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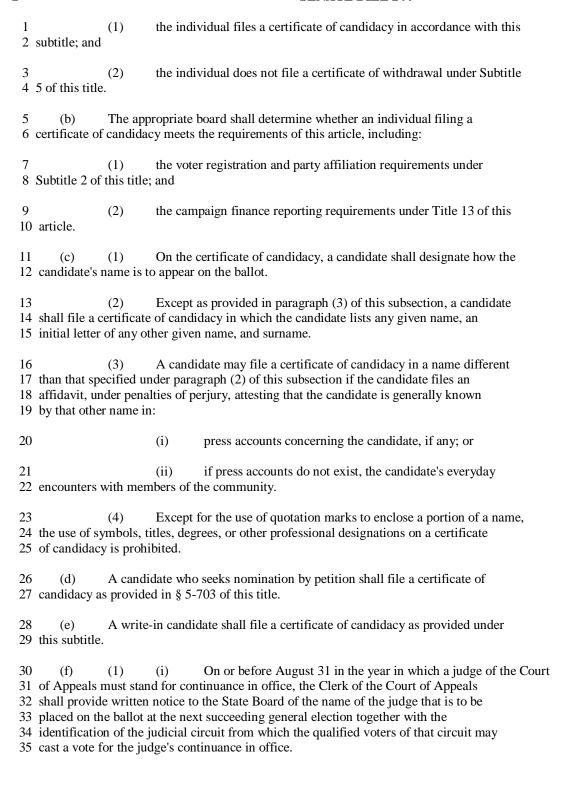
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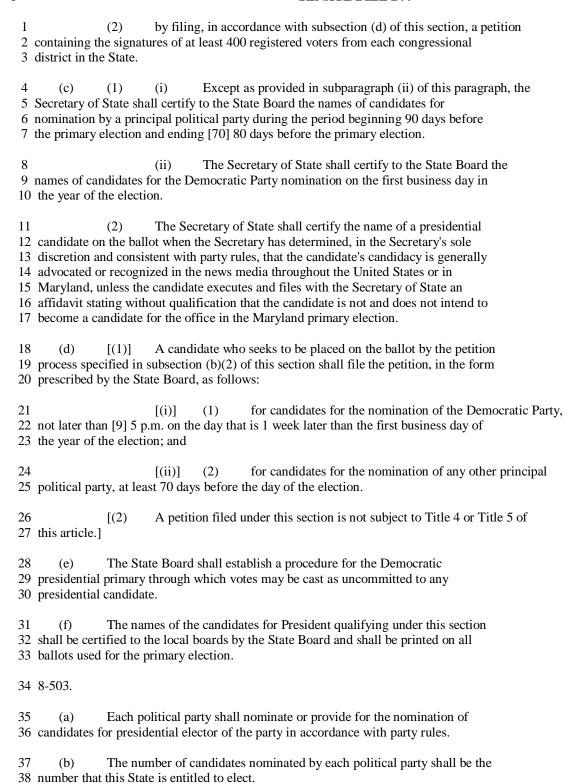
By: Senator Stone (Chairman, Ethics and Election Law Subcommittee) Introduced and read first time: January 30, 2003 Assigned to: Education, Health, and Environmental Affairs Committee Report: Favorable with amendments Senate action: Adopted Read second time: March 12, 2003 CHAPTER 1 AN ACT concerning 2 **Election Law - Presidential Election Procedures - Deadlines** 3 FOR the purpose of altering certain deadlines and procedures relating to certain candidates as presidential or vice presidential nominees; altering the 4 5 withdrawal deadline for certain candidates; altering the deadline for naming a replacement candidate for a presidential delegate; specifying a period in which a 6 petition candidate may file as a presidential nominee; specifying a date prior to 7 a general election by which a political party must certify its presidential electors 8 to the State Board; altering the dates by which the State Board must certify the 9 10 content and arrangement of the primary ballot in the year of a presidential election; and generally relating to certain procedures, deadlines, and 11 requirements relating to the presidential election process. 12 13 BY repealing and reenacting, with amendments, 14 Article - Election Law 15 Section 5-301, 5-502, 8-501 through 8-503, and 9-207 Annotated Code of Maryland 16 17 (2003 Volume) SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF 18 19 MARYLAND, That the Laws of Maryland read as follows: 20 **Article - Election Law** 21 5-301.

