

BY renumbering

Article 33 - Election Code
Section 26-18(g)
to be Section 24-27(b)
Annotated Code of Maryland
(1983 Replacement Volume and 1984 Supplement)

Preamble

The General Assembly of Maryland, recognizing that the timely determination of issues arising with respect to elections will facilitate the administration of elections, promote equity among interested parties, and enhance the confidence of the citizens of the State in the elections process, and recognizing that existing law does not uniformly provide for such determinations, and recognizing that the delayed determination of issues that may affect the outcome of elections often does not provide an adequate remedy, and concluding that a judicial determination of election-related issues affords the fullest opportunity for providing a timely and adequate remedy, enacts this statute for the purposes and objectives hereinabove mentioned and declares that it should be liberally construed to effectuate these purposes and objectives, now, therefore,

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

Article 33 - Election Code

[19-1.

All contested elections for Comptroller of the Treasury, judges, clerks of the court, and registers of wills shall be decided by the House of Delegates. Testimony shall be taken in such cases in the same manner as herein prescribed in the contested seats of the Senate and House of Delegates.]

[19-2.

All cases of contested elections of any of the officers not provided for in the Constitution or in §§ 19-1 and 19-4 of this article, shall be decided by the judges of the several circuit courts, each in his respective circuit. If the court finds that mechanical failure, fraud or negligence on the part of any election official or his agent materially contributed to the outcome of that particular election, such that would affect the final result, the court by order may declare null and void all or part of that particular election, and the court may further order that all or part of that particular election be reheld.]

[19-3.