election at the general  
3 election is sought.

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

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

13 7-1.

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

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

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

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

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

31 [(3)] (4) For purposes of this subsection, the number of registered voters  
32 shall be determined as of the commencement of the period, specified in § 3-8(b)(2) of  
33 this article, before the primary election for which the nomination is sought.

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

