

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

REVISOR'S NOTE: This section formerly was Art. 33, § 5-801.

No changes are made.

Subtitle 9. Vacancies in Candidacy Occurring Before a Primary Election.

5-901.

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

(b) This section applies to a vacancy in candidacy for a primary election that occurs because no candidate for the political party files a certificate of candidacy for the election.

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

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

(ii) In filling the vacancy in candidacy under subparagraph (i) of this paragraph, the central committee of each county where the vacancy occurs shall cast a vote proportionate to its share of the population of the district as reported in the most recent decennial census of the United States.

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

(d) For any public or party office not described in subsection (c) of this section, a vacancy in candidacy under this section shall be filled by the central committee of the political party in [that county] THE COUNTY IN WHICH THE OFFICE IS LOCATED.

(e) A central committee authorized to fill a vacancy in candidacy for an office under this section shall file a certificate of designation of candidacy with the appropriate board designated to receive the certificate of candidacy for that office by the fifth day after the date on which a candidate may withdraw a certificate of candidacy before the primary election.

(f) The individual designated by a central committee under subsection (e) of this section to fill a vacancy shall file a certificate of candidacy in accordance with