

SENATE BILL 1004

G1

9lr3252

By: **Senators Pinsky and Jennings**

Introduced and read first time: February 22, 2019

Assigned to: Rules

Re-referred to: Education, Health, and Environmental Affairs, February 27, 2019

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 14, 2019

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Election Calendar and Processes – Revisions**

3 FOR the purpose of altering the date by which the Clerk of the Court of Appeals and the
4 Clerk of the Court of Special Appeals are required to provide a certain notice to the
5 State Board of Elections; repealing the requirement that the Anne Arundel County
6 Board of Education provide a certain notice to the State Board; altering the deadline
7 for the filing of a certain certificate of candidacy; altering the deadline for the filing
8 of a certain petition to challenge a certain candidate's residency; requiring that
9 certain judicial proceedings be conducted in a certain manner; requiring the Court
10 of Appeals to give priority to hear and decide certain appeals in a certain manner;
11 altering the deadline for the filing of a certificate of withdrawal of candidacy; altering
12 the deadline for the filing of a certificate of declination; requiring that the name of a
13 certain individual appear on a certain ballot except under certain circumstances;
14 applying certain provisions of law regarding a vacancy in candidacy for a primary
15 election to a vacancy that occurs because of the death, disqualification, or withdrawal
16 of an unopposed candidate; requiring the vote cast by a certain central committee in
17 the filling of a certain vacancy in candidacy or nomination to be the share of the total
18 registered voters of a certain district as reported in a certain report of the State
19 Board, rather than of the population of the district as reported in a certain census;
20 altering the deadline for the filing of a certificate of designation of candidacy by a
21 certain central committee under certain circumstances; altering the deadline by
22 which the State central committee is required to fill a certain vacancy in candidacy;
23 altering the deadline by which a certain successor nominee must file a certificate of
24 candidacy with the State Board; altering the deadline by which a certain vacancy in

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 nomination must be filled for certain elections; repealing the requirement that a
2 certain local board change the ballots and take appropriate measures to notify the
3 voters of certain information under certain circumstances; altering the deadlines by
4 which certain election officials must make certain certifications; altering the
5 deadline by which judicial review of a certain determination must be sought; altering
6 the deadline by which judicial review of a certain petition must be sought; altering
7 the deadlines by which certain information regarding certain ballot questions is
8 required to be prepared and certified; repealing the requirement that certain local
9 boards provide a copy of certain questions to the State Board; providing that certain
10 information may be prepared before a certain petition is certified under a certain
11 provision of law; altering the deadline by which a certain petition relating to a certain
12 question must be filed with a certain entity; altering the deadline by which the
13 Secretary of State must certify the names of certain candidates for nomination by a
14 principal political party for a certain election; altering the deadline by which a
15 certain candidate must file a certain petition; altering the deadline by which the
16 State Board must certify and publicly display the content and arrangement of certain
17 ballots; repealing the requirement that the State Board publicly display certain
18 ballots within a certain period of time after certification; altering the number of days
19 after which the State Board may begin printing ballots under certain circumstances;
20 authorizing the State Administrator of Elections, instead of a local board, to
21 implement a change in how a voter may cast a valid ballot under certain
22 circumstances; repealing the requirement that a local board reprint ballots under
23 certain circumstances or affix stickers to ballots under certain circumstances;
24 requiring the State Administrator, rather than the local board, to notify certain
25 candidates regarding certain changes or corrections affecting the ballot under
26 certain circumstances; authorizing certain persons to take certain actions to correct
27 an administrative error on a ballot; altering the deadline by which a certain voter
28 may seek judicial review to require the correction of an administrative error under
29 certain circumstances; making a stylistic change; and generally relating to revisions
30 of the election calendar and processes.

31 BY repealing and reenacting, with amendments,

32 Article – Election Law

33 Section 5–301, 5–303, 5–305, 5–502, 5–801, 5–901, 5–1002, 5–1003, 5–1004(b),
34 6–209, 6–210, 7–103(c), 7–104, 8–502(c) and (d), 9–207, 9–208, and 9–209

35 Annotated Code of Maryland

36 (2017 Replacement Volume and 2018 Supplement)

37 BY repealing

38 Article – Election Law

39 Section 5–1204

40 Annotated Code of Maryland

41 (2017 Replacement Volume and 2018 Supplement)

42 BY repealing and reenacting, without amendments,

43 Article – Election Law

44 Section 7–103(b)

1 Annotated Code of Maryland
2 (2017 Replacement Volume and 2018 Supplement)

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

5 **Article – Election Law**

6 5–301.

