

HOUSE BILL 176

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9lr0118

By: **Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)**

Introduced and read first time: January 23, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Certificates of Candidacy and Nomination – Revisions**

3 FOR the purpose of requiring candidates nominated by a new political party to file a
4 certificate of candidacy by a certain date and time, comply with certain requirements
5 for a certificate of candidacy, and file a certificate of nomination with the appropriate
6 board and on a certain form; requiring the presiding officers of a national party
7 convention to file a certificate of nomination with the State Board of Elections within
8 a certain time period after the conclusion of the national party convention; repealing
9 the requirement for the Anne Arundel County Board of Education to provide certain
10 notice to the State Board by a certain date; authorizing the State Administrator of
11 Elections to designate temporary satellite locations to receive a certificate of
12 candidacy; and generally relating to certificates of candidacy and nomination.

13 BY repealing and reenacting, with amendments,
14 Article – Election Law
15 Section 4–102(f), 5–301(g), and 5–302
16 Annotated Code of Maryland
17 (2017 Replacement Volume and 2018 Supplement)

18 BY repealing
19 Article – Election Law
20 Section 5–301(h)
21 Annotated Code of Maryland
22 (2017 Replacement Volume and 2018 Supplement)

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

25 **Article – Election Law**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4-102.

2 (f) (1) Unless a new political party is required to hold a primary election to
3 nominate its candidates under Title 8 of this article, the new political party may nominate
4 its candidates in accordance with the constitution and bylaws adopted by the political party
5 and submitted to the State Board.

6 (2) **THE CANDIDATES NOMINATED BY THE NEW POLITICAL PARTY**
7 **SHALL:**

8 (I) **FILE A CERTIFICATE OF CANDIDACY NO LATER THAN 5 P.M.**
9 **ON THE FIRST MONDAY IN AUGUST IN THE YEAR OF THE GENERAL ELECTION FOR**
10 **THE OFFICE;**

11 (II) **COMPLY WITH THE REQUIREMENTS FOR A CERTIFICATE OF**
12 **CANDIDACY UNDER TITLE 5, SUBTITLE 3 OF THIS ARTICLE; AND**

13 (III) **FILE WITH THE APPROPRIATE BOARD, ON A FORM THE**
14 **STATE BOARD PRESCRIBES, A CERTIFICATE OF NOMINATION SIGNED BY THE**
15 **OFFICERS OF THE NEW POLITICAL PARTY.**

16 5-301.

17 (g) (1) A candidate for President or Vice President of the United States
18 nominated by a national party convention is not required to file a certificate of candidacy
19 under this section.

20 (2) If more than one written notice naming different presidential and vice
21 presidential nominees is provided to the State Board by persons purporting to be the
22 presiding officer of the same party convention, the State Board shall require the chairman
23 of the State party to provide written reaffirmation of the party's nominees within 5 days
24 after the State Board's demand.

25 (3) **THE PRESIDING OFFICERS OF THE NATIONAL PARTY CONVENTION**
26 **SHALL FILE A CERTIFICATE OF NOMINATION WITH THE STATE BOARD WITHIN 5**
27 **DAYS AFTER THE CONCLUSION OF THE NATIONAL PARTY CONVENTION.**

28 [(h) (1) On or before August 31 in the year in which a member of the Anne
29 Arundel County Board of Education must stand for continuance in office, the Anne Arundel
30 County Board of Education shall provide written notice to the State Board of the name of
31 the member that is to be placed on the ballot at the next succeeding general election.

32 (2) An incumbent member of the Anne Arundel County Board of Education
33 is not required to file a certificate of candidacy for an election for continuance in office.]

1 5-302.

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

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

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

6 (2) the General Assembly of Maryland;

7 (3) Representative in Congress;

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

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

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

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

17 **(D) THE STATE ADMINISTRATOR MAY DESIGNATE SATELLITE LOCATIONS**
18 **FOR A TEMPORARY PERIOD TO RECEIVE A CERTIFICATE OF CANDIDACY.**

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2019.