

CHAPTER 440

(Senate Bill 177)

AN ACT to repeal and re-enact, with amendments, Section 12-1 of Article 33 of the Annotated Code of Maryland (~~1967 Replacement Volume and~~ 1969 Supplement), title "Election Code," subtitle "Presidential Primaries and Conventions," providing for the procedure of selecting delegates to national conventions, the duties of delegates and other matters generally relating thereto.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Section 12-1 of Article 33 of the Annotated Code of Maryland (~~1967 Replacement Volume and~~ 1969 Supplement), title "Election Code," subtitle "Presidential Primaries and Conventions," be and it is hereby repealed and re-enacted, with amendments, to read as follows:

12-1

(a) The total number of delegates and alternate delegates to represent the respective political parties at their respective national conventions shall be ascertained and determined by the governing body of each party and certified to the Secretary of State not later than the first day of March in each year in which national conventions for the nomination of President and Vice-President are held. The selection of delegates shall be as follows:

(1) Election of *District Delegates*. Of the number of delegates allotted to Maryland, WITH THE EXCEPTION OF THOSE PROVIDED FOR IN PARAGRAPH (3) OF THIS SUBSECTION, there shall be elected from each congressional district an equal number of district delegates from the list of candidates certified to the boards by the Secretary of State. In ascertaining the number of delegates to be elected from each congressional district, the Secretary of State shall determine the highest whole number that can be multiplied by the current number of congressional districts in Maryland to obtain a product closest to **[75%]** but not greater than 100% of the delegates allotted to Maryland by the respective national party committee. Each delegate may have placed adjacent to his name on the ballot the name of a presidential candidate, provided that the written permission of the presidential candidate has been received by the Secretary of State at least 53 days prior to the date of the primary election.

[(2) Election of Delegates by Party Convention. After the calculation of the number of elected district delegates, the State convention of any national major political party shall elect the delegates at large and their alternates in accordance with the lawful rules and practices of the political party.**]**

(2) *Election of at-large delegates*. After the election of the district delegates in accordance with Section 12-1(a)(1), those elected district delegates from any national political party shall meet in convention not more than 21 days after that election and shall elect, as "At-Large Delegates", the remainder of delegates allotted to Maryland by the respective national party committee and not elected under Section 12-1(a)(2).