

# SENATE BILL 90

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By: **Senators Kelley, Britt, Exum, Haines, Harris, Klausmeier, Miller, and Stone**

Introduced and read first time: January 22, 2007

Assigned to: Education, Health, and Environmental Affairs

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Certificate of Candidacy – Given Name Requirement**

3 FOR the purpose of repealing a provision of law authorizing a candidate for a certain  
4 office to file a certificate of candidacy under a name other than the candidate’s  
5 given name, initial of other given name, and surname by filing a certain  
6 affidavit; and generally relating to the form of a candidate’s name required by a  
7 certificate of candidacy.

8 BY repealing and reenacting, without amendments,  
9 Article – Election Law  
10 Section 5–301(a) and (b)  
11 Annotated Code of Maryland  
12 (2003 Volume and 2006 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – Election Law  
15 Section 5–301(c)  
16 Annotated Code of Maryland  
17 (2003 Volume and 2006 Supplement)

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

20 **Article – Election Law**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 5-301.

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

3 (1) the individual files a certificate of candidacy in accordance with  
4 this subtitle; and

5 (2) the individual does not file a certificate of withdrawal under  
6 Subtitle 5 of this title.

7 (b) The appropriate board shall determine whether an individual filing a  
8 certificate of candidacy meets the requirements of this article, including:

9 (1) the voter registration and party affiliation requirements under  
10 Subtitle 2 of this title; and

11 (2) the campaign finance reporting requirements under Title 13 of this  
12 article.

13 (c) (1) On the certificate of candidacy, a candidate shall designate how the  
14 candidate's name is to appear on the ballot.

15 (2) [Except as provided in paragraph (3) of this subsection, a] **A**  
16 candidate shall file a certificate of candidacy in which the candidate lists any given  
17 name, an initial letter of any other given name, and surname.

18 (3) [A candidate may file a certificate of candidacy in a name different  
19 than that specified under paragraph (2) of this subsection if the candidate files an  
20 affidavit, under penalties of perjury, attesting that the candidate is generally known  
21 by that other name in:

22 (i) press accounts concerning the candidate, if any; or

23 (ii) if press accounts do not exist, the candidate's everyday  
24 encounters with members of the community.

25 (4)] Except for the use of quotation marks to enclose a portion of a  
26 name, the use of symbols, titles, degrees, or other professional designations on a  
27 certificate of candidacy is prohibited.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 October 1, 2007.