7 (a) An individual may become a candidate for a public or party office only if:

8 (1) the individual files a certificate of candidacy in accordance with this
9 subtitle; and

10 (2) the individual does not file a certificate of withdrawal under Subtitle 5
11 of this title.

12 (b) The appropriate board shall determine whether an individual filing a
13 certificate of candidacy meets the requirements of this article, including:

14 (1) the voter registration and party affiliation requirements under Subtitle
15 2 of this title; and

16 (2) the campaign finance reporting requirements under Title 13 of this
17 article.

18 (c) (1) On the certificate of candidacy, a candidate shall designate how the
19 candidate's name is to appear on the ballot.

20 (2) Except as provided in paragraph (3) of this subsection, a candidate shall
21 file a certificate of candidacy in which the candidate lists any given name, an initial letter
22 of any other given name, and surname.

23 (3) A candidate may file a certificate of candidacy in a name different than
24 that specified under paragraph (2) of this subsection if the candidate files an affidavit,
25 under penalties of perjury, attesting that the candidate is generally known by that other
26 name in:

27 (i) press accounts concerning the candidate, if any; or

28 (ii) if press accounts do not exist, the candidate's everyday
29 encounters with members of the community.

30 (4) Except for the use of quotation marks to enclose a portion of a name,
31 the use of symbols, titles, degrees, or other professional designations on a certificate of
32 candidacy is prohibited.

1 (d) A candidate who seeks nomination by petition shall file a certificate of
2 candidacy as provided in § 5–703 of this title.

3 (e) A write-in candidate shall file a certificate of candidacy as provided under this
4 subtitle.

5 (f) (1) (i) On or before **THE FIRST MONDAY IN** August [31] in the year in
6 which a judge of the Court of Appeals must stand for continuance in office, the Clerk of the
7 Court of Appeals shall provide written notice to the State Board of the name of the judge
8 that is to be placed on the ballot at the next succeeding general election together with the
9 identification of the judicial circuit from which the qualified voters of that circuit may cast
10 a vote for the judge's continuance in office.

11 (ii) On or before **THE FIRST MONDAY IN** August [31] in the year in
12 which a judge of the Court of Special Appeals must stand for continuance in office, the Clerk
13 of the Court of Special Appeals shall provide written notice to the State Board of the name
14 of the judge that is to be placed on the ballot at the next succeeding general election together
15 with:

16 1. the identification of the judicial circuit from which the
17 qualified voters of that circuit may cast a vote for the judge's continuance in office; or

18 2. a statement that the voters of the entire State may cast a
19 vote for the judge's continuance in office.

20 (2) An incumbent judge of the Court of Appeals or Court of Special Appeals
21 is not required to file a certificate of candidacy for an election for continuance in office.

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

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

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

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

1 5-303.

2 (a) Except as provided in subsections (b) and (c) of this section:

3 (1) in the year in which the Governor is elected, a certificate of candidacy
4 shall be filed not later than 9 p.m. on the last Tuesday in February in the year in which the
5 primary election will be held; and

6 (2) for any other regularly scheduled election, a certificate of candidacy
7 shall be filed not later than 9 p.m. on the [Wednesday that is 83 days] **95TH DAY** before
8 the day on which the primary election will be held.

9 (b) A certificate of candidacy for an office to be filled by a special election under
10 this article shall be received and filed in the office of the appropriate board not later than
11 5 p.m. on the Monday that is 3 weeks or 21 days prior to the date for the special primary
12 election specified by the Governor in the proclamation for the special primary election.

13 (c) The certificate of candidacy for the election of a write-in candidate shall be
14 filed by the earlier of:

15 (1) 7 days after a total expenditure of at least \$51 is made to promote the
16 candidacy by a campaign finance entity of the candidate; or

17 (2) 5 p.m. on the 7th day preceding the start of early voting for which the
18 certificate is filed.

19 5-305.

20 (a) This section applies only to a petition that will affect the right of a candidate
21 to have the candidate's name appear on the ballot in a primary or general election.

