SENATE BILL 372

By: **Senators Feldman and Kagan**
Introduced and read first time: January 17, 2024
Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 8, 2024

CHAPTER _____

1 AN ACT concerning

2   **Election Law – Deadline for Selection of Lieutenant Governor**

3 FOR the purpose of altering the timeline for and requirements related to the selection of a
4   candidate for Lieutenant Governor by a candidate for Governor.

5 BY proposing an amendment to the Maryland Constitution
6   Article II – Executive Department
7   Section 1B

8   SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
9 (Three–fifths of all the members elected to each of the two Houses concurring), That it be
10 proposed that the Maryland Constitution read as follows:

11   **Article II – Executive Department**

12 1B.

13   [Each candidate who shall seek a nomination for Governor, under any method
14 provided by law for such nomination, including primary elections, shall at the time of filing
15 for said office designate a candidate for Lieutenant Governor, and the names of the said
16 candidate for Governor and Lieutenant Governor shall be listed on the primary election
17 ballot, or otherwise considered for nomination jointly with each other.]

18   **(A) A CANDIDATE WHO SEEKS A NOMINATION FOR GOVERNOR IN A**
19 **PRIMARY ELECTION SHALL DESIGNATE A CANDIDATE FOR LIEUTENANT GOVERNOR**

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   **WITHIN** ~~21 DAYS AFTER THE PRIMARY ELECTION~~ **2 DAYS AFTER CERTIFICATION OF**
2   **THE PRIMARY ELECTION.**

3   **(B)   A CANDIDATE WHO SEEKS A NOMINATION FOR GOVERNOR UNDER ANY**
4   **METHOD PROVIDED BY LAW OTHER THAN A PRIMARY ELECTION SHALL DESIGNATE**
5   **A   CANDIDATE   FOR   LIEUTENANT   GOVERNOR   AT   THE   TIME   OF   FILING   A**
6   **DECLARATION OF INTENT TO SEEK NOMINATION, AND THE CANDIDATE FOR**
7   **GOVERNOR AND THE DESIGNATED CANDIDATE FOR LIEUTENANT GOVERNOR**
8   **SHALL BE CONSIDERED FOR NOMINATION JOINTLY.**

9   **(C)   (1)**   No candidate for Governor may designate a candidate for Lieutenant
10   Governor **[**to contest for the said offices jointly with him**]** without the consent of the **[**said**]**
11   candidate for Lieutenant Governor, and no candidate for Lieutenant Governor may
12   designate a candidate for Governor**[**, to contest jointly for said offices with him**]** without
13   the consent of the **[**said**]** candidate for Governor**[**, said consent to be in writing on a form
14   provided for such purpose and filed at the time the said candidates shall file their
15   certificates of candidacy, or other documents by which they seek nomination**]**.

16   **(2)   A   CANDIDATE   SHALL   PROVIDE   CONSENT   UNDER   THIS**
17   **SUBSECTION IN WRITING AT THE TIME OF FILING A CERTIFICATE OF CANDIDACY OR**
18   **A DECLARATION OF INTENT.**

19   **(D)**   In **[**any**] A GENERAL** election, **[**including a primary election,**]** candidates for
20   Governor and Lieutenant Governor shall be listed jointly on the ballot, and a vote cast for
21   the candidate for Governor shall also be cast for **THE CANDIDATE FOR** Lieutenant
22   Governor jointly listed on the ballot with **[**him, and**]** the **CANDIDATE FOR GOVERNOR.**

23   **(E)   IN A PRIMARY ELECTION:**

24   **(1)   THE NAME OF THE CANDIDATE FOR GOVERNOR SHALL BE LISTED**
25   **ON THE PRIMARY ELECTION BALLOT WITHOUT A CANDIDATE FOR LIEUTENANT**
26   **GOVERNOR; AND**

27   **(2)   THE CANDIDATE FOR LIEUTENANT GOVERNOR SHALL FILE A**
28   **CERTIFICATE OF CANDIDACY AT THE TIME THE CANDIDATE FOR LIEUTENANT**
29   **GOVERNOR IS DESIGNATED BY THE CANDIDATE FOR GOVERNOR.**

30   **(F)   THE** election of **THE** Governor, or the nomination of a candidate for Governor,
31   also shall constitute the election for the same term, or the nomination, of the Lieutenant
32   Governor who was listed on the ballot or was being considered jointly with **[**him**] THE**
33   **CANDIDATE FOR GOVERNOR**.

34   SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
35   determines that the amendment to the Maryland Constitution proposed by Section 1 of this

1 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland
2 Constitution concerning local approval of constitutional amendments do not apply.

3   SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the
4 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified
5 voters of the State at the next general election to be held in November 2024 for adoption or
6 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,
7 the vote on the proposed amendment to the Constitution shall be by ballot, and on each
8 ballot there shall be printed the words "For the Constitutional Amendment" and "Against
9 the Constitutional Amendment", as now provided by law. Immediately after the election,
10 all returns shall be made to the Governor of the vote for and against the proposed
11 amendment, as directed by Article XIV of the Maryland Constitution, and further
12 proceedings had in accordance with Article XIV.

Approved:

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                                                    Governor.

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                                          President of the Senate.

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                                    Speaker of the House of Delegates.