

Chapter 2 – Candidates

2.1 Qualifications and Filing Fees for Elective Offices

The following are qualifications for contested elective offices. Retention election offices are not included in this list. Except for board of education and retention elections, all offices including judge of the circuit court are partisan elections in Maryland.

Federal Offices

Office	Qualifications	Filing Fee	Term of Office
President–Vice President	<ul style="list-style-type: none"> • Natural born citizen • 35 years old at the time of election • 14 years of being a resident of the United States (US Const. Article II, sec. 1) 	No fee	4 years from January 20
U.S. Senator	<ul style="list-style-type: none"> • Registered voter¹ • 30 years of age at time of the election • Citizen of United States for 9 years • Inhabitant of State at time of election (US Const. Art. I, sec. 3) 	\$290	6 years from January 3
U.S. Congress	<ul style="list-style-type: none"> • Registered voter² • 25 years of age at time of the election • Citizen of United States for 7 years • Inhabitant of State at time of the election (US Const. Art. I, sec. 2) 	\$100	2 years from January 3

State Offices

Office	Qualifications	Filing Fee	Term of Office
Governor – Lt. Governor	<ul style="list-style-type: none"> • Registered voter and resident of the State 5 years immediately preceding election • 30 years of age at the time of the election • Has not served 2 immediately preceding elective terms (Md. Const, Art. II, §§ 1 and 5) 	\$290 (each)	4 years from 3 rd Wednesday in January
Comptroller	<ul style="list-style-type: none"> • Registered voter (Md. Const., Art. I, § 12) 	\$290	4 years from 3 rd Wednesday in January
Attorney General	<ul style="list-style-type: none"> • Registered voter • Citizen of the State • Resided and practiced law in the State for 10 years (Md. Const., Art. V, § 4) 	\$290	4 years

¹ The voter registration requirement only applies to candidates seeking nomination by political party. Candidates for federal office seeking the nomination by petition are not required to be a registered voter, but must still meet the other listed criteria. *See § 5-203 of the Election Law Article.*

² See footnote 1

State Senator	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I, § 12) 25 years of age at the time of the election Citizen of Maryland Resident of Maryland at least 1 year preceding the day of the election Resident of and maintained a principle place of abode in the eglislative district for at least 6 months (Md. Const., Art. III, § 9) 	\$50	4 years from 2 nd Wednesday in January
House of Delegates	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I, § 12) 21 years of age at the time of the election Citizen of Maryland Resident of Maryland at least 1 year preceding the day of the election Resident of and maintained a principle place of abode in legislative district or sub district for at least 6 months (Md. Const., Art. III, § 9) 	\$50	4 years from 2 nd Wednesday in January

County Offices

Offices	Qualifications	Filing Fee	Term of Office
County Executive	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I, § 12) Qualifications specified in local charters. 	\$25	4 years
County Council	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I § 12) Qualifications specified in local charters 	\$25	4 years
County Commissioners	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I § 12) Qualifications specified in public local laws 	\$25	4 years
County Treasurer	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I § 12) Qualifications specified in public local laws 	\$25	4 years
State's Attorney	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I, § 12) Resident of the county for at least 2 years Member of Maryland Bar (Md. Const., Art. V, §10) 	\$25 - Counties \$150 - Baltimore City	4 years from the 1 st Monday in January
Clerk of the Circuit Court	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I, § 12) 	\$25 - Counties \$150 - Baltimore City	4 years
Register of Wills	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I, § 12) 	\$25 - Counties \$150 - Baltimore City	4 years
Sheriff	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I, § 12) 25 years of age Citizen of the State for at least 5 years preceding the election Resident of the County (Md. Const., Art. IV, § 44) 	\$25 - Counties \$150 - Baltimore City	4 years
Judge of the Orphans Court	<ul style="list-style-type: none"> Registered voter (Md. Const., Art. I, § 12) Citizen of Maryland Resident of the County for at least 1 year at the time of the election (Md. Const., Art. IV, § 40) 	\$25 - Counties \$150 - Baltimore City	4 years

