

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 1121

(Senator Conway)

Judicial Proceedings

Judiciary and Ways and Means

Election Law - Candidate for Circuit Court Judge Defeated in Primary Election

This bill prohibits the name of a candidate for the office of judge of the circuit court who is defeated in the primary election in each contest for the office of circuit court judge in which the candidate appears on the ballot from appearing on the ballot at the succeeding general election as a candidate for any office.

Fiscal Summary

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

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: With certain exceptions, the name of a candidate who is defeated for the nomination for a public office may not appear on the ballot at the next succeeding general election as a candidate for any office. Candidates for circuit court judge are among the exceptions to that provision. Candidates for circuit court judge are typically nominated for the general election by the Democratic and Republican parties in the primary election and will “cross-file,” appearing on both the Democratic and Republican primary election ballots, needing to win on only one. In addition to nomination through the primary election, circuit court judges also have the option of being nominated for the general election by a third party or by petition.

Additional Information

Prior Introductions: None.

Cross File: HB 1382 (Delegate Barron) - Judiciary and Ways and Means.

Information Source(s): State Board of Elections; Judiciary (Administrative Office of the Courts); Department of Legislative Services

Fiscal Note History: First Reader - March 9, 2017
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