22 (b) A registered voter who is a resident of the district or other geographic area in
23 which a candidate is seeking office may file a petition with the circuit court for that district
24 or geographic area to challenge the candidate's residency as provided in § 5-202 of this
25 title.

26 (c) **[(1)]** The petition must be filed **[9] 15** days after the filing dates provided in
27 § 5-303 of this subtitle and §§ 5-703(c) and 5-703.1(c) of this title **FOR WHICH THE**
28 **CANDIDATE FILED A CERTIFICATE OF CANDIDACY.**

29 **[(2)] (D) (1)** Judicial review of any petition that is filed under
30 subsection (b) of this section shall be expedited by the circuit court that hears the cause to
31 the extent necessary in consideration of the deadlines established by law, and in no case
32 longer than 7 days from the date the petition is filed.

1 **(2) A JUDICIAL PROCEEDING UNDER THIS SECTION SHALL BE**
2 **CONDUCTED IN ACCORDANCE WITH THE MARYLAND RULES, EXCEPT THAT:**

3 **(I) THE CASE SHALL BE HEARD AND DECIDED WITHOUT A JURY**
4 **AND AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE; AND**

5 **(II) AN APPEAL SHALL BE TAKEN DIRECTLY TO THE COURT OF**
6 **APPEALS WITHIN 5 DAYS AFTER THE DATE OF THE DECISION OF THE CIRCUIT**
7 **COURT.**

8 **(3) THE COURT OF APPEALS SHALL GIVE PRIORITY TO HEAR AND**
9 **DECIDE AN APPEAL BROUGHT UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION AS**
10 **EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE.**

11 5–502.

12 (a) Subject to § 5–402 of this title, an individual who has filed a certificate of
13 candidacy may withdraw the candidacy by filing a certificate of withdrawal on the form
14 prescribed by the State Board within [2] 10 days after the filing date established under §
15 5–303 of this title.

16 (b) An individual who has filed a certificate of candidacy for the special election
17 to fill a vacancy for Representative in Congress may withdraw the certificate on the
18 prescribed form within 2 days after the filing date established in the proclamation issued
19 by the Governor.

20 5–801.

21 (a) A nominee may decline the nomination by filing a certificate of declination on
22 the prescribed form.

23 (b) The certificate of declination shall be under oath and filed:

24 (1) with the board at which the certificate of candidacy was filed; and

25 (2) (i) in the year of a gubernatorial election, by the [70th day] **FIRST**
26 **TUESDAY IN AUGUST IMMEDIATELY** preceding the general election; or

27 (ii) in the year of a presidential election, by the [70th day] **FIRST**
28 **TUESDAY IN AUGUST IMMEDIATELY** preceding the general election.

29 (c) If a certificate of declination is filed under this section:

30 (1) the certificate of nomination to which the certificate of declination
31 relates is void;

1 (2) a vacancy in nomination is created to be filled in accordance with the
2 provisions of Subtitle 10 of this title;

3 (3) the name of the individual who declined the nomination may not appear
4 on the ballot unless the individual is selected to fill that vacancy; and

5 (4) the filing fee for the certificate of candidacy of that individual may not
6 be refunded.

7 **(D) THE NAME OF EACH INDIVIDUAL WHO DOES NOT DECLINE A**
8 **NOMINATION SHALL APPEAR ON THE GENERAL ELECTION BALLOT UNLESS, BY THE**
9 **85TH DAY PRECEDING THE GENERAL ELECTION, THE INDIVIDUAL'S DEATH OR**
10 **DISQUALIFICATION IS KNOWN TO THE BOARD WITH WHICH THE CERTIFICATE OF**
11 **CANDIDACY WAS FILED.**

12 5-901.

13 (a) This section does not apply to a vacancy in nomination in the office of a
14 Governor and Lieutenant Governor unit.

15 (b) This section applies to a vacancy in candidacy for a primary election that
16 occurs because:

17 **(1) OF THE DEATH, DISQUALIFICATION, OR WITHDRAWAL OF AN**
18 **UNOPPOSED CANDIDATE; OR**

19 **(2) no candidate for the political party files a certificate of candidacy for the**
20 **election.**

21 (c) (1) Except for a vacancy in candidacy for the election of a member of the
22 Senate of Maryland or the House of Delegates as provided in paragraph (2) of this
23 subsection, the vacancy in candidacy for a political party that is entitled to have a candidate
24 on the ballot for an office elected by the voters of more than one county shall be filled by
25 the State central committee or governing body of that political party.

