

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 742

(Delegate Boyce)

Ways and Means

Education, Energy, and the Environment

Election Law – Party and Elected Public Offices – Prohibition

This bill establishes that an individual may not (1) simultaneously be a candidate for a political party office and an elected public office or (2) simultaneously hold a political party office and an elected public office. The bill establishes, however, that these provisions do not apply to an individual who simultaneously holds an elected public office and (1) is on the ballot for the national presidential nominating convention or (2) holds the office of delegate to the national presidential nominating convention.

Fiscal Summary

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

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law:

Simultaneous Candidacy

Unless otherwise prohibited by rule of the applicable political party, an individual simultaneously may be a candidate for a political party office and a public office. An individual, however, may not simultaneously be a candidate for more than one public office or more than one political party office.

Qualifications for Candidacy

An individual may become a candidate for a public or party office only if the individual satisfies the qualifications for that office established by law and, in the case of a party office, by party constitution or bylaws.

Political Party Governance

Each political party must have a State central committee that is the governing body of the political party and may be composed of the members of the central committees of the counties during their terms in office. A principal political party must elect the members of a county central committee at a primary election.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See HB 160 of 2022; HB 335 of 2021; and HB 873 of 2020.

Designated Cross File: None.

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

Fiscal Note History: First Reader - February 19, 2023
km/sdk Third Reader - March 17, 2023

Analysis by: Arnold H. Adja

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