

HOUSE BILL 284

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5lr1049

By: **Delegates Flanagan, Hill, Atterbeary, Ebersole, Kittleman, Lam, W. Miller, Pendergrass, and Turner**

Introduced and read first time: February 4, 2015

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Local Petitions – Advance Determination of Sufficiency of Local**
3 **Legislation Summary**

4 FOR the purpose of requiring a chief election official of an election authority who is
5 determining the sufficiency of the format of a certain petition to determine the
6 sufficiency of any summary of local legislation that is contained in the petition;
7 requiring the chief election official to make a certain determination within a certain
8 time period; requiring, under certain circumstances, the chief election official to
9 provide the sponsor of a petition with an explanation of the reasons for a certain
10 determination; and generally relating to notices of deficiencies in the information
11 pages of local petitions.

12 BY repealing and reenacting, with amendments,
13 Article – Election Law
14 Section 6–202
15 Annotated Code of Maryland
16 (2010 Replacement Volume and 2014 Supplement)

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

19 **Article – Election Law**

20 6–202.

21 (a) The format of the petition prepared by a sponsor may be submitted to the chief
22 election official of the appropriate election authority, in advance of filing the petition, for a
23 determination of its sufficiency.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) (1) WHEN DETERMINING THE SUFFICIENCY UNDER SUBSECTION (A)**
2 **OF THIS SECTION OF A PETITION THAT SEEKS TO PLACE A QUESTION REGARDING**
3 **LOCAL LEGISLATION ON A BALLOT, THE CHIEF ELECTION OFFICIAL OF THE**
4 **APPROPRIATE ELECTION AUTHORITY SHALL DETERMINE THE SUFFICIENCY OF ANY**
5 **SUMMARY OF THE LOCAL LEGISLATION THAT IS CONTAINED IN THE PETITION.**

6 **(2) THE CHIEF ELECTION OFFICIAL SHALL MAKE A DETERMINATION**
7 **UNDER PARAGRAPH (1) OF THIS SECTION WITHIN 10 BUSINESS DAYS AFTER**
8 **RECEIPT OF THE PETITION.**

9 **(3) IF THE CHIEF ELECTION OFFICIAL OF THE APPROPRIATE**
10 **ELECTION AUTHORITY DETERMINES THAT THE SUMMARY OF LOCAL LEGISLATION IS**
11 **INSUFFICIENT, THE CHIEF ELECTION OFFICIAL SHALL PROVIDE THE SPONSOR WITH**
12 **AN EXPLANATION OF THE REASONS FOR THE DETERMINATION.**

13 **[(b)] (C)** In making the determination, the chief election official may seek the
14 advice of the legal authority.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
16 1, 2015.