

SENATE BILL 1004

G1

(9lr3252)

ENROLLED BILL

— *Education, Health, and Environmental Affairs/Ways and Means* —

Introduced by **Senators Pinsky and Jennings**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Election Calendar and Processes – Revisions**

3 FOR the purpose of altering the date by which the Clerk of the Court of Appeals and the
4 Clerk of the Court of Special Appeals are required to provide a certain notice to the
5 State Board of Elections; repealing the requirement that the Anne Arundel County
6 Board of Education provide a certain notice to the State Board; altering the deadline
7 for the filing of a certain certificate of candidacy; altering the deadline for the filing
8 of a certain petition to challenge a certain candidate’s residency; requiring that
9 certain judicial proceedings be conducted in a certain manner; requiring the Court
10 of Appeals to give priority to hear and decide certain appeals in a certain manner;
11 altering the deadline for the filing of a certificate of withdrawal of candidacy; altering
12 the deadline for the filing of a certificate of declination; requiring that the name of a
13 certain individual appear on a certain ballot except under certain circumstances;
14 applying certain provisions of law regarding a vacancy in candidacy for a primary
15 election to a vacancy that occurs because of the death, disqualification, or withdrawal

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.

Italics indicate opposite chamber/conference committee amendments.



1 of an unopposed candidate; requiring the vote cast by a certain central committee in
2 the filling of a certain vacancy in candidacy or nomination to be the share of the total
3 registered voters of a certain district as reported in a certain report of the State
4 Board, rather than of the population of the district as reported in a certain census;
5 altering the deadline for the filing of a certificate of designation of candidacy by a
6 certain central committee under certain circumstances; altering the deadline by
7 which the State central committee is required to fill a certain vacancy in candidacy;
8 altering the deadline by which a certain successor nominee must file a certificate of
9 candidacy with the State Board; altering the deadline by which a certain vacancy in
10 nomination must be filled for certain elections; repealing the requirement that a
11 certain local board change the ballots and take appropriate measures to notify the
12 voters of certain information under certain circumstances; altering the deadlines by
13 which certain election officials must make certain certifications; altering the
14 deadline by which judicial review of a certain determination must be sought; altering
15 the deadline by which judicial review of a certain petition must be sought; altering
16 the deadlines by which certain information regarding certain ballot questions is
17 required to be prepared and certified; repealing the requirement that certain local
18 boards provide a copy of certain questions to the State Board; providing that certain
19 information may be prepared before a certain petition is certified under a certain
20 provision of law; altering the deadline by which a certain petition relating to a certain
21 question must be filed with a certain entity; altering the deadline by which the
22 Secretary of State must certify the names of certain candidates for nomination by a
23 principal political party for a certain election; altering the deadline by which a
24 certain candidate must file a certain petition; altering the deadline by which the
25 State Board must certify and publicly display the content and arrangement of certain
26 ballots; repealing the requirement that the State Board publicly display certain
27 ballots within a certain period of time after certification; altering the number of days
28 after which the State Board may begin printing ballots under certain circumstances;
29 authorizing the State Administrator of Elections, instead of a local board, to
30 implement a change in how a voter may cast a valid ballot under certain
31 circumstances; repealing the requirement that a local board reprint ballots under
32 certain circumstances or affix stickers to ballots under certain circumstances;
33 requiring the State Administrator, rather than the local board, to notify certain
34 candidates regarding certain changes or corrections affecting the ballot under
35 certain circumstances; authorizing certain persons to take certain actions to correct
36 an administrative error on a ballot; altering the deadline by which a certain voter
37 may seek judicial review to require the correction of an administrative error under
38 certain circumstances; making a stylistic change; and generally relating to revisions
39 of the election calendar and processes.

40 BY repealing and reenacting, with amendments,

41 Article – Election Law

42 Section 5–301, 5–303, 5–305, 5–502, 5–801, 5–901, 5–1002, 5–1003, 5–1004(b),
43 6–209, 6–210, 7–103(c), 7–104, 8–502(c) and (d), 9–207, 9–208, and 9–209

44 Annotated Code of Maryland

45 (2017 Replacement Volume and 2018 Supplement)

1 BY repealing
2 Article – Election Law
3 Section 5–1204
4 Annotated Code of Maryland
5 (2017 Replacement Volume and 2018 Supplement)

6 BY repealing and reenacting, without amendments,
7 Article – Election Law
8 Section 7–103(b)
9 Annotated Code of Maryland
10 (2017 Replacement Volume and 2018 Supplement)

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

13 **Article – Election Law**

14 5–301.

