

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO HOUSE BILL NO. 5

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “Election Law - Voters Rights and Voting”.

On pages 1 and 2, strike beginning with “and” in line 18 on page 1 down through “2005” in line 1 on page 2 and substitute “altering, in the year of a gubernatorial election, the date of the statewide primary election; altering the time frame in which the State Board must certify the content and arrangement of the ballot for certain elections in the year of a gubernatorial election; altering the deadline by which a nominee, in a gubernatorial election year, may decline a nomination by filing a certificate of declination; and generally relating to voters rights and voting”.

On page 2, in line 4, before “10-312” insert “5-801, 8-201, 9-207(a),”.

AMENDMENT NO. 2

On page 3, after line 8, insert:

“5-801.

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

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

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

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

(Over)

(ii) in the year of a presidential election OR A GUBERNATORIAL ELECTION, by the 70th day preceding the general election.

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

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

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

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

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

8-201.

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

(2) A primary election shall be held:

(i) in the year in which the Governor is elected, on the [second Tuesday after the first Monday in September] THIRD TUESDAY IN JUNE; and

(ii) in the year in which the President of the United States is elected, on the first Tuesday in March.

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

9-207.

(a) The State Board shall certify the content and arrangement of each ballot:

(1) for a primary election:

(i) in the year that the President of the United States OR THE GOVERNOR is elected, at least 42 days before the election; and

(ii) in any other year, at least 50 days before the election;

(2) for a general election:

(i) in the year that the President of the United States OR THE GOVERNOR is elected, at least 55 days before the election; and

(ii) in any other year, not more than 18 days after the primary election;

(3) for a special primary election, at least 18 days before the election; and

(4) for a special general election, not later than a date specified in the Governor's proclamation."