

HOUSE BILL 1559

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By: **Delegate A. Washington**

Introduced and read first time: February 22, 2016

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Elections – Nomination by Petition for Statewide Office – Required Signatures**

3 FOR the purpose of altering the number of registered voters who must sign petitions in
4 order for a candidate who seeks nomination by petition for statewide office to have
5 the candidate's name placed on the general election ballot; making a conforming
6 change; and generally relating to nomination by petition for statewide office.

7 BY repealing and reenacting, with amendments,
8 Article – Election Law
9 Section 5–703
10 Annotated Code of Maryland
11 (2010 Replacement Volume and 2015 Supplement)

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

14 **Article – Election Law**

15 5–703.

16 (a) Except for a candidate for a nonpartisan county board of education, this
17 section applies to any candidate for public office subject to this title.

18 (b) A candidate for a public office may be nominated by petition under this
19 subtitle if the candidate is not affiliated with any political party.

20 (c) (1) A candidate for public office who seeks nomination by petition shall file
21 a declaration of intent to seek nomination by petition.

22 (2) The declaration of intent shall be filed with the board at which the
23 candidate files a certificate of candidacy under Subtitle 3 of this title.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (3) The declaration of intent shall be filed as follows:

2 (i) in a year in which the Governor is elected, by the date and time
3 specified for a candidate to file a certificate of candidacy;

4 (ii) in a year in which the President and Mayor of Baltimore City are
5 elected, by the date and time specified for a candidate to file a certificate of candidacy; and

6 (iii) for a special election to fill a vacancy for Representative in
7 Congress, by the date and time specified for a candidate to file a certificate of candidacy in
8 the Governor's proclamation.

9 (4) A candidate who seeks nomination by petition may not be charged a fee
10 for filing the declaration of intent.

11 (d) (1) A candidate for public office who seeks nomination by petition shall file
12 a certificate of candidacy not later than 5 p.m. on the first Monday in August in the year of
13 the general election for the office.

14 (2) Except for the time of filing, the certificate of candidacy for a candidate
15 who seeks nomination by petition shall comply with the requirements for a certificate of
16 candidacy under Subtitle 3 of this title.

17 (e) (1) A candidate who seeks nomination by petition **FOR AN OFFICE OTHER**
18 **THAN A STATEWIDE OFFICE** may not have the candidate's name placed on the general
19 election ballot unless the candidate files with the appropriate board petitions signed by not
20 less than 1% of the total number of registered voters who are eligible to vote for the office
21 for which the nomination by petition is sought, except that the petitions shall be signed by
22 at least 250 registered voters who are eligible to vote for the office.

23 **(2) A CANDIDATE WHO SEEKS NOMINATION BY PETITION FOR A**
24 **STATEWIDE OFFICE MAY NOT HAVE THE CANDIDATE'S NAME PLACED ON THE**
25 **GENERAL ELECTION BALLOT UNLESS THE CANDIDATE FILES WITH THE**
26 **APPROPRIATE BOARD PETITIONS SIGNED BY NOT FEWER THAN 10,000 REGISTERED**
27 **VOTERS.**

28 ~~[(2)]~~ **(3)** The petitions shall be filed as required in Title 6 of this article.

29 ~~[(3)]~~ **(4)** The number of registered voters required to satisfy the
30 requirements of paragraph (1) of this subsection shall be determined as of January 1 of the
31 year of the primary election for which the nomination is sought.

32 (f) (1) Except as provided in paragraph (2) of this subsection, a petition that
33 contains the required number of signatures specified under subsection (e)(1) **OR (2)** of this

1 section shall be filed with the appropriate board by 5 p.m. on the first Monday in August in
2 the year in which the general election is held.

3 (2) In a special election to fill a vacancy in the office of Representative in
4 Congress, a petition that contains the required number of signatures shall be filed with the
5 State Board by 5 p.m. on the day of the special primary election.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2016.