26 (2) (i) In a State legislative district or a State delegate district
27 comprising more than one county, a vacancy in candidacy for a political party that is
28 entitled to have a candidate on the ballot shall be filled by a vote of the central committee
29 in the counties in the district.

30 (ii) In filling the vacancy in candidacy under subparagraph (i) of this
31 paragraph, the central committee of each county where the vacancy occurs shall cast a vote
32 proportionate to its share of the [population] **TOTAL REGISTERED VOTERS** of the district
33 as reported in the most recent [decennial census of the United States] **STATISTICAL**
34 **REPORT BY THE STATE BOARD.**

1 (iii) If no person receives a majority of the votes cast under
2 subparagraph (ii) of this paragraph, or if there is a tie vote by the central committees, the
3 vacancy in candidacy shall be filled by the State central committee of the political party.

4 (d) For any public or party office not described in subsection (c) of this section, a
5 vacancy in candidacy under this section shall be filled by the central committee of the
6 political party in the county in which the office is located.

7 (e) **(1)** A central committee authorized to fill a vacancy in candidacy for an
8 office under this section **BECAUSE OF THE WITHDRAWAL OF AN UNOPPOSED**
9 **CANDIDATE OR BECAUSE NO CANDIDATE FILED FOR THE OFFICE** shall file a certificate
10 of designation of candidacy with the appropriate board designated to receive the certificate
11 of candidacy for that office **[5]** 4 days after the **[filing]** **WITHDRAWAL** date provided in **[§**
12 **5-303]** **§ 5-502** of this title.

13 **(2) A CENTRAL COMMITTEE AUTHORIZED TO FILL A VACANCY IN**
14 **CANDIDACY FOR AN OFFICE UNDER THIS SECTION BECAUSE OF THE DEATH OR**
15 **DISQUALIFICATION OF AN UNOPPOSED CANDIDATE SHALL FILE A CERTIFICATE OF**
16 **DESIGNATION WITH THE APPROPRIATE BOARD DESIGNATED TO RECEIVE THE**
17 **CERTIFICATE OF CANDIDACY FOR THAT OFFICE 4 DAYS AFTER THE DEATH OR**
18 **DISQUALIFICATION BECOMES KNOWN TO THE APPLICABLE BOARD IN ACCORDANCE**
19 **WITH § 5-504 OF THIS TITLE.**

20 (f) The individual designated by a central committee under subsection (e) of this
21 section to fill a vacancy shall file a certificate of candidacy in accordance with Subtitle 3 of
22 this title with the appropriate board by the date specified for the applicable central
23 committee to file a certificate of designation under subsection (e) of this section.

24 5-1002.

25 (a) This section applies only to a nominee for statewide office, except for a
26 Governor and Lieutenant Governor unit.

27 (b) (1) **(I)** A vacancy in nomination that occurs because a nominee **[dies,]**
28 **declines the nomination[, or is disqualified for any cause]** shall be filled by the State central
29 committee of the political party to which the nominee belongs by the **[60th]** **88TH** day
30 before the general election.

31 **(II) A VACANCY IN NOMINATION THAT OCCURS BECAUSE A**
32 **NOMINEE DIES OR IS DISQUALIFIED FOR ANY CAUSE SHALL BE FILLED BY THE STATE**
33 **CENTRAL COMMITTEE OF THE POLITICAL PARTY TO WHICH THE NOMINEE BELONGS**
34 **BY THE 81ST DAY BEFORE THE GENERAL ELECTION.**

35 (2) (i) The State central committee shall file a certificate of designation
36 for the nominee with the State Board.

1 (ii) The successor nominee designated by the State central
2 committee under subparagraph (i) of this paragraph shall file a certificate of candidacy
3 with the State Board.

4 5–1003.

5 (a) This section applies to a vacancy in nomination for Representative in
6 Congress, State Senator, or member of the House of Delegates, if the district includes more
7 than one county.

8 (b) (1) A vacancy in nomination under this section that occurs because the
9 nominee dies, withdraws the candidacy, or is disqualified for any reason shall be filled by:

10 (i) a vote of the central committees of the political party in each of
11 the counties included in the district of that nominee; or

12 (ii) a State central committee for a nonprincipal political party that
13 does not have local central committees.