Judicial Offices

Office	Qualifications	Filing Fee	Term of Office
Judge of the Circuit Court	<ul style="list-style-type: none"> • Registered voter • 30 years of age at the time of the election • Resident of the State at least 5 years • Resident of the judicial circuit for which he/she is seeking election at least 6 months prior to election • Member of Maryland Bar (Md. Const., Art. IV, § 2) 	Circuits 1-7: \$50 Circuit 8: \$300 (Fees based on candidates cross-filing)	15 years (or until the age of 70)

Baltimore City Offices

Office	Qualifications	Filing Fee	Term of Office
Mayor	<ul style="list-style-type: none"> • Registered voter • 25 years of age • Citizen of the US • A resident of Baltimore City for at least 1 year preceding the election 	\$150	4 years
Comptroller	<ul style="list-style-type: none"> • Registered voter • 25 years of age • Citizen of the US • A resident of Baltimore City for at least 1 year preceding the election 	\$150	4 years
City Council President	<ul style="list-style-type: none"> • Registered voter • 25 years of age • Citizen of the US • A resident of Baltimore City for at least 1 year preceding the election 	\$150	4 years
City Council	<ul style="list-style-type: none"> • Registered voter • 21 years of age • Citizen of the US • A resident of Baltimore City for at least 1 year preceding the election 	\$50	4 years

Boards of Education³

County	Qualifications ⁴	Term of Office
Allegany	Registered voter and resident of Allegany County for at least 1 year (§ 3-201(c)).	4 years beginning January 2
Calvert	Registered voter of Calvert County and district (if a district seat) 2 years before the beginning term (§ 3-301(c)). Has not served 2 immediately preceding elective terms.	4 years beginning January 1
Carroll	Resident and registered voter of Carroll County (§ 3-401(b)).	4 years beginning 1st Monday in December
Cecil	Registered voter of Cecil County and resident of district for at least 3 years (§ 3-4A-01).	4 years beginning 1 st Monday in December
Charles	Resident and registered voter of Charles County (§ 3-501(b)).	4 years beginning 3 rd Monday in December
Dorchester	Registered voter of Dorchester County and resident of district.	4 years beginning 1st Monday in December
Frederick	Resident and registered voter of Frederick County (§ 3-5A-01(b)).	4 years beginning 1 st Tuesday in December
Garrett	Registered voter of Garrett County Resident of County or district (if a district seat) (§ 3-601(c)).	4 years beginning January 1
Howard	Resident and registered voter of Howard County (§ 3-701(b)).	4 years beginning 1 st Monday in December
Kent	Resident and registered voter of Kent County (§ 3-801(b)).	4 years beginning January 1 st
Montgomery	Registered voter of Montgomery County (§ 3-901(c)).	4 years beginning December 1 st
St. Mary's	Registered voter and resident of county and district (if a district seat) (§ 3-1101(d)).	4 years beginning 1 st Monday in December
Somerset	Registered voter of Somerset County. Resident of county and district (if a district seat) (§ 3-1201(b)).	4 years beginning January 1 st
Washington	Registered voter of Washington County (§ 3-1301(b)).	4 years beginning 1 st Tuesday in December
Wicomico	Resident and registered voter of county, resident of district. (§§ 3-13A-01, 3-13A-02)	4 years beginning first Monday in December
Worcester	Registered voter of Worcester County. Resident of district (§ 3-1401).	4 years beginning January 1 st

³ All filing fees for the Boards of Education are \$25

⁴ All references are to the Education Article, *Annotated Code of Maryland*

Counties with a combination of elected and appointed Boards of Education

County	Qualifications ⁵	Term of Office
Baltimore City	Resident of city. (§ 3-108.1)	4 years
Baltimore County	21 years old, resident of district for 2 years, registered voter of county. (§ 3-2A-01)	4 years beginning 1st Monday in December
Caroline	21 years old, registered voter of county, resident of county for 3 years, resident of district. (§ 3-3A-02)	4 years beginning first Monday in December
Harford	Resident of district, registered voter of county for 3 years. (§ 3-6A-01)	4 years beginning July 1
Prince George's	Registered voter of county, resident of district. (§ 3-1002)	4 years beginning first Monday in December.

