

Department of Legislative Services
Maryland General Assembly
2009 Session

FISCAL AND POLICY NOTE
Revised

House Bill 589
Ways and Means

(Delegate Ivey, *et al.*)

Education, Health, and Environmental Affairs

**Election Law - Change of Party Affiliation and Nomination by Petition -
Requirements**

This bill allows a registered voter to change the voter's party affiliation (or nonaffiliation) at any time voter registration is open, eliminating an existing restriction on the ability of a voter to change party affiliation during an extended period prior to a primary election. The bill also specifies that the number of signatures of registered voters needed to seek nomination by petition must be determined as of January 1 of the year of the primary election for which the nomination is sought, rather than the deadline for changing party affiliation before the primary. The bill makes conforming changes.

Fiscal Summary

State Effect: The bill is not expected to materially impact State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Voter registration is closed between 9 p.m. on the twenty-first day before an election until the eleventh day after an election. Party affiliation (or nonaffiliation) generally may not be changed between 9 p.m. on the Monday that is 12 weeks before the day of a primary election until voter registration reopens on the eleventh day after the primary election. In the event of a special election, party affiliation generally may not be changed between the time of issuance of a gubernatorial proclamation calling a special election and the day of the election.

If a registered voter has moved from one county to another within the State since the last general election, the voter may change party affiliation once during the prohibited period. An individual may not cancel the individual's voter registration within the prohibited period and reregister in the same county during the same period with a different party affiliation.

A candidate who seeks nomination by petition must file petitions signed by not less than 1% of the total number of registered voters eligible to vote for the office for which the nomination is sought, except that the petitions must be signed by at least 250 voters eligible to vote for the office. The number of registered voters needed to meet the requirement is determined as of the deadline for changing party affiliation before the primary election for which the nomination is sought.

Additional Information

Prior Introductions: SB 363 of 2007 received a hearing in the Senate Education, Health, and Environmental Affairs Committee and was referred to interim study. HB 735 of 2004 passed the House and received a hearing in the Senate Education, Health, and Environmental Affairs Committee but no further action was taken. HB 1394 of 2004 received an unfavorable report from the House Ways and Means Committee.

Cross File: None.

Information Source(s): State Board of Elections; Maryland Department of Transportation; Allegany, Harford, Montgomery, and Wicomico counties; Baltimore City; Department of Legislative Services

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Analysis by: Scott D. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510