

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 284
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “Legislation” and substitute “Law or Charter Amendment”; strike beginning with “requiring” in line 4 down through “petitions” in line 11 and substitute “requiring an election director of a local board of elections to determine the sufficiency of a summary of a local law or charter amendment contained in a petition when determining the sufficiency of the format of the petition; requiring an election director to provide the sponsor of a petition with an explanation of the reasons for a determination that a summary of a local law or charter amendment is insufficient; authorizing an election director to seek the advice of certain persons in making the determination; requiring an election director to make the determination within a certain period of time; making a conforming change; and generally relating to an advance determination of the sufficiency of a summary of a local law or charter amendment contained in a petition”; and in line 14, after “6-202” insert “and 6-210(a)”.

AMENDMENT NO. 2

On page 1, in line 21, after “(a)” insert “**(1)**”.

On page 2, strike in their entirety lines 1 through 14, inclusive, and substitute:

“(2) IN MAKING THE DETERMINATION UNDER THIS SUBSECTION, THE CHIEF ELECTION OFFICIAL MAY SEEK THE ADVICE OF THE LEGAL AUTHORITY.

(B) (1) WHEN DETERMINING THE SUFFICIENCY UNDER SUBSECTION (A) OF THIS SECTION OF A PETITION THAT SEEKS TO PLACE A QUESTION REGARDING A LOCAL LAW OR CHARTER AMENDMENT ON A BALLOT, THE ELECTION DIRECTOR OF THE LOCAL BOARD SHALL DETERMINE THE

(Over)

SUFFICIENCY OF ANY SUMMARY OF THE LOCAL LAW OR CHARTER AMENDMENT THAT IS CONTAINED IN THE PETITION.

(2) IF THE ELECTION DIRECTOR DETERMINES THAT THE SUMMARY OF THE LOCAL LAW OR CHARTER AMENDMENT IS INSUFFICIENT, THE ELECTION DIRECTOR SHALL PROVIDE THE SPONSOR WITH A CLEAR, CONCISE, AND UNDERSTANDABLE EXPLANATION OF THE REASONS FOR THE DETERMINATION.

(3) IN MAKING THE DETERMINATION UNDER THIS SUBSECTION, THE ELECTION DIRECTOR MAY SEEK THE ADVICE OF:

(I) THE COUNSEL TO THE LOCAL BOARD; OR

(II) THE ATTORNEY GENERAL.

6-210.

(a) (1) A request for an advance determination under § 6-202 of this subtitle shall be submitted at least 30 days, but not more than 2 years and 1 month, prior to the deadline for the filing of the petition.

(2) [Within] EXCEPT AS PROVIDED IN PARAGRAPH (3) OF THIS SUBSECTION, WITHIN 5 business days of receiving [the] A request for an advance determination, the election authority shall make the determination.

(3) WITHIN 10 BUSINESS DAYS OF RECEIVING A REQUEST FOR AN ADVANCE DETERMINATION OF THE SUFFICIENCY OF A SUMMARY OF A LOCAL LAW OR CHARTER AMENDMENT CONTAINED IN A PETITION UNDER § 6-202(B) OF THIS SUBTITLE, THE ELECTION DIRECTOR SHALL MAKE THE DETERMINATION.”