

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE

Senate Bill 872 (Senator Zirkin)
Education, Health, and Environmental Affairs

Election Law - Candidate for Judge of the Circuit Court - Filing Requirements

This bill requires a candidate for judge of the circuit court, who seeks nomination by petition or by a political party not required to nominate candidates by party primary, to file a declaration of intent by the date and time specified for a candidate to file a certificate of candidacy.

Fiscal Summary

State Effect: None. The State Board of Elections can modify information packets for candidates using existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Generally, a certificate of candidacy must be filed no later than 9 p.m. on the Monday that is 10 weeks or 70 days before the day on which the primary election will be held.

A candidate for public office may be nominated by petition if the candidate is not affiliated with any political party. A candidate must file a declaration of intent to seek nomination by petition. The declaration must be filed as follows:

- in a year in which the Governor is elected or the Baltimore City municipal election is held, by the date and time specified for a candidate to file a certificate of candidacy;
- in a year in which the President is elected, by July 1; and
- for a special election to fill a vacancy for Representative in Congress, by the date and time specified for a candidate to file a certificate of candidacy in the Governor's proclamation.

A candidate for a public office may also be nominated by a political party if the political party is not required to nominate its candidates by party primary. A candidate must file a declaration of intent. The declaration must be filed as follows:

- in a year in which the Governor is elected, by the date and time specified for a candidate to file a certificate of candidacy;
- in a year in which the President and Mayor of Baltimore City are elected, by July 1; and
- for a special election to fill a vacancy: (1) for Representative in Congress, by the date and time specified in the Governor's proclamation for a candidate to file a certificate of candidacy; or (2) for a local public office, by the date and time specified in the county proclamation for a candidate to file a certificate of candidacy.

Background: This bill is intended to require that all candidates for a circuit court judgeship declare their intentions to run at the same time to avoid situations where previously unannounced candidates can enter a judicial race after the primaries.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City, Maryland State Board of Elections, Judiciary (Administrative Office of the Courts), Department of Legislative Services

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