

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 260 (Senator Kelley, *et al.*)
Education, Health, and Environmental Affairs

Election Law - General Assembly Candidate Residency Form - Requirement

This bill requires that an individual seeking to become a candidate for the General Assembly of Maryland file a specified candidate residency form with the individual's certificate of candidacy.

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Bill Summary: An individual must state on the candidate residency form the address of the individual's legal residence and whether that address matches each of the following:

- the address on the individual's voter registration card;
- the address on the individual's driver's license;
- the address for which any State or local homestead tax credit is received;
- the service address for the individual's residential utility bills;
- the address for any personal bank accounts held by the individual;
- the address on the most recent State and federal income tax returns filed by the individual;
- if applicable, the address where the individual's spouse resides; and

- if the individual has minor children that attend school, the address on the school records.

If the individual indicates that any of these addresses do not match the address of the individual's legal residence, the individual must explain any discrepancies. An individual may not be a candidate for the General Assembly if the individual does not file a candidate residency form.

Current Law: An individual may become a candidate for a public office only if the individual satisfies the qualifications for the office established by law and must be a registered voter at an address that satisfies any residence requirement for the office. Under the Maryland Constitution, in order to serve in the General Assembly, a person must have resided in the State for at least one year prior to the date of the person's election and resided in the district the person has been chosen to represent for at least six months prior to the date of the election. If the district has been established less than six months prior to the date of the election, the person must have resided in the district for as long as it has been established.

A candidate must specify on the certificate of candidacy form, among other things, the individual's address on the statewide voter registration list or the current address of the individual and include a statement that the individual satisfies the requirements of law for candidacy for the office.

A registered voter who is a resident of the district or other geographic area in which a candidate is seeking office may file a petition with the circuit court for that district or geographic area to challenge the candidate's residency.

Additional Information

Prior Introductions: None.

Cross File: HB 444 (Delegate C. Howard) - Ways and Means.

Information Source(s): State Board of Elections, Department of Legislative Services

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kb/hlb

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