HOUSE BILL 1120

G1, G2 3lr2865

By: Delegate McComas

AN ACT concerning

Introduced and read first time: February 10, 2023

Assigned to: Ways and Means

A BILL ENTITLED

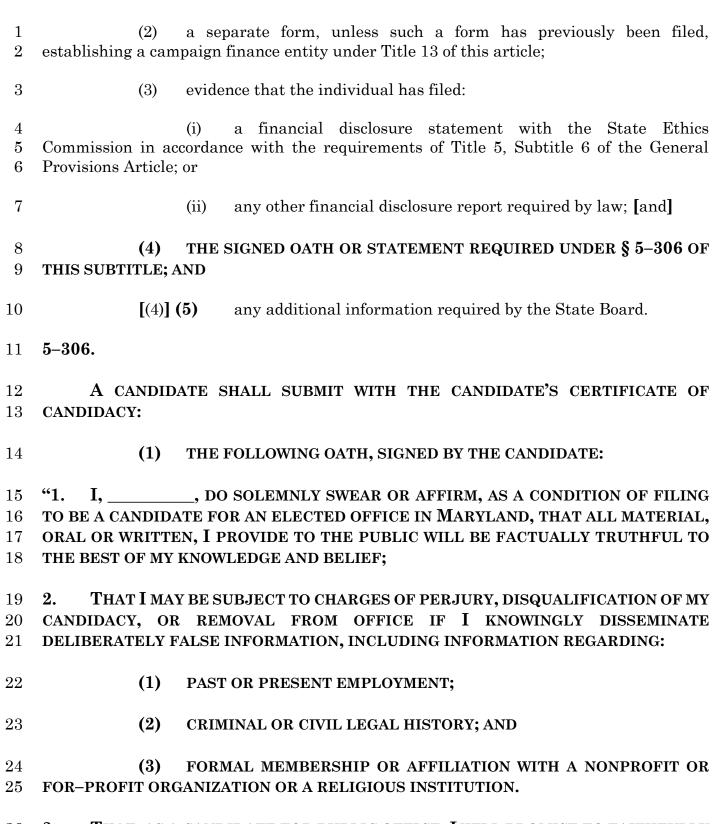
2 Election Law – Candidate Truthfulness – Oath

- FOR the purpose of requiring a candidate to submit a certain oath or statement with the candidate's certificate of candidacy relating to the candidate's truthfulness regarding certain information while campaigning for office; subjecting a candidate who attests to the oath to certain sanctions for a violation of the oath; and generally relating to oaths of candidate truthfulness.
- 8 BY repealing and reenacting, with amendments,
- 9 Article Election Law
- 10 Section 5–304(d)
- 11 Annotated Code of Maryland
- 12 (2022 Replacement Volume and 2022 Supplement)
- 13 BY adding to

1

- 14 Article Election Law
- 15 Section 5–306
- 16 Annotated Code of Maryland
- 17 (2022 Replacement Volume and 2022 Supplement)
- 18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 19 That the Laws of Maryland read as follows:
- 20 Article Election Law
- 21 5-304.
- 22 (d) The certificate of candidacy shall be accompanied by:
- 23 (1) a filing fee satisfying the requirements of § 5–401 of this title;





- 26 3. That, as a candidate for public office, I will promise to faithfully
- 27 AND IMPARTIALLY PERFORM ALL DUTIES INCUMBENT ON ME IN THE OFFICE I AM
- 28 SEEKING, UNDER THE CONSTITUTION AND LAWS OF THE UNITED STATES AND THIS
- 29 **STATE.**

- 1 4. THIS OATH DOES NOT PROHIBIT A CANDIDATE FROM, IN THE NORMAL COURSE 2 OF CAMPAIGNING, EMBELLISHING OR EDITORIALIZING NONFACTUAL OPINIONS OR 3 INFORMATION, INCLUDING PERSONAL INFORMATION. 4 **5.** THE INFORMATION INCLUDED IN OR ACCOMPANYING MY CERTIFICATE OF 5 CANDIDACY, INCLUDING THIS DOCUMENT, ARE AVAILABLE FOR PUBLIC 6 INSPECTION. 7 8 (SIGNATURE) (DATE)"; OR 9 **(2)** IF THE CANDIDATE DECLINES TO SIGN THE OATH DESCRIBED UNDER ITEM (1) OF THIS SECTION, THE FOLLOWING SIGNED BY THE CANDIDATE: 10 11 I, _____, CHOOSE NOT TO SWEAR OR AFFIRM THAT I WILL BE TRUTHFUL IN MY FACTUAL DISCLOSURES TO THE PUBLIC IN THE COURSE OF MY CANDIDACY 12 FOR THE OFFICE I AM SEEKING. 13 14 THE INFORMATION INCLUDED IN OR ACCOMPANYING MY CERTIFICATE OF 15 CANDIDACY, INCLUDING THIS DOCUMENT, ARE AVAILABLE FOR PUBLIC 16 INSPECTION. 17 (DATE)". 18 (SIGNATURE) 19 SECTION 2. AND BE IT FURTHER ENACTED, That, if any provision of this Act or 20 the application thereof to any person or circumstance is held invalid for any reason in a 21 court of competent jurisdiction, the invalidity does not affect other provisions or any other 22application of this Act that can be given effect without the invalid provision or application,
- SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.

and for this purpose the provisions of this Act are declared severable.

23