

HOUSE BILL 2

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11r0352

(PRE-FILED)

By: **Delegate V. Turner**

Requested: October 22, 2010

Introduced and read first time: January 12, 2011

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Elections – Candidates – Filing Fees**

3 FOR the purpose of altering the amount of the filing fees for candidates for certain
4 public offices; altering the amount of the filing fees received by the State Board
5 of Elections from candidates for statewide office that are distributed to certain
6 local boards of elections; and generally relating to filing fees for candidates for
7 certain public offices.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 5–401 and 5–403
11 Annotated Code of Maryland
12 (2010 Replacement Volume)

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

15 **Article – Election Law**

16 5–401.

17 (a) (1) This section does not apply to a write-in candidate.

18 (2) Unless exempted under subsection (c) of this section, an individual
19 who files a certificate of candidacy shall pay a filing fee at the time the certificate of
20 candidacy is filed.

21 (b) The filing fee shall be as follows:

22 (1) President and Vice President of the United States..... No fee

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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- 1 (2) Governor or Lieutenant Governor [\$290] **\$2,000** each
- 2 (3) Comptroller of the Treasury..... [\$290] **\$2,000**
- 3 (4) Attorney General [\$290] **\$2,000**
- 4 (5) United States Senator [\$290] **\$2,000**
- 5 (6) Representative in Congress..... [\$100] **\$1,500**
- 6 (7) Member of the General Assembly:
- 7 **(I) SENATOR**..... [\$50] **\$1,000**
- 8 **(II) DELEGATE**..... **\$500**
- 9 [(8) Mayor of the City of Baltimore \$150
- 10 (9) Comptroller of the City of Baltimore \$150
- 11 (10) City Council of Baltimore:
- 12 (i) President \$150
- 13 (ii) member at large voted on by the voters of the entire City of
- 14 Baltimore.....\$150
- 15 (iii) member voted on by less than the entire City of Baltimore...
- 16 \$50
- 17 (11) offices of the City of Baltimore, not specified in items (8), (9), and
- 18 (10) of this subsection, that are voted on by the voters of the entire City of
- 19 Baltimore..... \$150
- 20 (12) any other public office \$25]
- 21 **(8) MEMBER OF A BOARD OF EDUCATION**..... **\$500**
- 22 **(9) COUNTY OFFICES NOT OTHERWISE SPECIFIED THAT ARE**
- 23 **VOTED ON BY THE VOTERS OF AN ENTIRE COUNTY** **\$2,000**
- 24 **(10) COUNTY OFFICES NOT OTHERWISE SPECIFIED THAT ARE**
- 25 **VOTED ON BY LESS THAN THE ENTIRE COUNTY** **\$1,000**
- 26 [(13)] **(11) member of a party central committee** \$10

1 (c) (1) A candidate may petition for a waiver of the filing fee in
2 accordance with this subsection.

3 (2) The filing fee required by this section shall be waived if the
4 candidate establishes inability to pay the fee.

5 (3) A candidate may demonstrate inability to pay the filing fee by
6 attaching to the certificate of candidacy when it is filed a sworn statement on the form
7 prescribed by the State Board of inability to pay which sets forth:

8 (i) the nature, extent, and liquidity of the candidate's assets;
9 and

10 (ii) the candidate's disposable net income.

11 (4) At its discretion and in order to conduct any investigation of the
12 petition for waiver, the appropriate board may request that the candidate provide
13 additional information concerning the candidate's financial status.

14 (5) If the appropriate board determines that the candidate is unable to
15 pay the required filing fee, the certificate of candidacy shall be issued without
16 payment of the fee.

17 5-403.

18 (a) Filing fees paid by candidates under § 5-401 of this subtitle shall be
19 distributed as specified in this section.

20 (b) Filing fees received by a local board shall be transferred to the governing
21 body of the county.

22 (c) Filing fees received by the State Board shall be divided and distributed:

23 (1) with respect to candidates for statewide office:

24 (i) \$60 to the Baltimore City Board of Elections; and

25 (ii) **[\$10 each] 25% OF THE FEE IN EQUAL AMOUNTS** to each
26 other local board;

27 (2) with respect to candidates for any other public or party office in a
28 multicounty district, in equal amounts to the local board of each county that contains
29 part of the district to which the candidacy relates; and

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1 (3) with respect to a candidate for a public or party office in a district
2 wholly contained within one county, to the local board of that county.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2011.