

SENATE BILL 247

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By: **Senators Norman, Bates, Cassilly, Currie, Edwards, Feldman, Ferguson, Guzzone, Kagan, Kelley, Klausmeier, Lee, Madaleno, Mathias, Nathan-Pulliam, Ready, Serafini, Waugh, and Young**

Introduced and read first time: January 22, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Certificate of Candidacy as Delegate to a Presidential National**
3 **Convention – Place of Filing**

4 FOR the purpose of repealing the requirement that a candidate for an office of elected
5 delegate to a presidential national convention file the certificate of candidacy for the
6 office with the State Board of Elections; and generally relating to the filing of a
7 certificate of candidacy as delegate to a presidential national convention.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 5–302
11 Annotated Code of Maryland
12 (2010 Replacement Volume and 2015 Supplement)

13 BY repealing and reenacting, without amendments,
14 Article – Election Law
15 Section 5–304(a) and (e)
16 Annotated Code of Maryland
17 (2010 Replacement Volume and 2015 Supplement)

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

20 **Article – Election Law**

21 5–302.

22 (a) A certificate of candidacy shall be filed under oath on the prescribed form.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) The certificate of candidacy shall be filed with the State Board if the candidacy
2 is for:

3 (1) an office to be voted upon by the voters of the entire State;

4 (2) the General Assembly of Maryland;

5 (3) Representative in Congress; **OR**

6 (4) the office of judge of the circuit court for a county[; or

7 (5) an office of elected delegate to a presidential national convention
8 provided for under Title 8, Subtitle 5 of this article].

9 (c) (1) If the candidacy is for an office other than an office described in
10 subsection (b) of this section, the certificate of candidacy shall be filed with the local board
11 of the applicable county.

12 (2) In accordance with regulations adopted by the State Board, each local
13 board shall provide the name and other required information for each candidate to the State
14 Board.

15 5-304.

16 (a) (1) A certificate of candidacy may be filed:

17 (i) in person; or

18 (ii) if authorized by subsection (b) of this section, by certified mail,
19 personal messenger, or other delivery service designated by the filer.

20 (2) A certificate of candidacy may not be filed by facsimile service or other
21 electronic transmission.

22 (e) The appropriate board shall accept the certificate of candidacy if it determines
23 that all requirements are satisfied.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2016.