
By: **Senators Miller, McFadden, Blount, and Hoffman**

Introduced and read first time: February 5, 1999

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Baltimore City Elections Cycle**

3 FOR the purpose of altering the elections cycle for the Mayor and City Council of
4 Baltimore City to provide for the election of the Mayor and City Council at the
5 same time as the election for State officials and for local government officials in
6 jurisdictions other than Baltimore City; altering the dates for the primary and
7 general elections for the Mayor and City Council of Baltimore City; making this
8 Act contingent upon the passage and ratification of a certain Constitutional
9 amendment; and generally relating to conforming the elections cycle for the
10 Mayor and City Council of Baltimore City to the elections cycle for State officials
11 and for local government officials in jurisdictions other than Baltimore City.

12 BY repealing and reenacting, with amendments,
13 Article 33 - Election Code
14 Section 5-801, 8-201, and 8-301
15 Annotated Code of Maryland
16 (1997 Replacement Volume and 1998 Supplement)

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

19 **Article 33 - Election Code**

20 5-801.

21 (a) A nominee may decline the nomination by filing a certificate of declination
22 on the prescribed form.

23 (b) The certificate of declination shall be under oath and filed:

24 (1) With the board at which the certificate of candidacy was filed; and

25 (2) (i) In the year of a gubernatorial election [or the year of an election
26 for the Mayor of the City of Baltimore], within 2 days after the election results are
27 certified; or

1 (ii) In the year of a presidential election, by the 70th day preceding
2 the general election.

3 (c) If a certificate of declination is filed under this section:

4 (1) The certificate of nomination to which the certificate of declination
5 relates is void;

6 (2) A vacancy in nomination is created to be filled in accordance with the
7 provisions of Subtitle 10 of this title;

8 (3) The name of the individual who declined the nomination may not
9 appear on the ballot unless the individual is selected to fill that vacancy; and

10 (4) The filing fee for the certificate of candidacy of that individual may
11 not be refunded.

12 8-201.

13 (a) [(1)] There shall be a statewide primary election in every even-numbered
14 year.

15 [(2)] (B) A primary election shall be held:

16 [(i)] (1) In the year in which the Governor is elected, on the second
17 Tuesday after the first Monday in September; and

18 [(ii)] (2) In the year in which the President of the United States is
19 elected, on the first Tuesday in March.

20 [(b) In Baltimore City, there shall be a primary election for municipal offices on
21 the second Tuesday following the first Monday in September in the year following the
22 election of the Governor.]

23 8-301.

24 (a) [(1)] There shall be a statewide general election in each even-numbered
25 year.

26 [(2)] (B) A statewide general election shall be held on the Tuesday
27 following the first Monday in November.

28 [(b) In Baltimore City, there shall be a general election for municipal offices on
29 the Tuesday following the first Monday in November in the year following the election
30 of the Governor.]

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is contingent on
32 the passage of Chapter _____ (S.B. _____) (9lr0686) of the Acts of the General
33 Assembly of 1999, a Constitutional Amendment, and its ratification by the voters of
34 the State.

1 SECTION 3. AND BE IT FURTHER ENACTED, That, subject to the provisions
2 of Section 2 above, this Act shall take effect October 1, 1999.