Party Offices

Office	Qualifications	Filing Fee	Term of Office
Democratic Central Committee Member	<ul style="list-style-type: none"> • Registered voter • Resident of county, • Other qualifications specified by the party's bylaws. 	\$10	4 years
Republican Central Committee Member	<ul style="list-style-type: none"> • Registered voter • Resident of county, • Other qualifications specified by the party's bylaws. 	\$10	4 years
Delegate to the National Convention	<ul style="list-style-type: none"> • Registered party voter • Resident of congressional district • Other qualifications specified by the party's bylaws. 	\$0	

2.2 Filing Requirements – Principal political parties

For a candidate to appear on the ballot, the following requirements must be met:

1. Certificate of Candidacy - A Certificate of Candidacy must be filed in person at:
 - The State Board for federal and State candidates; or
 - A local board for local candidates.
- § 5-302 of the Election Law Article
 - Deadlines⁶:
 - In Gubernatorial Election Years: 9:00 p.m. on the last Tuesday in February before the Primary Election
 - In Presidential and Baltimore City Election Years: 9:00 p.m. on the 95th day before the Primary Election
 - Content

⁵ All references are to the Education Article, *Annotated Code of Maryland*

⁶ The earliest a candidate may file a Certificate of Candidacy for office is one year before the deadline.

- The State Board provides a form certificate for candidates' use. On that form, the candidate must provide the office for which the candidate is running (including district, party, or circuit, as applicable), the year of the election, the name of the individual filing the certificate, an address (either the address matching the individual's statewide voter registration, or a current address), a statement that the individual legally satisfies the requirements for the sought office, and any other information required by the State Board to verify the foregoing.
 - *-§ 5-304 of the Election Law Article*
 - *For rules regarding how a candidate may designate how a name, or nickname, should appear on the ballot, see § 5-301(c) of the Election Law Article and COMAR 33.01.06*

- 2. Authorized Candidate Campaign Committee – Before or concurrently with filing a Certificate of Candidacy, each candidate must establish an authorized candidate campaign committee by filing a separate **Statement of Organization** with the State Board. There is no fee for filing this form and the form does not have to be filed in person. The Statement of Organization must be signed by the candidate, treasurer and chair. This may be done via the Internet at www.campaignfinance.maryland.gov and electronically signed. This is not a requirement for federal and central committee only candidates. (*See Section 2.9 of the Summary Guide* for Central Committee candidate requirements)
 - *§ 13-202 of the Election Law Article*

- 3. Filing Fee - Filing fees must be paid at the time of filing the Certificate of Candidacy. The amount of the filing fee depends on the office sought and can be found in Section 2.1 of this Summary Guide.
 - *§ 5-401 of the Election Law Article*

- 4. Financial Disclosure–

A financial disclosure statement must be filed prior to or at the time of filing the Certificate of Candidacy. The type of financial disclosure and governing authority varies for the office sought.

 - *§ 5-304(d)(3) of the Election Law Article*
 - A. Candidates for State offices and the following Constitutional offices: Registrar of Wills, State's Attorney, Sheriff, Treasurer and Clerk of the Court: Contact the State Ethics Commission at (410) 260-7770.
 - **Please note**, if the candidate files a Certificate of Candidacy and a financial disclosure statement in the year prior to the election year, the candidate must file a new financial disclosure statement no later than the last day for withdrawal as a candidate on the ballot in the year of the election. If the financial disclosure statement is overdue and not filed within 8 days after the candidate receives written notice of the failure to file, the candidate is deemed to have withdrawn the candidacy and will not appear on the ballot.
 - *General Provisions § 5-605.*
 - B. Candidates for local offices excluding Board of Education and the local constitutional offices: Contact the county or Baltimore City ethics agency.
 - C. Judicial candidates: Contact the Administrative Office of the Courts.

