

SENATE BILL 313

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2003 Regular Session
3r1324

By: **Senator Stone (Chairman, Ethics and Election Law Subcommittee)**

Introduced and read first time: January 31, 2003

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law - Parties Using an Open Primary - Notice to State Board**

3 FOR the purpose of requiring a political party that chooses to permit voters not
4 affiliated with the party to vote in the party's primary election to provide certain
5 notice to the State Board of Elections.

6 BY repealing and reenacting, with amendments,
7 Article - Election Law
8 Section 8-202
9 Annotated Code of Maryland
10 (2003 Volume)

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

13 **Article - Election Law**

14 8-202.

15 (a) A principal political party, as determined by the statement of registration
16 issued by the State Board under § 3-509(b) of this article:

17 (1) shall use the primary election to:

18 (i) nominate its candidates for public office; and

19 (ii) elect all members of the local central committees of the political
20 party; and

21 (2) may use the primary election in the year of a presidential election to
22 elect delegates to a national presidential nominating convention.

23 (b) Except for a nominee for President or Vice President, the name of a
24 nominee of a principal political party may not appear on the ballot in a general
25 election if the individual has not:

1 (1) been nominated in the primary election; or

2 (2) been designated to fill a vacancy in nomination in accordance with
3 Subtitle 5 of this title.

4 (C) IF A POLITICAL PARTY CHOOSES TO PERMIT VOTERS NOT AFFILIATED
5 WITH THE PARTY TO VOTE IN THE PARTY'S PRIMARY ELECTION, THE CHAIRMAN OF
6 THE PARTY'S STATE CENTRAL COMMITTEE SHALL SO NOTIFY THE STATE BOARD AT
7 LEAST 6 MONTHS BEFORE THE DATE OF THE PRIMARY ELECTION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2003.