

Department of Legislative Services
Maryland General Assembly
2007 Session

FISCAL AND POLICY NOTE

Senate Bill 90 (Senator Kelley, *et al.*)
Education, Health, and Environmental Affairs

Election Law - Certificate of Candidacy - Given Name Requirement

This bill repeals a provision allowing a candidate for public or party office to file a certificate of candidacy in a name different than the candidate's name.

Fiscal Summary

State Effect: None. The bill would not affect State operations or finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: On a certificate of candidacy, a person must designate how the candidate's name is to appear on the ballot. Generally, the candidate must list any given name, an initial letter of any other given name, and the candidate's surname. The candidate may list a name other than the candidate's name upon filing an affidavit, under penalty of perjury, attesting that the candidate is generally known by that name in press accounts or the candidate's everyday encounters with members of the community.

Background: Prior to the 2006 elections, a dispute arose between a candidate and the State Board of Elections generally over whether the candidate's nickname, as the candidate sought to have it appear on the ballot, was a title, which is prohibited under

State election law. The candidate filed a lawsuit in circuit court, yet the case ended up centering primarily on whether the candidate had sought judicial relief in a timely manner.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Montgomery County, Prince George's County, Harford County, Queen Anne's County, Carroll County, State Board of Elections, Department of Legislative Services

Fiscal Note History: First Reader - February 6, 2007
bfl/jr

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