D. Board of Education candidates: Financial disclosure statements are prescribed by each county's Board of Education.

5. Identification - A candidate will be asked to provide photo identification at the time of filing the Certificate of Candidacy. A driver's license, military identification, passport, or other government issued identification is acceptable. This is for administrative purposes only; not a legal requirement.
6. Registered voter – All candidates except for President, Vice President, and federal petition candidates, must be registered voters. We strongly recommend that you check with your local board or the State Board website at <https://voterservices.elections.maryland.gov/VoterSearch> to make sure that your voter registration is current.
- § 5-203 of the Election Law Article
7. Party Affiliation- An individual may not be a candidate seeking the nomination from a recognized political party unless the individual is a registered voter of that political party. The requirements of party affiliation do not apply to judicial and county board of education candidates.
- § 5-203 of the Election Law Article

2.3 Filing Requirements – Write-In Candidates

Write-in candidates are not required to pay a filing fee or file in person, but are required to:

- File a Certificate of Candidacy by the earlier of:
 - Seven days after a total of \$51 is spent to promote the candidacy, or
 - 5:00 PM on the 7th day preceding the start of early voting for an election.
- § 5-303(c) of the Election Law Article
- File a Financial Disclosure Statement; and
- Establish an authorized candidate campaign committee.

A write-in candidate must file a Certificate of Candidacy for any votes to be counted in the election. Failure to file a Certificate of Candidacy will result in the Board of Canvassers not recognizing that vote cast. A recognized write-in candidate will be listed in the specimen ballot sent to voters if the Certificate of Candidacy is filed in time for its publication.

An individual may not be a write-in candidate in the Primary Election.

A candidate who lost in the Primary Election may not be a write-in candidate for any office in the General Election.

2.4 Filing Requirements – Petition Candidates

1. Generally

An individual who is a registered voter that is not affiliated with any recognized political party must be nominated by petition to become a general election candidate. To qualify, the candidate

must file the following with the appropriate election board by the statutory established deadlines:

- **Deadline #1– Filing of the Declaration of Intent to seek nomination by petition**
 - When to file:
 - First Monday in July of the year of the election
 - What needs to be filed:
 - In person, at the appropriate board of elections, the Declaration of Intent
 - Statement of Organization to form an authorized candidate campaign committee (except federal candidates)

 - **Deadline #2 – Petition Filing**
 - When to file:
 - First Monday in August of the year of the election
 - What needs to be filed:
 - Petition signed by the lesser of 10,000 registered voters or 1% of the total number of registered voters in the district for the office for which the nomination is sought;
 - Certificate of Candidacy and filing fee; and
 - Financial Disclosure Statement (except federal candidates).
- § 5-703 of the Election Law Article*

The Declaration of Intent must be filed in person. For petition candidates, the Statement of Organization, financial disclosure statement, petition, Certificate of Candidacy and filing fee are not required to be filed in person. However, they must be received by the appropriate election office by the deadline. Postmarks will not be accepted as proof of timely filing.

The number of registered voters for the petition requirement is determined on January 1 in the year of the election.

2. Nominating Petition Format

The petition form prescribed by the State Board must be used. Each signature page of the petition must contain a statement, to which each signer subscribes, that:

- The signer supports the purpose of the petition; and
- Based on the signer's information and belief, the signer is a registered voter in Maryland and is eligible to have his/her signature counted.

Each registered voter signing the petition must provide the following information on the signature page (all information except the signature must be printed or typed in the appropriate space on the form):

- Signature (as name appears on voter registration list, or surname of registration and at least one full given name and the initial of any other names);
- Date of signing;
- Signer's printed name;
- Signer's current voter registration residence address (a business address or post office box is insufficient); and

- Date of birth. Each registered voter is asked to include his/her date of birth on the petition. The date of birth greatly assists the local board to identify a voter and validates the voter's name. If the voter refuses to provide a date of birth, the circulator should request the month and day at a minimum. A name will not be invalidated merely because the date of birth is omitted.

-§ 6-203 of the Election Law Article

Each signature page of the petition must include an affidavit, completed by an individual circulator (not a business or organization), stating that:

- All identifying information provided by the circulator is true and correct;
- The circulator personally observed each signer signing the page; and
- Based on the circulator's best knowledge and belief, each signature on the page is genuine and each signer is a registered voter at the address listed.

