

# HOUSE BILL 143

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By: **Chair, Ways and Means Committee (By Request – Departmental – State Board of Elections)**

Introduced and read first time: January 18, 2017

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Elections – Miscellaneous Duties and Procedures**

3 FOR the purpose of repealing a certain duty of a local election director; repealing the  
4 requirement that certain forms be printed; requiring political parties to certify to the  
5 State Board of Elections the residential addresses of certain candidates; repealing  
6 the requirement that certain candidates be identified on a ballot by the state in  
7 which the candidate resides; altering the filing deadline for a petition for a recount  
8 of certain election results; altering the deadline for the submission of a certain  
9 financial disclosure statement under certain circumstances; and generally relating  
10 to the duties of State and local election officials and to certain election procedures.

11 BY repealing and reenacting, with amendments,  
12 Article – Election Law  
13 Section 2–206, 6–103, 8–503, 9–210(h), and 12–103  
14 Annotated Code of Maryland  
15 (2010 Replacement Volume and 2016 Supplement)

16 BY repealing and reenacting, with amendments,  
17 Article – General Provisions  
18 Section 5–605  
19 Annotated Code of Maryland  
20 (2014 Volume and 2016 Supplement)

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

23 **Article – Election Law**

24 2–206.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Subject to the requirements of this article and the policies and guidance of the local  
2 board, the election director may:

- 3 (1) appoint the employees of the local board;
- 4 (2) train judges of election;
- 5 (3) give notice of elections;
- 6 (4) upon the request of an elderly or disabled voter whose polling place is  
7 not structurally barrier free, provide an alternate polling place to the voter;
- 8 (5) issue [voter acknowledgment notices and] voter notification cards;
- 9 (6) receive certificates of candidacy;
- 10 (7) verify petitions;
- 11 (8) in consultation with the local board, conduct the canvass following an  
12 election; and
- 13 (9) subject to § 9–306 of this article, process and reject absentee ballot  
14 applications.  
15 6–103.

16 (a) (1) The State Board shall adopt regulations, consistent with this title, to  
17 carry out the provisions of this title.

- 18 (2) The regulations shall:
  - 19 (i) prescribe the form and content of petitions;
  - 20 (ii) specify procedures for the circulation of petitions for signatures;
  - 21 (iii) specify procedures for the verification and counting of signatures;  
22 and
  - 23 (iv) provide any other procedural or technical requirements that the  
24 State Board considers appropriate.

25 (b) (1) The State Board shall:

- 26 (i) prepare guidelines and instructions relating to the petition  
27 process; and

1 (ii) design and arrange to have [printed] sample forms **AVAILABLE**  
2 **TO THE PUBLIC** conforming to this subtitle for each purpose for which a petition is  
3 authorized by law.

4 (2) The guidelines, instructions, and forms shall be provided to the public,  
5 on request, without charge.

6 8–503.

7 (a) Each political party shall nominate or provide for the nomination of  
8 candidates for presidential elector of the party in accordance with party rules.

9 (b) The number of candidates nominated by each political party shall be the  
10 number that this State is entitled to elect.

11 (c) (1) The names **AND RESIDENTIAL ADDRESSES** of individuals nominated  
12 as candidates for presidential elector by a political party shall be certified to the State  
13 Board by the presiding officers of the political party.

14 (2) The names **AND RESIDENTIAL ADDRESSES** of individuals nominated  
15 as candidates for presidential elector by a candidate for President of the United States who  
16 is nominated by petition shall be certified to the State Board by the candidate [on a form  
17 prescribed by the State Board].

18 (3) The electors shall be certified to the State Board at least 30 days before  
19 the general election.

20 9–210.

21 (h) [(1)] In an election of a member of the House of Delegates that is subject to  
22 the provisions of § 2–201(d) of the State Government Article, the name of a candidate shall  
23 be identified by the county in which the candidate resides.

24 [(2)] A candidate for President of the United States or Vice President of the  
25 United States shall be identified by the state in which the candidate resides.]

26 12–103.

27 (a) A petition for a recount based on the certified results of a question on the ballot  
28 in an election conducted under this article may be filed by a registered voter eligible to vote  
29 for that question.

30 (b) The petition shall specify that the recount be conducted:

31 (1) in all of the precincts in which the office was on the ballot; or

1 (2) only in precincts designated in the petition.

2 (c) (1) If the question was on the ballot in one county, the petition shall be filed  
3 in that county.

4 (2) If the question was on the ballot in more than one county, the petition  
5 shall be filed with the State Board.

6 (d) The petition must be filed within [2] 3 days after the results of the election  
7 are certified.

8 (e) (1) The State Board shall promptly notify each appropriate local board of a  
9 petition that is filed with the State Board.

10 (2) A local board shall promptly notify the State Board of a petition that is  
11 filed with the local board.

## 12 Article – General Provisions

13 5–605.

14 (a) Except as provided in subsection (b) of this section, a candidate who is  
15 required by § 5–601(a) of this subtitle to file a statement shall file the statement each year  
16 beginning with the year in which the candidate files a certificate of candidacy through the  
17 year of the election.

18 (b) This section does not require the filing of a statement for any full year covered  
19 by a statement filed by the individual under § 5–602 of this subtitle.

20 (c) A statement under this section shall be filed with the election board with  
21 which the certificate of candidacy is required to be filed.

22 (d) (1) The first statement required under this section shall be filed no later  
23 than the filing of the certificate of candidacy.

24 (2) In the year of the election the statement shall be filed on or before the  
25 earlier of:

26 (i) April 30; or

27 (ii) the last day for the withdrawal of a candidacy under § 5–502 of  
28 the Election Law Article.

29 (e) If a statement required by this section is overdue and is not filed within [20]  
30 5 days after the candidate receives from the election board written notice of the failure to  
31 file, the candidate is deemed to have withdrawn the candidacy.

1           (f)     (1)     An election board may not accept a certificate of candidacy or certificate  
2 of nomination of a candidate covered by this section unless the candidate has filed a  
3 statement required by this section or § 5-602 of this subtitle.

4                   (2)     An election board, within 30 days after receiving a statement, shall  
5 forward the statement to the Ethics Commission.

6           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 October 1, 2017.