An individual may become a candidate for a public or party office only if:



- 1 On or before August 31 in the year in which a judge of the Court (ii) 2 of Special Appeals must stand for continuance in office, the Clerk of the Court of 3 Special Appeals shall provide written notice to the State Board of the name of the 4 judge that is to be placed on the ballot at the next succeeding general election 5 together with: 6 the identification of the judicial circuit from which the 1. 7 qualified voters of that circuit may cast a vote for the judge's continuance in office; or a statement that the voters of the entire State may cast a 8 9 vote for the judge's continuance in office. An incumbent judge of the Court of Appeals or Court of Special 10 11 Appeals is not required to file a certificate of candidacy for an election for continuance 12 in office. 13 (g) A candidate for President or Vice President of the United States 14 nominated by a national party convention is not required to file a certificate of 15 candidacy under this section. ON OR BEFORE AUGUST 31 IN THE YEAR IN WHICH THE PRESIDENT 16 17 OF THE UNITED STATES IS ELECTED. THE PRESIDING OFFICER OF THE NATIONAL 18 PARTY CONVENTION SHALL PROVIDE WRITTEN NOTICE TO THE STATE BOARD OF 19 THE NAME AND ADDRESS OF THE PRESIDENTIAL AND VICE PRESIDENTIAL 20 NOMINEES TO BE PLACED ON THE BALLOT AT THE NEXT SUCCEEDING GENERAL 21 ELECTION. 22 IF MORE THAN ONE WRITTEN NOTICE NAMING DIFFERENT 23 PRESIDENTIAL AND VICE PRESIDENTIAL NOMINEES IS PROVIDED TO THE STATE 24 BOARD BY PERSONS PURPORTING TO BE THE PRESIDING OFFICER OF THE SAME 25 PARTY CONVENTION, THE STATE BOARD SHALL REQUIRE THE CHAIRMAN OF THE 26 STATE PARTY TO PROVIDE WRITTEN REAFFIRMATION OF THE PARTY'S NOMINEES 27 WITHIN 5 DAYS AFTER THE STATE BOARD'S DEMAND. 28 5-502. 29 Subject to § 5-402 of this title, an individual who has filed a certificate of (a) 30 candidacy may withdraw the candidacy by filing a certificate of withdrawal on the 31 form prescribed by the State Board within 10 days after the filing date established 32 under § 5-303 of this title. AN INDIVIDUAL WHO HAS FILED A CERTIFICATE OF CANDIDACY AND A 33 (B)
- 34 PETITION IN ACCORDANCE WITH § 8-502(D)(1)(I) OF THIS ARTICLE, OR A CANDIDATE
- 35 FOR DELEGATE TO THE DEMOCRATIC NATIONAL CONVENTION SUBJECT TO §
- 36 5-303(A)(2) OF THIS TITLE, MAY WITHDRAW THE CANDIDACY BY FILING A
- 37 CERTIFICATE OF WITHDRAWAL ON THE FORM PRESCRIBED BY THE STATE BOARD
- 38 WITHIN 54 DAYS AFTER THE FILING DATE ESTABLISHED UNDER § 5-303 OF THIS
- 39 TITLE.

