

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2024 Legislative Session

Bill No. CB-093-2024

Chapter No. _____

Proposed and Presented by Council Member Watson

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

EMERGENCY BILL

1 AN EMERGENCY ACT concerning

2 County Executive Special Primary Elections and Special General Elections

3 For the purpose of providing for a special primary election and special general election to fill a
4 vacancy in the Office of the County Executive; providing for the adoption of a certain Resolution
5 regarding a certain vacancy; providing for certain dates for a special primary election and a
6 special general election; providing for the removal of a prohibition on a special primary election
7 and special general election from being held at a certain time; providing for certain publication
8 requirements; providing for the mailing of a certain specimen ballot; providing for references to
9 special primary elections and special general elections; providing for references to the Board of
10 Elections; making this Act an emergency bill; providing for the effective date of this Act;
11 providing for the adoption of this Act; and generally regarding special primary elections and
12 special general elections in Prince George's County.

13 BY repealing and reenacting with amendments:

14 SUBTITLE 2. ADMINISTRATION.

15 Section 2-111.00.01,

16 The Prince George's County Code

17 (2023 Edition).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
19 Maryland, that Section 2-111.00.01 of the Prince George's County Code be and the same is
20 hereby repealed and reenacted with the following amendments:

21 SUBTITLE 2. ADMINISTRATION.

DIVISION 2. COUNTY EXECUTIVE.

Sec. 2-111.00.01. - Special primary elections and special general elections [election] to fill vacancy in office of County Executive.

(a)The provisions of this Section shall apply only to a vacancy in the office of County Executive which occurs during the first two (2) years of a term. Section 407 of the County Charter contains procedures for filling a vacancy in that office occurring during the last two (2) years of a term.

(b)When there is a vacancy in the office of County Executive which occurs during the first two (2) years of a term, the Council shall, within ten (10) days after such vacancy occurs, adopt a Resolution providing for:

(1)A special primary election and a special general election by the registered voters of the County to fill the remainder of the term of office of County Executive;

(2)The withdrawal date for candidates which shall be two (2) calendar days after the final filing date; and

(3) The dates for the special primary election and special general election;

(A) The date of the special primary election shall be any Tuesday which is at least [thirty-five (35)] one-hundred (100) calendar days [but not more than ninety (90) calendar days] following the date of adoption of the resolution.

(B) The date of the special general election shall be on any Tuesday which is at least [forty (40) calendar days but not more than sixty (60)] one-hundred (100) calendar days from the date of the special primary election.

[(C) No special primary or special election shall be held within forty-nine (49) calendar days prior to or thirty (30) calendar days after any regularly scheduled election.]

(c)The Council shall consult with the County Board of [Supervisors of] Elections before adopting the Resolution described in Subsection (b).

(d)The County shall provide funding to cover the costs for the special primary election and special general election.

(e)Except as otherwise specifically provided in this Section and except where such construction would be unreasonable, the provisions of the Election Law Article [Article 33], Annotated Code of Maryland, the County Charter, and the County Code [(including Division 17A of Subtitle 2 and Division 2 of Subtitle 8)] shall be applicable to the special primary

1 elections and special general elections.

2 (1) Certificates of candidacy must be filed at the Board [of Supervisors] of Elections
 3 during regular business hours, not later than twenty-one (21) calendar days before the special
 4 primary election.

5 (2) In order to have the name of a proposed candidate placed on the ballot by petition,
 6 the candidate shall file with the Board of [Supervisors of] Elections:

7 (A) A declaration of his intent to seek nomination by petition. Such declaration
 8 shall be filed not later than twenty-one (21) days before the special primary election.

9 (B) A certificate of candidacy not later than the closing of the polls at the special
 10 primary election; and petitions signed by not less than three (3) percent of the registered voters
 11 who are eligible to vote for the office for which the nomination by petition is sought. The
 12 number of registered voters shall be determined as of the date of the adoption of the Council
 13 resolution providing for the special primary election and the special general election.

14 (3) The Board [of Supervisors] of Elections shall verify a sufficient number of
 15 signatures of persons who are registered voters and who have signed the petition to equal the
 16 three (3) percent necessary to validate the petition. Immediately upon completion of the
 17 verification process, said Board shall notify the candidate of the results.

18 (f) Within seven (7) calendar days after the adoption of the Resolution directing a special
 19 primary election and special general election, the Board of Elections shall publish once in at least
 20 one newspaper of general circulation a notice that a vacancy has occurred, and that a special
 21 primary election and special general election will be held on the dates specified to fill the
 22 vacancy.

23 (g) At least ten (10) days prior to the special primary election and special general election,
 24 the Board of Elections shall mail a specimen ballot to the household of each registered voter
 25 County-wide. The specimen ballot shall contain the names of the candidates in the order and
 26 form in which they are to be printed on the ballot, together with a statement, not to exceed 500
 27 words, provided by each candidate.

28 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby
 29 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
 30 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
 31 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining

1 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
2 Act, since the same would have been enacted without the incorporation in this Act of any such
3 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,
4 or section.

5 SECTION 3. BE IT FURTHER ENACTED that in accordance with the provisions of
6 Section 317 of the Charter, the County Council hereby declares that a public emergency exists
7 affecting the public health, safety, and welfare; said emergency being having the County special
8 primary elections law and special general elections law comport with State election legal
9 requirements; and the potential for a special election for a County Executive vacancy.

10 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on the date it
11 becomes law.

Adopted this ____ day of _____, 2024, by an affirmative vote of two-thirds of the
members of the full County Council.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Jolene Ivey
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive