HOUSE BILL 744

Unofficial Copy G1 HB 248/00 - CGM 2001 Regular Session 1lr2249

By: Delegates Kagan and Bronrott

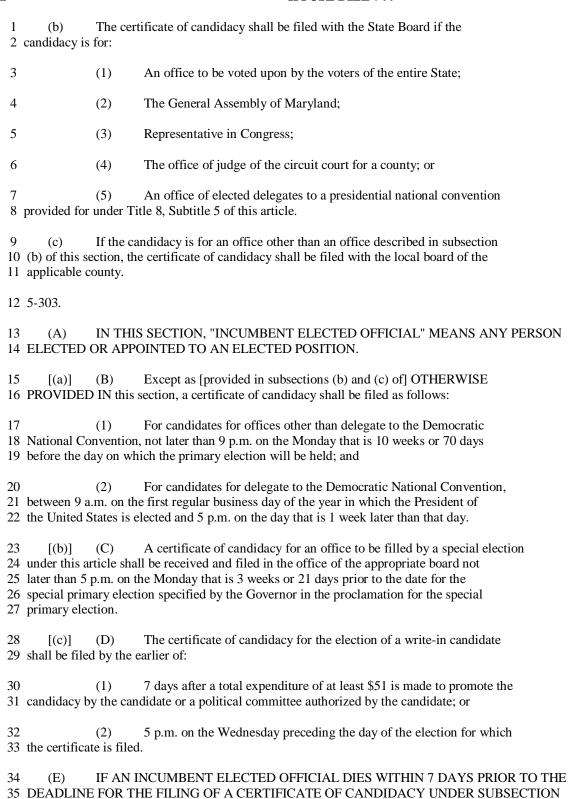
Introduced and read first time: February 8, 2001 Assigned to: Commerce and Government Matters

A BILL ENTITLED

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1	AN	ACT	concerning

2 Election Law - Deadlines for Filing Certificates of Candidacy - Extensions

- 3 FOR the purpose of extending the time period in which a certificate of candidacy may
- 4 be filed under the State election law for certain primary contests if an
- 5 incumbent elected official dies within a prescribed time period prior to a certain
- 6 deadline; extending the time period in which a certificate of candidacy may be
- 7 filed in certain primary contests when an incumbent elected official files a
- 8 certificate of withdrawal after the deadline for filing of a certificate of
- 9 candidacy; providing that a certificate of withdrawal may not be filed after a
- specified date in certain contests; defining certain terms; and generally relating
- 11 to the extension of certain filing deadlines under the State election law where an
- incumbent officeholder dies or withdraws during specified time periods.
- 13 BY repealing and reenacting, without amendments,
- 14 Article 33 Election Code
- 15 Section 5-302 and 5-901(e)
- 16 Annotated Code of Maryland
- 17 (1997 Replacement Volume and 2000 Supplement)
- 18 BY repealing and reenacting, with amendments,
- 19 Article 33 Election Code
- 20 Section 5-303 and 5-502
- 21 Annotated Code of Maryland
- 22 (1997 Replacement Volume and 2000 Supplement)
- 23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 24 MARYLAND, That the Laws of Maryland read as follows:
- 25 Article 33 Election Code
- 26 5-302.
- 27 (a) A certificate of candidacy shall be filed under oath on the prescribed form.



- 1 (A)(1) OF THIS SECTION, THE APPROPRIATE BOARD SHALL CONTINUE TO ACCEPT
- 2 CERTIFICATES OF CANDIDACY FOR THAT OFFICE UNTIL THE CLOSE OF BUSINESS ON
- 3 THE FINAL DAY ON WHICH A CERTIFICATE OF DESIGNATION MAY BE FILED UNDER §
- 4 5-901(E) OF THIS TITLE, WHETHER OR NOT THE INCUMBENT FILED A CERTIFICATE
- 5 OF CANDIDACY FOR REELECTION.
- 6 (F) IF, AFTER THE DEADLINE FOR FILING A CERTIFICATE OF CANDIDACY
- 7 UNDER SUBSECTION (A)(1) OF THIS SECTION, AN INCUMBENT ELECTED OFFICIAL
- 8 FILES A CERTIFICATE OF WITHDRAWAL UNDER § 5-502 OF THIS TITLE, UNTIL THE
- 9 CLOSE OF BUSINESS ON THE FINAL DAY ON WHICH A CERTIFICATE OF DESIGNATION
- 10 MAY BE FILED UNDER § 5-901(E) OF THIS TITLE, THE APPROPRIATE BOARD SHALL
- 11 CONTINUE TO ACCEPT:
- 12 (1) CERTIFICATES OF CANDIDACY FOR THAT OFFICE; AND
- 13 (2) A CERTIFICATE OF WITHDRAWAL FROM ANY INDIVIDUAL WHO HAD 14 FILED A CERTIFICATE OF CANDIDACY FOR THAT OFFICE.
- 15 5-502.
- 16 (a) Subject to PARAGRAPH (2) OF THIS SUBSECTION AND § 5-402 of this
- 17 title, an individual who has filed a certificate of candidacy may withdraw the
- 18 candidacy by filing a certificate of withdrawal on the form prescribed by the State
- 19 Board within 10 days after the filing date established under § 5-303 of this title.
- 20 (2) IF THE STATE BOARD OR LOCAL BOARD CONTINUES TO ACCEPT
- 21 CERTIFICATES OF CANDIDACY FOR A CONTEST UNDER § 5-303(D) OR (E) OF THIS
- 22 TITLE, A CERTIFICATE OF WITHDRAWAL MAY NOT BE FILED FOR THAT CONTEST
- 23 AFTER THE CLOSE OF BUSINESS ON THE FINAL DAY ON WHICH A CERTIFICATE OF
- 24 DESIGNATION MAY BE FILED UNDER § 5-901(E) OF THIS TITLE.
- 25 (b) An individual who has filed a certificate of candidacy for the special
- 26 election to fill a vacancy for representative in Congress may withdraw the certificate
- 27 on the prescribed form within 2 days after the filing date established in the
- 28 proclamation issued by the Governor.
- 29 5-901.
- 30 (e) A central committee authorized to fill a vacancy in candidacy for an office
- 31 under this section shall file a certificate of designation of candidacy with the
- 32 appropriate board designated to receive the certificate of candidacy for that office by
- 33 the fifth day after the date on which a candidate may withdraw a certificate of
- 34 candidacy before the primary election.
- 35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
- 36 October 1, 2001.