Department of Legislative Services
Maryland General Assembly
2003 Session

FISCAL AND POLICY NOTE

House Bill 466   (Delegate Mandel, *et al.*)

Judiciary

Election of Circuit Court Judges - Nonpartisan Elections

This bill establishes new procedures for the nonpartisan nomination and election of circuit court judges.

Fiscal Summary

State Effect: One-time $5,500 general fund expenditure increase in FY 2004 for the State Election Board to reprogram computer software and modify and reprint forms and reference documents.

Local Effect: Minimal, since these elections will be held during the normal election cycle.

Small Business Effect: None.

Analysis

Bill Summary: Candidates for election to the circuit court shall, without party designation or regard to party affiliation:

- file certificates of candidacy;
- be certified to the ballot;
- appear on the ballot;
- be voted on; and
- be nominated and elected.

Circuit court judges are nominated at the primary election. Any voter, regardless of party affiliation or lack thereof, is eligible to vote for the number of candidates for which there are offices to be filled.

The candidates, equal in number to twice the number of offices to be filled, who receive the largest number of votes in the primary election shall be the nominated candidates.

In a general election, a voter may vote for a number of nominees equal to the number of judges to be elected in that county's election. The nominees, equal in number to the number of offices to be filled, who receive the largest number of votes in the general election, shall be declared elected.

A candidate for circuit court judge may not be nominated by petition.

If two candidates tie for the last nomination, both names appear on the general election ballot. If two candidates tie for the last judgeship in the general election, the office is considered vacant. The vacancy is filled as if it had occurred during the term of office, with the choice limited to one of the two candidates.

Current Law: The names of candidates for judge of the circuit court appear on all primary election ballots (the ballots of all parties participating in the primary). They may also be nominated by petition. Their names appear on general election ballots without a party label or other distinguishing mark or location that might indicate party affiliation.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Wicomico County, Allegany County, Montgomery County, Prince George's County, Talbot County, Judiciary (Administrative Office of the Courts), Maryland State Board of Elections, Baltimore City, Department of Legislative Services

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