

A NOMINEE MAY DECLINE THE NOMINATION BY FILING A CERTIFICATE OF DECLINATION ON THE PRESCRIBED FORM.

(B) WHEN AND WHERE FILED.

THE CERTIFICATE OF DECLINATION SHALL BE UNDER OATH AND FILED:

(1) WITH THE BOARD AT WHICH THE CERTIFICATE OF CANDIDACY WAS FILED; AND

(2) (I) IN THE YEAR OF A GUBERNATORIAL ELECTION OR THE YEAR OF AN ELECTION FOR THE MAYOR OF THE CITY OF BALTIMORE, WITHIN 2 DAYS AFTER THE ELECTION RESULTS ARE CERTIFIED; OR

(II) IN THE YEAR OF A PRESIDENTIAL ELECTION, BY THE 70TH DAY PRECEDING THE GENERAL ELECTION.

(C) EFFECT OF DECLINATION.

IF A CERTIFICATE OF DECLINATION IS FILED UNDER THIS SECTION:

(1) THE CERTIFICATE OF NOMINATION TO WHICH THE CERTIFICATE OF DECLINATION RELATES IS VOID;

(2) A VACANCY IN NOMINATION IS CREATED TO BE FILLED IN ACCORDANCE WITH THE PROVISIONS OF SUBTITLE 10 OF THIS TITLE;

(3) THE NAME OF THE INDIVIDUAL WHO DECLINED THE NOMINATION MAY NOT APPEAR ON THE BALLOT UNLESS THE INDIVIDUAL IS SELECTED TO FILL THAT VACANCY; AND

(4) THE FILING FEE FOR THE CERTIFICATE OF CANDIDACY OF THAT INDIVIDUAL MAY NOT BE REFUNDED.

SUBTITLE 9. VACANCIES IN CANDIDACY OCCURRING BEFORE A PRIMARY ELECTION.

5-901. OFFICES OTHER THAN GOVERNOR AND LIEUTENANT GOVERNOR - NO FILED CANDIDATE.

(A) IN GENERAL.

THIS SECTION DOES NOT APPLY TO VACANCY IN NOMINATION IN THE OFFICE OF A GOVERNOR AND LIEUTENANT GOVERNOR UNIT.

(B) SCOPE.

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) HOW FILLED - OFFICES COVERING MORE THAN ONE COUNTY.