14 (2) The central committee of each county shall cast a vote that is
15 proportionate to its share of the [population] **TOTAL REGISTERED VOTERS** in that district
16 as reported in the most recent [decennial census of the United States] **STATISTICAL**
17 **REPORT BY THE STATE BOARD** and promptly notify its State central committee of the
18 results of its vote.

19 (3) (i) If no person receives a majority of the votes cast under paragraph
20 (2) of this subsection, or if there is a tie vote by the central committees, the vacancy in
21 nomination shall be filled by the State central committee.

22 (ii) In the event of a tie vote, the nominee selected by the State
23 central committee shall be one of the candidates involved in the tie.

24 (4) Following the [death,] declination[, or disqualification] of the nominee,
25 by the [60th] **88TH** day before the general election:

26 (i) the State central committee shall file a certificate of designation
27 for the nominee with the State Board; and

28 (ii) the successor nominee designated by the State central committee
29 under item (i) of this paragraph shall file a certificate of candidacy with the State Board.

30 **(5) FOLLOWING THE DEATH OR DISQUALIFICATION OF THE NOMINEE,**
31 **BY THE 81ST DAY BEFORE THE GENERAL ELECTION:**

1 **(I) THE STATE CENTRAL COMMITTEE SHALL FILE A**
2 **CERTIFICATE OF DESIGNATION FOR THE NOMINEE WITH THE STATE BOARD; AND**

3 **(II) THE SUCCESSOR NOMINEE DESIGNATED BY THE STATE**
4 **CENTRAL COMMITTEE UNDER ITEM (I) OF THIS PARAGRAPH SHALL FILE A**
5 **CERTIFICATE OF CANDIDACY WITH THE STATE BOARD.**

6 5-1004.

7 (b) **(1)** If a nominee for an office that is entirely in one county [dies,] declines
8 the nomination[, becomes disqualified,] or gains a tie vote with another candidate in a
9 primary election, the vacancy in nomination shall be filled by the [60th] **88TH** day before
10 the general election.

11 **(2) IF A NOMINEE FOR AN OFFICE THAT IS ENTIRELY IN ONE COUNTY**
12 **DIES OR BECOMES DISQUALIFIED, THE VACANCY IN NOMINATION SHALL BE FILLED**
13 **BY THE 81ST DAY BEFORE THE GENERAL ELECTION.**

14 [5-1204.

15 (a) If a vacancy in candidacy is properly filled and certified to the appropriate
16 board within the time prescribed under this title and the State Administrator, in
17 consultation with the election director of the local board, determines that there is sufficient
18 time for the local board to change the ballots with the correct names, the local board shall
19 change the ballots.

20 (b) If a vacancy in candidacy is properly filled and certified to the appropriate
21 board within the time prescribed under this title, and the State Administrator, in
22 consultation with the election director of the local board, determines that there is not
23 sufficient time for the local board to change the ballots with the correct names, the local
24 board shall take appropriate measures to notify the voters of:

25 (1) the change in candidacy;

26 (2) the procedure to be used by the voter to record the voter's vote; and

27 (3) the procedure to be used by the local board to conduct the canvass.]

28 6-209.

29 (a) (1) A person aggrieved by a determination made under § 6-202, § 6-206,
30 or § 6-208(a)(2) of this subtitle may seek judicial review:

31 (i) in the case of a statewide petition, a petition to refer an
32 enactment of the General Assembly pursuant to Article XVI of the Maryland Constitution,

1 or a petition for a congressional or General Assembly candidacy, in the Circuit Court for
2 Anne Arundel County; or

3 (ii) as to any other petition, in the circuit court for the county in
4 which the petition is filed.

5 (2) The court may grant relief as it considers appropriate to [assure]
6 ENSURE the integrity of the electoral process.

7 [(3) Judicial review shall be expedited by each court that hears the cause to
8 the extent necessary in consideration of the deadlines established by law.]

9 (3) A JUDICIAL PROCEEDING UNDER THIS SECTION SHALL BE
10 CONDUCTED IN ACCORDANCE WITH THE MARYLAND RULES, EXCEPT THAT:

11 (I) THE CASE SHALL BE HEARD AND DECIDED WITHOUT A JURY
12 AND AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE; AND

13 (II) AN APPEAL SHALL BE TAKEN DIRECTLY TO THE COURT OF
14 APPEALS WITHIN 5 DAYS AFTER THE DATE OF THE DECISION OF THE CIRCUIT
15 COURT.