15 (a) An individual may become a candidate for a public or party office only if:

16 (1) the individual files a certificate of candidacy in accordance with this
17 subtitle; and

18 (2) the individual does not file a certificate of withdrawal under Subtitle 5
19 of this title.

20 (b) The appropriate board shall determine whether an individual filing a
21 certificate of candidacy meets the requirements of this article, including:

22 (1) the voter registration and party affiliation requirements under Subtitle
23 2 of this title; and

24 (2) the campaign finance reporting requirements under Title 13 of this
25 article.

26 (c) (1) On the certificate of candidacy, a candidate shall designate how the
27 candidate's name is to appear on the ballot.

28 (2) Except as provided in paragraph (3) of this subsection, a candidate shall
29 file a certificate of candidacy in which the candidate lists any given name, an initial letter
30 of any other given name, and surname.

31 (3) A candidate may file a certificate of candidacy in a name different than
32 that specified under paragraph (2) of this subsection if the candidate files an affidavit,
33 under penalties of perjury, attesting that the candidate is generally known by that other
34 name in:

1 (i) press accounts concerning the candidate, if any; or

2 (ii) if press accounts do not exist, the candidate's everyday
3 encounters with members of the community.

4 (4) Except for the use of quotation marks to enclose a portion of a name,
5 the use of symbols, titles, degrees, or other professional designations on a certificate of
6 candidacy is prohibited.

7 (d) A candidate who seeks nomination by petition shall file a certificate of
8 candidacy as provided in § 5-703 of this title.

9 (e) A write-in candidate shall file a certificate of candidacy as provided under this
10 subtitle.

11 (f) (1) (i) On or before **THE FIRST MONDAY IN** August [31] in the year in
12 which a judge of the Court of Appeals must stand for continuance in office, the Clerk of the
13 Court of Appeals shall provide written notice to the State Board of the name of the judge
14 that is to be placed on the ballot at the next succeeding general election together with the
15 identification of the judicial circuit from which the qualified voters of that circuit may cast
16 a vote for the judge's continuance in office.

17 (ii) On or before **THE FIRST MONDAY IN** August [31] in the year in
18 which a judge of the Court of Special Appeals must stand for continuance in office, the Clerk
19 of the Court of Special Appeals shall provide written notice to the State Board of the name
20 of the judge that is to be placed on the ballot at the next succeeding general election together
21 with:

22 1. the identification of the judicial circuit from which the
23 qualified voters of that circuit may cast a vote for the judge's continuance in office; or

24 2. a statement that the voters of the entire State may cast a
25 vote for the judge's continuance in office.

26 (2) An incumbent judge of the Court of Appeals or Court of Special Appeals
27 is not required to file a certificate of candidacy for an election for continuance in office.

28 (g) (1) A candidate for President or Vice President of the United States
29 nominated by a national party convention is not required to file a certificate of candidacy
30 under this section.

31 (2) If more than one written notice naming different presidential and vice
32 presidential nominees is provided to the State Board by persons purporting to be the
33 presiding officer of the same party convention, the State Board shall require the chairman
34 of the State party to provide written reaffirmation of the party's nominees within 5 days
35 after the State Board's demand.

1 [(h) (1) On or before August 31 in the year in which a member of the Anne
2 Arundel County Board of Education must stand for continuance in office, the Anne Arundel
3 County Board of Education shall provide written notice to the State Board of the name of
4 the member that is to be placed on the ballot at the next succeeding general election.

5 (2) An incumbent member of the Anne Arundel County Board of Education
6 is not required to file a certificate of candidacy for an election for continuance in office.]

7 5–303.

8 (a) Except as provided in subsections (b) and (c) of this section:

9 (1) in the year in which the Governor is elected, a certificate of candidacy
10 shall be filed not later than 9 p.m. on the last Tuesday in February in the year in which the
11 primary election will be held; and

12 (2) for any other regularly scheduled election, a certificate of candidacy
13 shall be filed not later than 9 p.m. on the [Wednesday that is 83 days] **95TH DAY** before
14 the day on which the primary election will be held.

15 (b) A certificate of candidacy for an office to be filled by a special election under
16 this article shall be received and filed in the office of the appropriate board not later than
17 5 p.m. on the Monday that is 3 weeks or 21 days prior to the date for the special primary
18 election specified by the Governor in the proclamation for the special primary election.

