

Department of Legislative Services
Maryland General Assembly
2016 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1063
Ways and Means

(Delegate Buckel, *et al.*)

Election Law - Filing Fee - Candidates for President and Vice President

This bill establishes a filing fee of \$580 for individuals who file a certificate of candidacy for the office of President and Vice President of the United States.

Fiscal Summary

State Effect: Special fund revenues increase minimally in fiscal years coinciding with presidential election years from collection of filing fees.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Subject to exceptions, an individual who files a certificate of candidacy must pay a filing fee at the time the certificate of candidacy is filed. There is currently no fee for individuals who file a certificate of candidacy for the office of President and Vice President of the United States. The fees for other offices vary, with the highest fee (\$290) paid by candidates for Governor, Lieutenant Governor, Comptroller, Attorney General, and U.S. Senator. Filing fees are distributed to the Fair Campaign Financing Fund, which holds funding for public campaign financing of gubernatorial tickets under the Public Financing Act.

Certain candidates for President are certified by the Secretary of State to be placed on the primary election ballot. The Secretary of State certifies to the State Board of Elections (SBE) names of candidates for nomination by a principal political party no later than

90 days before the primary election. The Secretary of State certifies the name of a presidential candidate on the ballot when the Secretary has determined, in the Secretary's sole discretion and consistent with party rules, that the candidate's candidacy is generally advocated or recognized in the news media throughout the United States or in Maryland, unless the candidate executes and files with the Secretary of State an affidavit stating that the candidate is not, and does not intend to become, a candidate for the office in the Maryland primary election.

In addition, an individual who desires to run in the primary election may be placed on the ballot by filing a petition containing signatures of at least 400 registered voters from each congressional district in the State. The petition must be filed on the Wednesday that is 83 days before the day of the election.

A candidate for President or Vice President of the United States nominated by a national party convention is not required to file a certificate of candidacy.

State Revenues: Special fund revenues increase minimally in fiscal years coinciding with presidential elections. SBE advises that candidates certified to be placed on the ballot by the Secretary of State do not file certificates of candidacy, and, as noted above, a candidate for President or Vice President of the United States nominated by a national party convention is not required to file a certificate of candidacy prior to the general election. It is assumed, therefore, that only a limited number of candidates pay the filing fee.

Additional Information

Prior Introductions: None.

Cross File: SB 484 (Senator Edwards) - Education, Health, and Environmental Affairs.

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

Fiscal Note History: First Reader - February 24, 2016
md/hlb

Analysis by: Scott D. Kennedy

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