16 (4) THE COURT OF APPEALS SHALL GIVE PRIORITY TO HEAR AND
17 DECIDE AN APPEAL BROUGHT UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION AS
18 EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE.

19 (b) Pursuant to the Maryland Uniform Declaratory Judgments Act and upon the
20 complaint of any registered voter, the circuit court of the county in which a petition has
21 been or will be filed may grant declaratory relief as to any petition with respect to the
22 provisions of this title or other provisions of law.

23 6–210.

24 (a) (1) A request for an advance determination under § 6–202 of this subtitle
25 shall be submitted at least 30 days, but not more than 2 years and 1 month, prior to the
26 deadline for the filing of the petition.

27 (2) Except as provided in paragraph (3) of this subsection, within 5
28 business days of receiving a request for an advance determination, the election authority
29 shall make the determination.

30 (3) Within 10 business days of receiving a request for an advance
31 determination of the sufficiency of a summary of a local law or charter amendment
32 contained in a petition under § 6–202(b) of this subtitle, the election director shall make
33 the determination.

1 (b) Within 2 business days after an advance determination under § 6–202 of this
 2 subtitle, or a determination of deficiency under § 6–206 or § 6–208 of this subtitle, the chief
 3 election official of the election authority shall notify the sponsor of the determination.

4 (c) The verification and counting of validated signatures on a petition shall be
 5 completed within 20 days after the filing of the petition.

6 (d) Within [2 business days] **1 BUSINESS DAY** of the completion of the
 7 verification and counting processes, or, if judicial review is pending, within [2 business
 8 days] **1 BUSINESS DAY** after a final judicial decision, the appropriate election official shall
 9 make the certifications required by § 6–208 of this subtitle.

10 (e) (1) Except as provided in paragraph (2) of this subsection, any judicial
 11 review of a determination, as provided in § 6–209 of this subtitle, shall be sought by the
 12 [10th] **SECOND** day following the determination to which the judicial review relates.

13 (2) (i) If the petition seeks to place the name of an individual or a
 14 question on the ballot at any election, except a presidential primary election, judicial review
 15 shall be sought by the day specified in paragraph (1) of this subsection or the [63rd] **69TH**
 16 day preceding that election, whichever day is earlier.

17 (ii) If the petition seeks to place the name of an individual on the
 18 ballot for a presidential primary election in accordance with § 8–502 of this article, judicial
 19 review of a determination made under § 6–208(a)(2) of this subtitle shall be sought by the
 20 5th day following the determination to which the judicial review relates.

21 **(3) (I) A JUDICIAL PROCEEDING UNDER THIS SUBSECTION SHALL**
 22 **BE CONDUCTED IN ACCORDANCE WITH THE MARYLAND RULES, EXCEPT THAT:**

23 **1. THE CASE SHALL BE HEARD AND DECIDED WITHOUT A**
 24 **JURY AND AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE; AND**

25 **2. AN APPEAL SHALL BE TAKEN DIRECTLY TO THE**
 26 **COURT OF APPEALS WITHIN 5 DAYS AFTER THE DATE OF THE DECISION OF THE**
 27 **CIRCUIT COURT.**

28 **(II) THE COURT OF APPEALS SHALL GIVE PRIORITY TO HEAR**
 29 **AND DECIDE AN APPEAL BROUGHT UNDER SUBPARAGRAPH (I)2 OF THIS**
 30 **PARAGRAPH AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE.**

31 7–103.

32 (b) Each question shall appear on the ballot containing the following information:

33 (1) a question number or letter as determined under subsection (d) of this
 34 section;

- 1 (2) a brief designation of the type or source of the question;
- 2 (3) a brief descriptive title in boldface type;
- 3 (4) a condensed statement of the purpose of the question; and
- 4 (5) the voting choices that the voter has.

5 (c) (1) The Secretary of State shall prepare and certify to the State Board, not
6 later than the [third Monday in August] **95TH DAY BEFORE THE GENERAL ELECTION**,
7 the information required under subsection (b) of this section, for all statewide ballot
8 questions and all questions relating to an enactment of the General Assembly which is
9 petitioned to referendum.