The circulator must sign and date the affidavit. Any signature on the page by a petition signer that is dated after the circulator's signature on the affidavit is invalid.

A petition circulator must be at least 18 years old. Maryland law does not require the petition circulator to be a registered voter or a Maryland resident.

-§ 6-204 of the Election Law Article

Upon written request, a candidate may seek an advance determination of the sufficiency regarding the format of the nominating petition form from the State Board or the appropriate county board of elections. The appropriate elections board will make a determination of sufficiency within 5 business days after receiving the request. The petition candidate will be notified of the Board's decision within 2 business days after the determination is made.

- § 6-210 of the Election Law Article

2.5 Filing Requirements – Non-Principal Political Party Candidates

1. Generally

An individual who is affiliated with a recognized political party other than the two principal parties must be nominated by that political party to become a general election candidate. To qualify, the candidate must file the following with the appropriate election board by the statutory established deadlines:

- Deadline #1- Declaration of Intent filing
 - When to file:
 - First Monday in July of the year of the election
 - What to file:
 - In person, at the appropriate board of elections, the Declaration of Intent
 - Statement of Organization to form an authorized candidate campaign committee (except federal candidates)
- Deadline #2- Nomination Filing
 - When to file:

- 5:00 p.m. of the first Monday in August of the year of the election
 - What to file:
 - Certificate of Nomination (signed by the officers of the political party);
 - Certificate of Candidacy and filing fee; and
 - Financial Disclosure Statement (except federal candidates).
- § 5-703.1 of the Election Law Article*

The Declaration of Intent must be filed in person. The Statement of Organization, financial disclosure statement, Certificate of Nomination, Certificate of Candidacy and filing fee are not required to be filed in person. However, they must be received by the appropriate election office by the deadline. Postmarks will not be accepted as proof of timely filing.

2. Nomination

A recognized political party other than the two principal parties shall nominate its candidate in accordance with its constitution and by-laws adopted by the political party.

-§ 4-102(f) of the Election Law Article

The chairman and secretary of the political party central committee shall sign the Certificate of Nomination.

-§ 5-703.1 of the Election Law Article

2.6 **Filing Requirements – Federal Candidates**

1. Presidential Candidates - Primary Election - Democratic and Republican only

There are two ways that a candidate for the President of the United States may be placed on the primary ballot:

- Selection by Secretary of State: Automatic ballot access is provided if the Secretary of State certifies the Presidential candidate to the State Board as a result of the Secretary's determination no later than 113 days before the Primary election. The standard used for selection is if the candidate's candidacy is generally advocated or recognized in the news media throughout the United States or in Maryland; or
- Primary Election Presidential Petition Candidate: Democratic or Republican candidates not certified by the Secretary of State may gain ballot access by filing the following with the State Board by the 95th day before the day of election:
 - A Certificate of Candidacy;
 - A Petition Information Page; and
 - Petition Signature Pages containing 400 registered voters from each of Maryland's eight congressional districts

-§ 8-502 of the Election Law Article

2. Presidential Candidates - General Election – Unaffiliated Candidates- Petition⁷

⁷ For further information see Section 2.4 of the Summary Guide – Petition Candidates.

A presidential candidate/ticket that is not registered with a political party must file the following with the State Board:

- Certificate of Candidacy;
- Petition Information Page; and
- Petition Signature Pages containing the valid signatures of at least 10,000 of the registered voters of the State.

3. Presidential Candidates- General Election- Recognized Non-Principal Political Party⁸

A presidential candidate ticket nominated by a recognized non-principal political party must file the following with the State Board:

- Certificate of Candidacy (if not nominated by a national party convention); and
- Certificate of Nomination

If a petition effort to form a political party is on-going in the year of the election, the new political party may nominate its Presidential and Vice Presidential candidates in accordance with its constitution and by-laws.

4. Presidential Candidates - General Election- National Party Nominating Convention

The presiding officers of the national party nominating convention must certify the candidates' names and addresses to the State Board within 5 days of the conclusion of the national party convention. The candidates are not required to file a certificate of candidacy

§ 5-301(g) of the Election Law Article

5. Presidential Electors

- Recognized Political Parties: The names and addresses of 10 individuals nominated as candidates for presidential electors shall be certified to the State Board by the presiding officers of each political party.
- Petition Candidates: The names and addresses of 10 individuals nominated as candidates for presidential electors shall be certified to the State Board by the candidate for President.
- Deadline: Electors shall be certified to the State Board not later than 30 days before the general election.