19 (c) The certificate of candidacy for the election of a write-in candidate shall be
20 filed by the earlier of:

21 (1) 7 days after a total expenditure of at least \$51 is made to promote the
22 candidacy by a campaign finance entity of the candidate; or

23 (2) 5 p.m. on the 7th day preceding the start of early voting for which the
24 certificate is filed.

25 5–305.

26 (a) This section applies only to a petition that will affect the right of a candidate
27 to have the candidate's name appear on the ballot in a primary or general election.

28 (b) A registered voter who is a resident of the district or other geographic area in
29 which a candidate is seeking office may file a petition with the circuit court for that district
30 or geographic area to challenge the candidate's residency as provided in § 5–202 of this
31 title.

1 (c) [(1)] The petition must be filed [9] 15 days after the filing dates provided in
2 § 5-303 of this subtitle and §§ 5-703(c) and 5-703.1(c) of this title **FOR WHICH THE**
3 **CANDIDATE FILED A CERTIFICATE OF CANDIDACY.**

4 [(2)] (D) (1) Judicial review of any petition that is filed under
5 subsection (b) of this section shall be expedited by the circuit court that hears the cause to
6 the extent necessary in consideration of the deadlines established by law, and in no case
7 longer than 7 days from the date the petition is filed.

8 (2) A JUDICIAL PROCEEDING UNDER THIS SECTION SHALL BE
9 CONDUCTED IN ACCORDANCE WITH THE MARYLAND RULES, EXCEPT THAT:

10 (I) THE CASE SHALL BE HEARD AND DECIDED WITHOUT A JURY
11 AND AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE; AND

12 (II) AN APPEAL SHALL BE TAKEN DIRECTLY TO THE COURT OF
13 APPEALS WITHIN 5 DAYS AFTER THE DATE OF THE DECISION OF THE CIRCUIT
14 COURT.

15 (3) THE COURT OF APPEALS SHALL GIVE PRIORITY TO HEAR AND
16 DECIDE AN APPEAL BROUGHT UNDER PARAGRAPH (2)(II) OF THIS SUBSECTION AS
17 EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE.

18 5-502.

19 (a) Subject to § 5-402 of this title, an individual who has filed a certificate of
20 candidacy may withdraw the candidacy by filing a certificate of withdrawal on the form
21 prescribed by the State Board within [2] 10 days after the filing date established under §
22 5-303 of this title.

23 (b) An individual who has filed a certificate of candidacy for the special election
24 to fill a vacancy for Representative in Congress may withdraw the certificate on the
25 prescribed form within 2 days after the filing date established in the proclamation issued
26 by the Governor.

27 5-801.

28 (a) A nominee may decline the nomination by filing a certificate of declination on
29 the prescribed form.

30 (b) The certificate of declination shall be under oath and filed:

31 (1) with the board at which the certificate of candidacy was filed; and

1 (2) (i) in the year of a gubernatorial election, by the [70th day] **FIRST**
2 **TUESDAY IN AUGUST IMMEDIATELY** preceding the general election; or

3 (ii) in the year of a presidential election, by the [70th day] **FIRST**
4 **TUESDAY IN AUGUST IMMEDIATELY** preceding the general election.

5 (c) If a certificate of declination is filed under this section:

6 (1) the certificate of nomination to which the certificate of declination
7 relates is void;

8 (2) a vacancy in nomination is created to be filled in accordance with the
9 provisions of Subtitle 10 of this title;

10 (3) the name of the individual who declined the nomination may not appear
11 on the ballot unless the individual is selected to fill that vacancy; and

12 (4) the filing fee for the certificate of candidacy of that individual may not
13 be refunded.

14 **(D) THE NAME OF EACH INDIVIDUAL WHO DOES NOT DECLINE A**
15 **NOMINATION SHALL APPEAR ON THE GENERAL ELECTION BALLOT UNLESS, BY THE**
16 **85TH DAY PRECEDING THE GENERAL ELECTION, THE INDIVIDUAL'S DEATH OR**
17 **DISQUALIFICATION IS KNOWN TO THE BOARD WITH WHICH THE CERTIFICATE OF**
18 **CANDIDACY WAS FILED.**

19 5-901.

20 (a) This section does not apply to a vacancy in nomination in the office of a
21 Governor and Lieutenant Governor unit.

22 (b) This section applies to a vacancy in candidacy for a primary election that
23 occurs because:

24 **(1) OF THE DEATH, DISQUALIFICATION, OR WITHDRAWAL OF AN**
25 **UNOPPOSED CANDIDATE; OR**

26 **(2) no candidate for the political party files a certificate of candidacy for the**
27 **election.**

28 (c) (1) Except for a vacancy in candidacy for the election of a member of the
29 Senate of Maryland or the House of Delegates as provided in paragraph (2) of this
30 subsection, the vacancy in candidacy for a political party that is entitled to have a candidate
31 on the ballot for an office elected by the voters of more than one county shall be filled by
32 the State central committee or governing body of that political party.

1 (2) (i) In a State legislative district or a State delegate district
2 comprising more than one county, a vacancy in candidacy for a political party that is
3 entitled to have a candidate on the ballot shall be filled by a vote of the central committee
4 in the counties in the district.

5 (ii) In filling the vacancy in candidacy under subparagraph (i) of this
6 paragraph, the central committee of each county where the vacancy occurs shall cast a vote
7 proportionate to its share of the [population] **TOTAL REGISTERED VOTERS** of the district
8 as reported in the most recent [decennial census of the United States] **STATISTICAL**
9 **REPORT BY THE STATE BOARD.**

10 (iii) If no person receives a majority of the votes cast under
11 subparagraph (ii) of this paragraph, or if there is a tie vote by the central committees, the
12 vacancy in candidacy shall be filled by the State central committee of the political party.

13 (d) For any public or party office not described in subsection (c) of this section, a
14 vacancy in candidacy under this section shall be filled by the central committee of the
15 political party in the county in which the office is located.

16 (e) **(1)** A central committee authorized to fill a vacancy in candidacy for an
17 office under this section **BECAUSE OF THE WITHDRAWAL OF AN UNOPPOSED**
18 **CANDIDATE OR BECAUSE NO CANDIDATE FILED FOR THE OFFICE** shall file a certificate
19 of designation of candidacy with the appropriate board designated to receive the certificate
20 of candidacy for that office [5] 4 days after the [filing] **WITHDRAWAL** date provided in [§
21 5-303] **§ 5-502** of this title.

22 **(2) A CENTRAL COMMITTEE AUTHORIZED TO FILL A VACANCY IN**
23 **CANDIDACY FOR AN OFFICE UNDER THIS SECTION BECAUSE OF THE DEATH OR**
24 **DISQUALIFICATION OF AN UNOPPOSED CANDIDATE SHALL FILE A CERTIFICATE OF**
25 **DESIGNATION WITH THE APPROPRIATE BOARD DESIGNATED TO RECEIVE THE**
26 **CERTIFICATE OF CANDIDACY FOR THAT OFFICE 4 DAYS AFTER THE DEATH OR**
27 **DISQUALIFICATION BECOMES KNOWN TO THE APPLICABLE BOARD IN ACCORDANCE**
28 **WITH § 5-504 OF THIS TITLE.**

29 (f) The individual designated by a central committee under subsection (e) of this
30 section to fill a vacancy shall file a certificate of candidacy in accordance with Subtitle 3 of
31 this title with the appropriate board by the date specified for the applicable central
32 committee to file a certificate of designation under subsection (e) of this section.

33 5-1002.

34 (a) This section applies only to a nominee for statewide office, except for a
35 Governor and Lieutenant Governor unit.

1 (b) (1) (I) A vacancy in nomination that occurs because a nominee [dies,]
2 declines the nomination[, or is disqualified for any cause] shall be filled by the State central
3 committee of the political party to which the nominee belongs by the [60th] **88TH** day
4 before the general election.

5 (II) A VACANCY IN NOMINATION THAT OCCURS BECAUSE A
6 NOMINEE DIES OR IS DISQUALIFIED FOR ANY CAUSE SHALL BE FILLED BY THE STATE
7 CENTRAL COMMITTEE OF THE POLITICAL PARTY TO WHICH THE NOMINEE BELONGS
8 BY THE 81ST DAY BEFORE THE GENERAL ELECTION.

9 (2) (i) The State central committee shall file a certificate of designation
10 for the nominee with the State Board.

11 (ii) The successor nominee designated by the State central
12 committee under subparagraph (i) of this paragraph shall file a certificate of candidacy
13 with the State Board.

14 5-1003.

15 (a) This section applies to a vacancy in nomination for Representative in
16 Congress, State Senator, or member of the House of Delegates, if the district includes more
17 than one county.

18 (b) (1) A vacancy in nomination under this section that occurs because the
19 nominee dies, withdraws the candidacy, or is disqualified for any reason shall be filled by:

20 (i) a vote of the central committees of the political party in each of
21 the counties included in the district of that nominee; or

22 (ii) a State central committee for a nonprincipal political party that
23 does not have local central committees.

24 (2) The central committee of each county shall cast a vote that is
25 proportionate to its share of the [population] **TOTAL REGISTERED VOTERS** in that district
26 as reported in the most recent [decennial census of the United States] **STATISTICAL**
27 **REPORT BY THE STATE BOARD** and promptly notify its State central committee of the
28 results of its vote.

29 (3) (i) If no person receives a majority of the votes cast under paragraph
30 (2) of this subsection, or if there is a tie vote by the central committees, the vacancy in
31 nomination shall be filled by the State central committee.

32 (ii) In the event of a tie vote, the nominee selected by the State
33 central committee shall be one of the candidates involved in the tie.

1 (4) Following the [death,] declination[, or disqualification] of the nominee,
2 by the [60th] **88TH** day before the general election:

3 (i) the State central committee shall file a certificate of designation
4 for the nominee with the State Board; and

5 (ii) the successor nominee designated by the State central committee
6 under item (i) of this paragraph shall file a certificate of candidacy with the State Board.

7 **(5) FOLLOWING THE DEATH OR DISQUALIFICATION OF THE NOMINEE,**
8 **BY THE 81ST DAY BEFORE THE GENERAL ELECTION:**

9 **(I) THE STATE CENTRAL COMMITTEE SHALL FILE A**
10 **CERTIFICATE OF DESIGNATION FOR THE NOMINEE WITH THE STATE BOARD; AND**

11 **(II) THE SUCCESSOR NOMINEE DESIGNATED BY THE STATE**
12 **CENTRAL COMMITTEE UNDER ITEM (I) OF THIS PARAGRAPH SHALL FILE A**
13 **CERTIFICATE OF CANDIDACY WITH THE STATE BOARD.**

14 5-1004.

15 (b) **(1)** If a nominee for an office that is entirely in one county [dies,] declines
16 the nomination[, becomes disqualified,] or gains a tie vote with another candidate in a
17 primary election, the vacancy in nomination shall be filled by the [60th] **88TH** day before
18 the general election.

19 **(2) IF A NOMINEE FOR AN OFFICE THAT IS ENTIRELY IN ONE COUNTY**
20 **DIES OR BECOMES DISQUALIFIED, THE VACANCY IN NOMINATION SHALL BE FILLED**
21 **BY THE 81ST DAY BEFORE THE GENERAL ELECTION.**

22 [5-1204.

23 (a) If a vacancy in candidacy is properly filled and certified to the appropriate
24 board within the time prescribed under this title and the State Administrator, in
25 consultation with the election director of the local board, determines that there is sufficient
26 time for the local board to change the ballots with the correct names, the local board shall
27 change the ballots.

28 (b) If a vacancy in candidacy is properly filled and certified to the appropriate
29 board within the time prescribed under this title, and the State Administrator, in
30 consultation with the election director of the local board, determines that there is not
31 sufficient time for the local board to change the ballots with the correct names, the local
32 board shall take appropriate measures to notify the voters of:

33 (1) the change in candidacy;

1 (2) the procedure to be used by the voter to record the voter's vote; and

2 (3) the procedure to be used by the local board to conduct the canvass.]

3 6-209.

4 (a) (1) A person aggrieved by a determination made under § 6-202, § 6-206,
5 or § 6-208(a)(2) of this subtitle may seek judicial review:

6 (i) in the case of a statewide petition, a petition to refer an
7 enactment of the General Assembly pursuant to Article XVI of the Maryland Constitution,
8 or a petition for a congressional or General Assembly candidacy, in the Circuit Court for
9 Anne Arundel County; or

10 (ii) as to any other petition, in the circuit court for the county in
11 which the petition is filed.

12 (2) The court may grant relief as it considers appropriate to [assure]
13 ENSURE the integrity of the electoral process.

14 [(3) Judicial review shall be expedited by each court that hears the cause to
15 the extent necessary in consideration of the deadlines established by law.]

16 **(3) A JUDICIAL PROCEEDING UNDER THIS SECTION SHALL BE**
17 **CONDUCTED IN ACCORDANCE WITH THE MARYLAND RULES, EXCEPT THAT:**

18 **(I) THE CASE SHALL BE HEARD AND DECIDED WITHOUT A JURY**
19 **AND AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE; AND**

20 **(II) AN APPEAL SHALL BE TAKEN DIRECTLY TO THE COURT OF**
21 **APPEALS WITHIN 5 DAYS AFTER THE DATE OF THE DECISION OF THE CIRCUIT**
22 **COURT.**

23 **(4) THE COURT OF APPEALS SHALL GIVE PRIORITY TO HEAR AND**
24 **DECIDE AN APPEAL BROUGHT UNDER PARAGRAPH (3)(II) OF THIS SUBSECTION AS**
25 **EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE.**

26 (b) Pursuant to the Maryland Uniform Declaratory Judgments Act and upon the
27 complaint of any registered voter, the circuit court of the county in which a petition has
28 been or will be filed may grant declaratory relief as to any petition with respect to the
29 provisions of this title or other provisions of law.

30 6-210.

1 (a) (1) A request for an advance determination under § 6–202 of this subtitle
2 shall be submitted at least 30 days, but not more than 2 years and 1 month, prior to the
3 deadline for the filing of the petition.

4 (2) Except as provided in paragraph (3) of this subsection, within 5
5 business days of receiving a request for an advance determination, the election authority
6 shall make the determination.

7 (3) Within 10 business days of receiving a request for an advance
8 determination of the sufficiency of a summary of a local law or charter amendment
9 contained in a petition under § 6–202(b) of this subtitle, the election director shall make
10 the determination.

11 (b) Within 2 business days after an advance determination under § 6–202 of this
12 subtitle, or a determination of deficiency under § 6–206 or § 6–208 of this subtitle, the chief
13 election official of the election authority shall notify the sponsor of the determination.

14 (c) The verification and counting of validated signatures on a petition shall be
15 completed within 20 days after the filing of the petition.

16 (d) Within [2 business days] **1 BUSINESS DAY** of the completion of the
17 verification and counting processes, or, if judicial review is pending, within [2 business
18 days] **1 BUSINESS DAY** after a final judicial decision, the appropriate election official shall
19 make the certifications required by § 6–208 of this subtitle.

20 (e) (1) Except as provided in paragraph (2) of this subsection, any judicial
21 review of a determination, as provided in § 6–209 of this subtitle, shall be sought by the
22 ~~{10th}~~ **SECOND** day following the determination to which the judicial review relates.

23 (2) (i) If the petition seeks to place the name of an individual or a
24 question on the ballot at any election, except a presidential primary election, judicial review
25 shall be sought by the day specified in paragraph (1) of this subsection or the [63rd] **69TH**
26 day preceding that election, whichever day is earlier.

27 (ii) If the petition seeks to place the name of an individual on the
28 ballot for a presidential primary election in accordance with § 8–502 of this article, judicial
29 review of a determination made under § 6–208(a)(2) of this subtitle shall be sought by the
30 5th day following the determination to which the judicial review relates.

31 **(3) (I) A JUDICIAL PROCEEDING UNDER THIS SUBSECTION SHALL**
32 **BE CONDUCTED IN ACCORDANCE WITH THE MARYLAND RULES, EXCEPT THAT:**

33 **1. THE CASE SHALL BE HEARD AND DECIDED WITHOUT A**
34 **JURY AND AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE; AND**

1 **2. AN APPEAL SHALL BE TAKEN DIRECTLY TO THE**
2 **COURT OF APPEALS WITHIN 5 DAYS AFTER THE DATE OF THE DECISION OF THE**
3 **CIRCUIT COURT.**

4 **(II) THE COURT OF APPEALS SHALL GIVE PRIORITY TO HEAR**
5 **AND DECIDE AN APPEAL BROUGHT UNDER SUBPARAGRAPH (I)2 OF THIS**
6 **PARAGRAPH AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE.**

7 7-103.

8 (b) Each question shall appear on the ballot containing the following information:

9 (1) a question number or letter as determined under subsection (d) of this
10 section;

11 (2) a brief designation of the type or source of the question;

12 (3) a brief descriptive title in boldface type;

13 (4) a condensed statement of the purpose of the question; and

14 (5) the voting choices that the voter has.

15 (c) (1) The Secretary of State shall prepare and certify to the State Board, not
16 later than the [third Monday in August] **95TH DAY BEFORE THE GENERAL ELECTION**,
17 the information required under subsection (b) of this section, for all statewide ballot
18 questions and all questions relating to an enactment of the General Assembly which is
19 petitioned to referendum.