10 (2) The State Board shall prepare and certify to the appropriate local
11 board, not later than the [second Monday in August] **105TH DAY BEFORE THE GENERAL**
12 **ELECTION**, the information required under subsection (b) of this section for all questions
13 that have been referred to the voters of one county or part of one county pursuant to an
14 enactment of the General Assembly.

15 (3) (i) The county attorney of the appropriate county shall prepare and
16 certify to the [appropriate local board] **STATE BOARD**, not later than the [third Monday
17 in August] **95TH DAY BEFORE THE GENERAL ELECTION**, the information required under
18 subsection (b) of this section for each question to be voted on in a single county or part of a
19 county, except a question covered by paragraph (1) or paragraph (2) of this subsection.

20 (ii) If the information required under subsection (b) of this section
21 has not been timely certified under subparagraph (i) of this paragraph, the clerk of the
22 circuit court for the jurisdiction shall prepare and certify that information to the [local
23 board] **STATE BOARD** not later than the [fourth Monday] **FIRST FRIDAY** in August.

24 [(iii) A local board shall provide a copy of each certified question to the
25 State Board within 48 hours after receipt of the certification from the certifying authority.]

26 (4) (i) The municipal attorney of the appropriate municipal corporation
27 shall prepare and certify to the State Board, not later than the [third Monday] ~~**FIRST**~~
28 ~~**FRIDAY in August**~~ **95TH DAY BEFORE THE GENERAL ELECTION**, the information
29 required under subsection (b) of this section for each question to be voted on in the
30 municipal corporation, except a question covered by paragraphs (1) through (3) of this
31 subsection.

32 (ii) If the information required under subsection (b) of this section
33 has not been timely certified under subparagraph (i) of this paragraph, the clerk of the
34 circuit court for the county in which the municipal corporation is located shall prepare and

1 certify that information to the State Board not later than the ~~fourth Monday~~ **FIRST**
2 **FRIDAY** in August.

3 **(5) THE INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS**
4 **SECTION FOR A QUESTION THAT IS BEING PLACED ON THE BALLOT BY PETITION MAY**
5 **BE PREPARED BEFORE THE PETITION IS CERTIFIED UNDER § 6-208 OF THIS**
6 **ARTICLE.**

7 7-104.

8 (a) A petition for the election of a charter board may not be filed unless all of the
9 signatures attached to the petition have been written by the signers within 6 months of the
10 date when the petition is presented to the board.

11 (b) A petition relating to a question arising under Article XI-A of the Maryland
12 Constitution shall be filed with the appropriate governmental body or officer not later than
13 the [second Monday in August in the year of the] **99TH DAY BEFORE THE GENERAL**
14 election at which the question is to be voted on.

15 (c) (1) The responsible officers of a petition sponsor's ballot issue committee
16 shall be a party to any proceeding to test the validity of the petition.

17 (2) The proceeding shall be filed in the county where the petition sponsor
18 resides or maintains its principal place of business.

19 8-502.

20 (c) (1) The Secretary of State shall certify to the State Board the names of
21 candidates for nomination by a principal political party no later than [90] **113** days before
22 the primary election.

23 (2) The Secretary of State shall certify the name of a presidential candidate
24 on the ballot when the Secretary has determined, in the Secretary's sole discretion and
25 consistent with party rules, that the candidate's candidacy is generally advocated or
26 recognized in the news media throughout the United States or in Maryland, unless the
27 candidate executes and files with the Secretary of State an affidavit stating without
28 qualification that the candidate is not and does not intend to become a candidate for the
29 office in the Maryland primary election.

30 (d) A candidate who seeks to be placed on the ballot by the petition process
31 specified in subsection (b)(2) of this section shall file the petition, in the form prescribed by
32 the State Board, on the [Wednesday that is 83 days] **95TH DAY** before the day of the
33 election.

34 9-207.

1 (a) The State Board shall certify **AND PUBLICLY DISPLAY** the content and
2 arrangement of each ballot:

3 (1) for a primary election, at least **[55] 64** days before the election;

4 (2) for a general election, at least **[55] 64** days before the election;

5 (3) for a special primary election, at least 18 days before the election; and

6 (4) for a special general election, not later than a date specified in the
7 Governor's proclamation.

8 (b) The Court of Appeals, on petition of the State Board, may establish a later
9 date in extraordinary circumstances.

