

SENATE BILL 27

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SB 293/97 - EEA

1998 Regular Session
8r0237

(PRE-FILED)

By: **Senator Pinsky**
Requested: August 15, 1997
Introduced and read first time: January 14, 1998
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
6 elections and the placement of the names of candidates representing certain
7 political parties 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 (1997 Replacement Volume and 1997 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
20 of the party, but no such nominee shall appear upon the ballot at any general election
21 unless the nominee has complied with all the requirements of the provisions of the
22 subtitle "Nomination by Petition" of this article, including the filing of petitions with
23 the election board or the several boards of the State, which shall bear in addition to
24 the name of the nominee, the name of the party, signed by not less than [three
25 percent (3%)] 1% of the registered voters who are eligible to vote for the office for
26 which election at the general election is sought.

27 (2) (I) If a nominee of a party has filed a valid petition for nomination
28 in compliance with all the requirements of the subtitle "Nomination by Petition" of

1 this article, but dies or declines the nomination before election day, the central
2 committee of the political party with which said nominee is affiliated, may fill the
3 vacancy in the nomination of the party in the manner provided in §§ 9-2 through 9-5,
4 inclusive, of this article.

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

8 7-1.

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

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

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

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

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

28 [(3)] (4) For purposes of this subsection, the number of registered voters
29 shall be determined as of the commencement of the period, specified in § 3-8(b)(2) of
30 this article, before the primary election for which the nomination is sought.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
32 effect October 1, 1998.