-§ 8-503(c) of the Election Law Article

6. All other federal offices-

- U.S. Senate and U.S. Representative

⁸ In order to be recognized by the State Board as a political party, the party must: 1) meet the 10,000 petition signature requirement; 2) hold an organized meeting; and 3) file an approved constitution and bylaws with the State Board.

- Candidates for U.S. Senate and U.S. House of Representative must follow the filing requirements as mentioned in Section 2.2 –2.5 depending on the type of candidacy sought.
- National Party Convention Delegates⁹
 - Democratic Delegates

To become a candidate as a delegate, you must file by the candidate filing deadline at the State Board:

 1. A Certificate of Candidacy; and
 2. Sign a pledge of support for the Presidential candidate or uncommitted

The Democratic State Party will provide the list of potential delegate candidates to the Presidential candidate campaign. The Presidential candidate campaign will approve who will represent them on the ballot as delegates. If not selected by the Presidential candidate, according to the delegate selection plan of the party, the delegates except uncommitted delegates will be removed and not appear on the ballot.

The percentage of vote received by the Presidential candidate will determine the allocation of the delegates.

- Republican Delegates

To become a candidate as a delegate or alternate delegate, you must file a Certificate of Candidacy by the candidate filing deadline at the State Board.

The Presidential candidate will provide the State written authorization to have the Presidential candidate's name appear adjacent to the delegate or alternate delegate candidate's name on the ballot.

Since Maryland campaign finance laws do not apply to federal candidates, those candidates are not required to establish a candidate campaign committee with the State Board or submit State campaign finance reports. However, federal law does impose campaign finance obligations. Federal candidates should contact the Federal Election Commission (FEC) for compliance information. *FEC - (800) 424-9530*

2.7 Candidates for Governor

At the time of filing of a Certificate of Candidacy, a candidate for Governor must designate a candidate for Lieutenant Governor.

The candidates will be listed jointly on the ballot and a vote cast for Governor will also be a vote for the Lieutenant Governor.

However, for some purposes of the election law, each member of the gubernatorial ticket is considered a separate candidate. Each must pay a filing fee, file a financial disclosure statement, and have an authorized candidate campaign committee.

⁹ These requirements are subject to change based on the political party's delegate selection plans.

2.8 When you become a Candidate; Restrictions on Candidates

In order to be a candidate appearing on the ballot for a particular office, the individual must file a Certificate of Candidacy. However, under the Campaign Finance Law, an individual is a candidate once an authorized candidate campaign committee has been established with the State Board. An individual does not have to file a Certificate of Candidacy in order to be a recognized candidate for campaign finance purposes. Under Maryland law, the authorized candidate campaign committee is linked to the candidate and not the office sought. A candidate may use the same authorized candidate campaign committee for different elective offices in different election years. Once the individual establishes an authorized candidate campaign committee, the individual is precluded from establishing an exploratory committee for a different elective office.

A candidate may not be:

- A candidate for more than one public office;
-§ 5-204 of the Election Law Article
- A treasurer for any political committee including his or her own; or
- § 13-215(b)(1)(i) of the Election Law Article
- Permitted to file a Certificate of Candidacy, be nominated by a political party for a public office or take office until all campaign finance reports have been filed and all late fees have been paid.
- §§ 13-332 and 13-333 of the Election Law Article

2.9 Central Committee Candidates

A candidate for central committee is not required to establish an authorized candidate committee at the time of filing a Certificate of Candidacy if the candidate signs an affidavit at the time of filing the Certificate of Candidacy attesting that he or she will not:

1. Spend more than \$1,000 of personal funds in the election cycle; or
2. Accept contributions.

-§ 13-305.1 of the Election Law Article

The central committee candidate still must keep a detailed and accurate account book of all expenditures made by the candidate for the election.