10 (c) **[Within 24 hours after certification, the] THE** State Board shall publicly
11 display the content and arrangement of each certified ballot on its **[Web site] WEBSITE**.

12 (d) Except pursuant to a court order under § 9–209 of this subtitle, or as provided
13 in § 9–208 of this subtitle, the content and arrangement of the ballot may not be modified
14 after the second day of the public display.

15 (e) Unless a delay is required by court order, the State Board may begin to print
16 the ballots after **[2] CERTIFICATION AND 3** days of public display and correct any noted
17 errors.

18 9–208.

19 (a) **[If] AFTER THE PRINTING OF BALLOTS HAS BEGUN AND IF** an error or a
20 change in circumstances **AFFECTING THE BALLOTS** requires [a local board to make a
21 change in a ballot after the ballots have been printed, with the approval of the State Board
22 the local board shall act as provided in this section] **THE STATE BOARD TO IMPLEMENT**
23 **A CHANGE IN HOW A VOTER MAY CAST A VALID BALLOT, THE STATE ADMINISTRATOR**
24 **SHALL DETERMINE WHAT MEASURES A LOCAL BOARD MAY TAKE TO NOTIFY VOTERS**
25 **OF THE ERROR OR CHANGE IN CIRCUMSTANCES FOR A VOTER TO CAST A VALID VOTE**
26 **FOR THAT ELECTION.**

27 (b) **[(1)** If there is sufficient time, the local board shall reprint the ballot.

28 (2) If there is insufficient time for reprinting the ballot and if the voting
29 system can accommodate it, the local board shall print a sufficient number of stickers
30 incorporating the change or correction. The stickers shall be consistent with the printed
31 ballots and be affixed to the ballots in the appropriate places.

1 (3) If there is insufficient time for reprinting the ballots and if the voting
2 system cannot accommodate stickers, the local board shall notify the voters of the change
3 or correction in accordance with regulations adopted by the State Board.

4 (c) After any change or correction on a ballot, the local board] **THE STATE**
5 **ADMINISTRATOR** shall immediately take all reasonable steps to notify all candidates on
6 the ballot and any other persons whom the [local board] **STATE ADMINISTRATOR**
7 considers appropriate:

8 **(1) ON DISCOVERY OF ANY CHANGE OR CORRECTION AFFECTING THE**
9 **BALLOTS AFTER THE PRINTING OF BALLOTS HAS BEGUN; OR**

10 **(2) WHEN THE STATE ADMINISTRATOR IMPLEMENTS A CHANGE**
11 **UNDER SUBSECTION (A) OF THIS SECTION.**

12 9–209.

13 (a) Within 2 days after the content and arrangement of the ballot are certified
14 under § 9–207 of this subtitle, a registered voter may seek judicial review of the content
15 and arrangement, or to correct any [other] **ADMINISTRATIVE** error, by filing a sworn
16 petition with the circuit court for Anne Arundel County.

17 (b) The circuit court may require the State Board to:

18 (1) correct an **ADMINISTRATIVE** error;

19 (2) show cause why an **ADMINISTRATIVE** error should not be corrected; or

20 (3) take any other action required to provide appropriate relief.

21 (c) If an **ADMINISTRATIVE** error is discovered after the ballots have been
22 [printed] **PUBLICLY DISPLAYED**, and the State [Board] **ADMINISTRATOR** fails to correct
23 the **ADMINISTRATIVE** error, a registered voter may seek judicial review not later than the
24 [second Monday] **62ND DAY** preceding the election.

25 **(D) (1) A JUDICIAL PROCEEDING UNDER THIS SECTION SHALL BE**
26 **CONDUCTED IN ACCORDANCE WITH THE MARYLAND RULES, EXCEPT THAT:**

27 **(I) THE CASE SHALL BE HEARD AND DECIDED WITHOUT A JURY**
28 **AND AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE; AND**

29 **(II) AN APPEAL SHALL BE TAKEN DIRECTLY TO THE COURT OF**
30 **APPEALS WITHIN 5 DAYS OF THE DATE OF THE DECISION OF THE CIRCUIT COURT.**

1 **(2) THE COURT OF APPEALS SHALL GIVE PRIORITY TO HEAR AND**
2 **DECIDE AN APPEAL BROUGHT UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION AS**
3 **EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 ~~October~~ June 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.