

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

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 21, 2017

CHAPTER _____

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~~ altering the date on
10 which a candidate who fails to file a certain financial disclosure statement is deemed
11 to have withdrawn the candidacy; and generally relating to the duties of State and
12 local election officials and to certain election procedures.

13 BY repealing and reenacting, with amendments,
14 Article – Election Law
15 Section 2–206, 6–103, 8–503, 9–210(h), and 12–103
16 Annotated Code of Maryland
17 (2010 Replacement Volume and 2016 Supplement)

18 BY repealing and reenacting, with amendments,
19 Article – General Provisions
20 Section 5–605
21 Annotated Code of Maryland
22 (2014 Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Election Law**

4 2–206.

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

7 (1) appoint the employees of the local board;

8 (2) train judges of election;

9 (3) give notice of elections;

10 (4) upon the request of an elderly or disabled voter whose polling place is
11 not structurally barrier free, provide an alternate polling place to the voter;

12 (5) issue [voter acknowledgment notices and] voter notification cards;

13 (6) receive certificates of candidacy;

14 (7) verify petitions;

15 (8) in consultation with the local board, conduct the canvass following an
16 election; and

17 (9) subject to § 9–306 of this article, process and reject absentee ballot
18 applications.

19 6–103.

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

22 (2) The regulations shall:

23 (i) prescribe the form and content of petitions;

24 (ii) specify procedures for the circulation of petitions for signatures;

25 (iii) specify procedures for the verification and counting of signatures;

26 and

1 (iv) provide any other procedural or technical requirements that the
2 State Board considers appropriate.

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

4 (i) prepare guidelines and instructions relating to the petition
5 process; and

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

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

11 8–503.

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

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

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

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

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

25 9–210.

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

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

31 12–103.

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

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

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

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

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

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

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

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

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

17 Article – General Provisions

18 5–605.

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

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

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

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

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

31 (i) April 30; or

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

3 (e) If a statement required by this section is overdue and is not filed within [20]
4 ~~5~~ 8 days after the candidate receives from the election board written notice of the failure
5 to file, the candidate is deemed to have withdrawn the candidacy.

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

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

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.