20 (2) The State Board shall prepare and certify to the appropriate local
21 board, not later than the [second Monday in August] **105TH DAY BEFORE THE GENERAL**
22 **ELECTION**, the information required under subsection (b) of this section for all questions
23 that have been referred to the voters of one county or part of one county pursuant to an
24 enactment of the General Assembly.

25 (3) (i) The county attorney of the appropriate county shall prepare and
26 certify to the [appropriate local board] **STATE BOARD**, not later than the [third Monday
27 in August] **95TH DAY BEFORE THE GENERAL ELECTION**, the information required under
28 subsection (b) of this section for each question to be voted on in a single county or part of a
29 county, except a question covered by paragraph (1) or paragraph (2) of this subsection.

30 (ii) If the information required under subsection (b) of this section
31 has not been timely certified under subparagraph (i) of this paragraph, the clerk of the
32 circuit court for the jurisdiction shall prepare and certify that information to the [local
33 board] **STATE BOARD** not later than the [fourth Monday] **FIRST FRIDAY** in August.

1 [(iii) A local board shall provide a copy of each certified question to the
2 State Board within 48 hours after receipt of the certification from the certifying authority.]

3 (4) (i) The municipal attorney of the appropriate municipal corporation
4 shall prepare and certify to the State Board, not later than the [third Monday] ~~FIRST~~
5 ~~FRIDAY~~ in August **95TH DAY BEFORE THE GENERAL ELECTION**, the information
6 required under subsection (b) of this section for each question to be voted on in the
7 municipal corporation, except a question covered by paragraphs (1) through (3) of this
8 subsection.

9 (ii) If the information required under subsection (b) of this section
10 has not been timely certified under subparagraph (i) of this paragraph, the clerk of the
11 circuit court for the county in which the municipal corporation is located shall prepare and
12 certify that information to the State Board not later than the ~~fourth Monday~~ **FIRST**
13 **FRIDAY** in August.

14 **(5) THE INFORMATION REQUIRED UNDER SUBSECTION (B) OF THIS**
15 **SECTION FOR A QUESTION THAT IS BEING PLACED ON THE BALLOT BY PETITION MAY**
16 **BE PREPARED BEFORE THE PETITION IS CERTIFIED UNDER § 6-208 OF THIS**
17 **ARTICLE.**

18 7-104.

19 (a) A petition for the election of a charter board may not be filed unless all of the
20 signatures attached to the petition have been written by the signers within 6 months of the
21 date when the petition is presented to the board.

22 (b) A petition relating to a question arising under Article XI-A of the Maryland
23 Constitution shall be filed with the appropriate governmental body or officer not later than
24 the [second Monday in August in the year of the] **99TH DAY BEFORE THE GENERAL**
25 election at which the question is to be voted on.

26 (c) (1) The responsible officers of a petition sponsor's ballot issue committee
27 shall be a party to any proceeding to test the validity of the petition.

28 (2) The proceeding shall be filed in the county where the petition sponsor
29 resides or maintains its principal place of business.

30 8-502.

31 (c) (1) The Secretary of State shall certify to the State Board the names of
32 candidates for nomination by a principal political party no later than [90] **113** days before
33 the primary election.

34 (2) The Secretary of State shall certify the name of a presidential candidate
35 on the ballot when the Secretary has determined, in the Secretary's sole discretion and

1 consistent with party rules, that the candidate's candidacy is generally advocated or
2 recognized in the news media throughout the United States or in Maryland, unless the
3 candidate executes and files with the Secretary of State an affidavit stating without
4 qualification that the candidate is not and does not intend to become a candidate for the
5 office in the Maryland primary election.

6 (d) A candidate who seeks to be placed on the ballot by the petition process
7 specified in subsection (b)(2) of this section shall file the petition, in the form prescribed by
8 the State Board, on the [Wednesday that is 83 days] **95TH DAY** before the day of the
9 election.

10 9–207.

11 (a) The State Board shall certify **AND PUBLICLY DISPLAY** the content and
12 arrangement of each ballot:

13 (1) for a primary election, at least [55] **64** days before the election;

14 (2) for a general election, at least [55] **64** days before the election;

15 (3) for a special primary election, at least 18 days before the election; and

16 (4) for a special general election, not later than a date specified in the
17 Governor's proclamation.

18 (b) The Court of Appeals, on petition of the State Board, may establish a later
19 date in extraordinary circumstances.

20 (c) [Within 24 hours after certification, the] **THE** State Board shall publicly
21 display the content and arrangement of each certified ballot on its [Web site] **WEBSITE**.

