

HOUSE BILL 87

G1
HB 193/16 – W&M

7lr1421
CF 7lr0551

By: **Delegate Lafferty**

Introduced and read first time: January 16, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Elections for Judges of the Orphans’ Court – Procedures**

3 FOR the purpose of providing that certain provisions of law govern the nomination and
4 election of judges of the orphans’ court in Baltimore County; authorizing a candidate
5 for judge of the orphans’ court in Baltimore County to file and appear on certain
6 primary election ballots; requiring that certain candidates appear on the general
7 election ballot; prohibiting the political affiliation of certain candidates from being
8 included on the general election ballot; providing for the application of certain
9 provisions of this Act; making a conforming change; and generally relating to the
10 procedures for the election of judges of the orphans’ court in Baltimore County.

11 BY repealing and reenacting, with amendments,
12 Article – Election Law
13 Section 5–203
14 Annotated Code of Maryland
15 (2010 Replacement Volume and 2016 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Election Law
18 Section 5–301(a)
19 Annotated Code of Maryland
20 (2010 Replacement Volume and 2016 Supplement)

21 BY adding to
22 Article – Election Law
23 Section 8–901 through 8–903 to be under the new subtitle “Subtitle 9. Election of
24 Judges of the Orphans’ Court in Baltimore County”
25 Annotated Code of Maryland
26 (2010 Replacement Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

Article – Election Law

5–203.

(a) (1) This subsection does not apply to a candidate for:

(i) President or Vice President of the United States; or

(ii) any federal office who seeks nomination by petition.

(2) Unless the individual is a registered voter affiliated with the political party, an individual may not be a candidate for:

(i) an office of that political party; or

(ii) except as provided in subsection (b) of this section, nomination by that political party.

(b) The requirements for party affiliation specified under subsection (a) of this section do not apply to a candidate for:

(1) a judicial office; [or]

(2) a county board of education; **OR**

(3) JUDGE OF THE ORPHANS' COURT IN BALTIMORE COUNTY.

5–301.

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

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

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

SUBTITLE 9. ELECTION OF JUDGES OF THE ORPHANS' COURT IN BALTIMORE COUNTY.

8–901.

THIS SUBTITLE APPLIES ONLY IN BALTIMORE COUNTY.

1 **8-902.**

2 **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBTITLE, THE PROVISIONS OF**
3 **THIS ARTICLE RELATING TO THE NOMINATION AND ELECTION OF CANDIDATES TO**
4 **PUBLIC OFFICE SHALL GOVERN THE NOMINATION AND ELECTION OF JUDGE OF THE**
5 **ORPHANS' COURT.**

6 **8-903.**

7 **(A) A CANDIDATE FOR JUDGE OF THE ORPHANS' COURT MAY FILE AND**
8 **APPEAR ON THE PRIMARY ELECTION BALLOT OF BOTH PRINCIPAL POLITICAL**
9 **PARTIES.**

10 **(B) THE THREE CANDIDATES WHO RECEIVE THE LARGEST NUMBER OF**
11 **VOTES IN THE PRIMARY ELECTION OF EACH PRINCIPAL POLITICAL PARTY SHALL**
12 **APPEAR ON THE GENERAL ELECTION BALLOT.**

13 **(C) THE POLITICAL PARTY AFFILIATION OF THE CANDIDATES MAY NOT BE**
14 **INCLUDED ON THE GENERAL ELECTION BALLOT.**

15 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
16 **October 1, 2017.**