3	[(b)] (C) An individual who has filed a certificate of candidacy for the special election to fill a vacancy for Representative in Congress may withdraw the certificate on the prescribed form within 2 days after the filing date established in the proclamation issued by the Governor.			
5	8-501.			
	(a) Delegates and alternate delegates to the national presidential nominating convention of a political party shall be selected as provided in the national party rules of the party.			
9 10	(b) The State central committee of each political party shall certify to the State Board, not later than January 1 in the year of the election:			
11 12	(1) the number of delegates and alternate delegates to be selected in the State and the mode or modes of selection; and			
13	(2) in the case of a principal political party:			
14 15	(i) if delegates are to be elected by district, the number of delegates to be elected from each district;			
	(ii) provisions for placing on the ballot the name of a presidential candidate, or the word "uncommitted", adjacent to the name of each candidate for delegate; [and]			
21 22 23 24	(III) PROVISIONS FOR HOW, IF A CANDIDATE FOR DELEGATE WITHDRAWS IN ACCORDANCE WITH § 5-502(B) OF THIS ARTICLE AND THE WITHDRAWING CANDIDATE'S NAME WOULD HAVE APPEARED ON THE BALLOT ADJACENT TO THE NAME OF A PRESIDENTIAL CANDIDATE, THAT PRESIDENTIAL CANDIDATE WILL DESIGNATE A REPLACEMENT CANDIDATE FOR DELEGATE NO LATER THAN 2 DAYS AFTER THE DEADLINE ESTABLISHED IN § 5-502(B) OF THIS ARTICLE; AND			
	$[(iii)] \qquad (IV) \qquad \text{any other provisions of the national party rules of the party that relate to the election of delegates or alternate delegates at the primary election.}$			
29	8-502.			
	(a) This section applies to the placement on the ballot in the primary election of the names of individuals who are candidates for nomination by principal political parties to the office of President of the United States.			
33 34	(b) An individual who desires to run in the primary election may be placed on the ballot only:			
35 36	(1) by direction of the Secretary of State in accordance with subsection (c) of this section; or			



	(c) elector by a officers of the		The names of individuals nominated as candidates for presidential party shall be certified to the State Board by the presiding all party.	
6		ified to th	The names of individuals nominated as candidates for presidential for President of the United States who is nominated by petition e State Board by the candidate on a form prescribed by the	
8 9	LEAST 30 l	(3) DAYS BE	THE ELECTORS SHALL BE CERTIFIED TO THE STATE BOARD AT EFORE THE GENERAL ELECTION.	
10	9-207.			
11	(a)	The Star	te Board shall certify the content and arrangement of each ballot:	
12		(1)	for a primary election[,]:	
13 14	ELECTED	, AT LEA	(I) IN THE YEAR THAT THE PRESIDENT OF THE UNITED STATES IS ST 40 42 DAYS BEFORE THE ELECTION; AND	
15			(II) IN ANY OTHER YEAR, at least 50 days before the election;	
16		(2)	for a general election:	
17 18	least 55 day	s before t	(i) in the year that the President of the United States is elected, at the election; and	
19 20	election;		(ii) in any other year, not more than 18 days after the primary	
21		(3)	for a special primary election, at least 18 days before the election; and	
22 23	Governor's	(4) proclama	for a special general election, not later than a date specified in the tion.	
24 25	(b) The Court of Appeals, on petition of the State Board, may establish a later date in extraordinary circumstances.			
26 27	(c) local board		48 hours after certification, the State Board shall deliver to each the certified ballot content and arrangement for that county.	
	(d) Appeals est local board		Within 5 days after the certification, or a later date that the Court of n extraordinary circumstances on petition of the State Board, a	
31 32	using the ar	rangemer	(i) prepare the arrangement for all ballots to be used in the county, at prescribed by the State Board; and	

- 1 (ii) display the content and arrangement, in a manner that is 2 accessible to the public, on all days that the office is open through the day of the 3 election.
- 4 (2) Except pursuant to a court order under § 9-209 of this subtitle, or as 5 provided in § 9-208 of this subtitle, the content and arrangement of the ballot may 6 not be modified after the third day of the public display.
- 7 (e) Unless a delay is required by court order, a local board may begin to print 8 the ballots after 3 days of public display and, with the approval of the State Board, 9 correction of any noted errors.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 11 October 1, 2003.