22 (d) Except pursuant to a court order under § 9–209 of this subtitle, or as provided
23 in § 9–208 of this subtitle, the content and arrangement of the ballot may not be modified
24 after the second day of the public display.

25 (e) Unless a delay is required by court order, the State Board may begin to print
26 the ballots after [2] **CERTIFICATION AND 3** days of public display and correct any noted
27 errors.

28 9–208.

29 (a) [If] **AFTER THE PRINTING OF BALLOTS HAS BEGUN AND IF** an error or a
30 change in circumstances **AFFECTING THE BALLOTS** requires [a local board to make a
31 change in a ballot after the ballots have been printed, with the approval of the State Board
32 the local board shall act as provided in this section] **THE STATE BOARD TO IMPLEMENT**
33 **A CHANGE IN HOW A VOTER MAY CAST A VALID BALLOT, THE STATE ADMINISTRATOR**

1 SHALL DETERMINE WHAT MEASURES A LOCAL BOARD MAY TAKE TO NOTIFY VOTERS
 2 ~~OF THE ERROR OR CHANGE IN CIRCUMSTANCES FOR A VOTER TO CAST A VALID VOTE~~
 3 ~~FOR THAT ELECTION;~~

4 (1) THE ERROR OR CHANGE IN CIRCUMSTANCES; AND

5 (2) THE MANNER IN WHICH THE VOTERS MAY CAST VALID BALLOTS
 6 FOR THAT ELECTION.

7 (b) [(1) If there is sufficient time, the local board shall reprint the ballot.

8 (2) If there is insufficient time for reprinting the ballot and if the voting
 9 system can accommodate it, the local board shall print a sufficient number of stickers
 10 incorporating the change or correction. The stickers shall be consistent with the printed
 11 ballots and be affixed to the ballots in the appropriate places.

12 (3) If there is insufficient time for reprinting the ballots and if the voting
 13 system cannot accommodate stickers, the local board shall notify the voters of the change
 14 or correction in accordance with regulations adopted by the State Board.

15 (c) After any change or correction on a ballot, the local board] **THE STATE**
 16 **ADMINISTRATOR** shall immediately take all reasonable steps to notify all candidates on
 17 the ballot and any other persons whom the [local board] **STATE ADMINISTRATOR**
 18 considers appropriate:

19 (1) **ON DISCOVERY OF ANY CHANGE OR CORRECTION AFFECTING THE**
 20 **BALLOTS AFTER THE PRINTING OF BALLOTS HAS BEGUN; OR**

21 (2) **WHEN THE STATE ADMINISTRATOR IMPLEMENTS A CHANGE**
 22 **UNDER SUBSECTION (A) OF THIS SECTION.**

23 9–209.

24 (a) Within 2 days after the content and arrangement of the ballot are certified
 25 under § 9–207 of this subtitle, a registered voter may seek judicial review of the content
 26 and arrangement, or to correct any [other] **ADMINISTRATIVE** error, by filing a sworn
 27 petition with the circuit court for Anne Arundel County.

28 (b) The circuit court may require the State Board to:

29 (1) correct an **ADMINISTRATIVE** error;

30 (2) show cause why an **ADMINISTRATIVE** error should not be corrected; or

31 (3) take any other action required to provide appropriate relief.

1 (c) If an ADMINISTRATIVE error is discovered after the ballots have been
2 [printed] PUBLICLY DISPLAYED, and the State [Board] ADMINISTRATOR fails to correct
3 the ADMINISTRATIVE error, a registered voter may seek judicial review not later than the
4 [second Monday] 62ND DAY preceding the election.

5 (D) (1) A JUDICIAL PROCEEDING UNDER THIS SECTION SHALL BE
6 CONDUCTED IN ACCORDANCE WITH THE MARYLAND RULES, EXCEPT THAT:

7 (I) THE CASE SHALL BE HEARD AND DECIDED WITHOUT A JURY
8 AND AS EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE; AND

9 (II) AN APPEAL SHALL BE TAKEN DIRECTLY TO THE COURT OF
10 APPEALS WITHIN 5 DAYS OF THE DATE OF THE DECISION OF THE CIRCUIT COURT.

11 (2) THE COURT OF APPEALS SHALL GIVE PRIORITY TO HEAR AND
12 DECIDE AN APPEAL BROUGHT UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION AS
13 EXPEDITIOUSLY AS THE CIRCUMSTANCES REQUIRE.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 ~~October~~ June 1, 2019.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.