

SB0327/424731/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 327
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “establishing” in line 3 down through “change;” in line 11 and substitute “clarifying that the requirements for party affiliation for a candidate for office do not apply to a candidate for judge of the orphans’ court; requiring that a certificate of candidacy for judge of the orphans’ court be filed with the State Board of Elections; providing that a certain provision of law prohibiting the name of a certain candidate from appearing on a certain ballot does not apply to a candidate for judge of the orphans’ court; altering the order in which offices to be voted on appear on a ballot; requiring that the names of candidates for judge of the orphans’ court be placed on the ballot without a party label or other indication of party affiliation;”; in line 12, strike “nomination and”; and in line 16, strike “5-703(a), 5-703.1(a), and 9-210(a)” and substitute “5-302, 5-706, and 9-210(a) and (g)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 24 on page 1 through line 1 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, in line 16, after “office” insert “, INCLUDING JUDGE OF THE ORPHANS’ COURT”; in the same line, in each instance, strike the brackets; strike beginning with the semicolon in line 17 down through “COURT” in line 18; and after line 24, insert:

“5-302.

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

(Over)

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

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

(2) the General Assembly of Maryland;

(3) Representative in Congress;

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

(5) THE OFFICE OF JUDGE OF THE ORPHANS' COURT FOR A COUNTY; OR

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

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

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

5-706.

(a) This section does not apply to:

(1) a candidate for the office of judge of the circuit court;

(2) A CANDIDATE FOR THE OFFICE OF JUDGE OF THE ORPHANS' COURT;

[(2)](3) a candidate selected by a political party to fill a vacancy in nomination under Subtitle 9 or Subtitle 10 of this title; or

[(3)](4) a candidate defeated in a presidential preference primary.

(b) 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.”.

On pages 2 through 5, strike in their entirety the lines beginning with line 25 on page 2 through line 13 on page 5, inclusive.

On page 6, in line 12, after “(i)” insert “**JUDGE OF THE ORPHANS' COURT;**

(II)”;

in line 13, strike “(ii)” and substitute “**(III)**”;

strike beginning with “judge” in line 23 down through “(vi)” in line 24; and in line 25, strike “(vii)” and substitute “**(VI)**”.

On page 7, in line 2, strike “OTHER”; and after line 2, insert:

“(g) (1) Except for contests for judicial office or an office to be filled by nonpartisan election, the party affiliation of a candidate who is a nominee of a political party shall be indicated on the ballot.

(2) (i) A candidate who is not a nominee of a political party or affiliated with a partisan organization shall be designated as an “unaffiliated”.

(Over)

(ii) A candidate who is affiliated with a partisan organization shall be designated under “other candidates”.

(3) The names of candidates for judge of the circuit court, **JUDGE OF THE ORPHANS’ COURT**, or for a county board of education, and the names of incumbent appellate judges, shall be placed on the ballot without a party label or other distinguishing mark or location which might indicate party affiliation.”.