

CHAPTER 338

(House Bill 383)

AN ACT concerning

Candidates' Residencies - Challenges - Expedited Judicial Review

FOR the purpose of authorizing certain registered voters to file a petition with ~~the a~~ certain circuit court ~~that challenges~~ to challenge the residency of certain candidates; requiring the petition to be filed within a certain period of time; providing for the application of this Act; requiring the circuit court to expedite the judicial review of the petition within a certain period of time; and generally relating to challenging the residency of a candidate and expediting the judicial review of that challenge.

BY adding to

Article - Election Law

Section 5-305

Annotated Code of Maryland

(2003 Volume and 2003 Supplement)

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

Article - Election Law

5-305.

(A) THIS SECTION APPLIES ONLY TO A PETITION THAT WILL AFFECT THE RIGHT OF A CANDIDATE TO HAVE THE CANDIDATE'S NAME APPEAR ON THE BALLOT IN A PRIMARY OR GENERAL ELECTION.

~~(A) (B) ANY~~ A REGISTERED VOTER WHO IS A RESIDENT OF THE DISTRICT OR OTHER GEOGRAPHIC AREA IN WHICH A CANDIDATE IS SEEKING OFFICE MAY FILE A PETITION WITH THE CIRCUIT COURT ~~THAT CHALLENGES~~ FOR THAT DISTRICT OR GEOGRAPHIC AREA TO CHALLENGE THE CANDIDATE'S RESIDENCY AS PROVIDED IN § 5-202 OF THIS TITLE.

~~(B) (1) THE PETITION SHALL BE FILED WITHIN 7 DAYS FROM THE DATE THE CANDIDATE'S CERTIFICATE OF CANDIDACY IS FILED UNDER § 5-302 OF THIS SUBTITLE AFTER THE DEADLINE SPECIFIED UNDER § 5-303 OF THIS SUBTITLE FOR THE FILING OF A CERTIFICATE OF CANDIDACY FOR THE OFFICE THAT THE CANDIDATE IS SEEKING.~~

(C) (1) THE PETITION MUST BE FILED:

(1) IF THE PETITION INVOLVES A CHALLENGE TO A CANDIDATE FOR AN OFFICE THAT IS TO BE CONTESTED AT AN ELECTION IN THE YEAR THAT THERE IS NOT A PRESIDENTIAL ELECTION, NO LATER THAN 9 WEEKS BEFORE THAT ELECTION; OR