

# **SPECIAL ELECTION HANDBOOK**



## **THE CITY OF NEW CARROLLTON**

**6016 Princess Garden Parkway**

**New Carrollton, MD 20784**

**(301) 459-6100**

## **Introduction**

This handbook can act as a guide for incumbents or interested candidates. While this guide is intended to provide all candidates with pertinent information on the City election, it is the responsibility of each candidate to review and understand all applicable State, County, and City election laws. A complete listing of the City Charter and the City Code is available at the New Carrollton Municipal Center or on the City website, <http://www.newcarrolltonmd.gov>.

City elections are governed by the New Carrollton City Charter and City Code. The government of the City is vested in a Mayor and a City Council of five members, all of whom are elected at large. The terms of office for Councilmembers are staggered so that only a portion of the five-member council is elected at a time.

# CITY OF NEW CARROLLTON SPECIAL ELECTION HANDBOOK

## TABLE OF CONTENTS

I. Qualifications for Candidacy .....	1
II. Required Documents for Filing as a Candidate .....	1
III. Functions of a Treasurer .....	2
IV. Treasurer’s Deadlines .....	3
V. Qualifications and Registration of Voters.....	4
VI. Absentee Ballots .....	4
VII. Write-In Candidate Provisions.....	5
VIII. Fair Elections Practice Provisions .....	5
IX. Electioneering on City Property.....	6
X. Poll Guidelines.....	6
XI. Poll Watchers .....	6
XII. Instructions and Assistance to Voters .....	7
XIII. Advertising for an Election.....	7
XIV. Ballot.....	7
XV. Exit Survey Guidelines .....	8
XVI. Referendum and Ballot Questions .....	8
XVII. City of New Carrollton Board of Elections .....	9

## **I. QUALIFICATIONS FOR CANDIDACY**

All interested candidates must satisfy the following four criteria to run for office in the City of New Carrollton. A candidate must be:

- A. A registered voter of the State of Maryland and the City of New Carrollton,
- B. At least 25 years of age at the time of Election,
- C. A citizen of the United States, and
- D. A resident of the City of New Carrollton for minimum of one hundred eighty (180) days (January 10, 2022) preceding the filing deadline for candidacy the last business day of the month of March.

## **II. REQUIRED DOCUMENTS FOR FILING AS A CANDIDATE**

*All candidates must comply with the applicable provisions of the Charter of the City of New Carrollton and the City Code, and with State and County Election Laws with regard to fair election practices.*

- A. **Candidate Affidavit**
- B. **Appointment of Campaign Treasurer**
  - 1) With the filing as a candidate with the City of New Carrollton Board of Elections, the law requires that a treasurer be appointed.
  - 2) The campaign treasurer must file periodic reports of receipts and expenditures incurred concerning the campaign. No candidate for public office may designate themselves or their political agent as treasurer.
- C. **Financial Disclosure Statement**
- C. **1<sup>st</sup> Report of Campaign and Election Contributions and Expenditures**

The first of several reports of campaign income and expenditures to be filed by the candidate's treasurer and certified by the candidate is due by the deadline to file as a candidate (**Friday, July 8, 2022**). This report covers any contributions and expenditures not reported since the candidate's last campaign for the same elected office in the City of New Carrollton. See Section IV below.

*Notice: In 2020, the City Council passed a Charter Amendment Resolution that removed the requirement for nominating petitions to be filed in order to run in a Special Municipal Election.*

### III. FUNCTIONS OF A TREASURER

- A. To handle all financial aspects of a campaign.
- B. All contributions, money or other valuable things collected, received, or disbursed for any purpose, shall be paid over to and made to pass through the hands of the treasurer and be disbursed by the treasurer.
- C. A receipt must be issued for any contributions in excess of fifty-one dollars (\$51.00) from a single source and a copy thereof retained by the treasurer.
- D. Keep detailed, full, accurate accounts, in a proper book or books to be provided and preserved by the treasurer, of all contributions and money or valuable things received by or promised to and all expenditures, disbursements and promises of payment or disbursements of money or valuable things.

### IV. TREASURER'S DEADLINES FOR REPORTS OF CAMPAIGN CONTRIBUTIONS AND EXPENDITURES

On the schedule specified below, each candidate and the designated treasurer shall file with the City Clerk reports that include all contributions (including contributions of in-kind services) and expenditures for the time period covered by the report. Reports must itemize each contribution and expense.

- A. Report No. 1: This report lists all contributions and expenditures since the date of the most recent preceding election to fill the office for which the candidate is proposing to run and must be filed by the deadline **(Friday, July 8, 2022)**.
- B. Report No. 2: This report covers all receipts and expenditures in the intervening period since the submission of Report No. 1. and must be filed no later than 12:00 noon on the tenth (10<sup>th</sup>) day preceding the election **(Monday, August 1, 2022)**.
- C. Report No. 3: This report includes all receipts and expenditures in the intervening period since the submission of Report No. 2. and must be filed no later than 12:00 noon by the tenth (10<sup>th</sup>) day after the election, or two days prior to the candidate being sworn-in whichever shall first occur **(Saturday, August 20, 2022)**.
- D. Final Report(s), if applicable: This report, if applicable, shall include any cash balance or unpaid bills or deficits remaining to be paid as of the end of the period for which Report No. 3 is filed, and this report shall be filed six months after the election, one year after the election, and annually thereafter until no cash balance, unpaid bill, or deficit remains.

- E. All reports must be notarized before being filed. A Notary Public is usually available at the New Carrollton Municipal Center.

**State of Maryland Requirements: In accordance with the requirements of the Annotated Code of Maryland, candidates for elected office are required to submit copies of all campaign finance reports required by the City to the State Board of Elections. These reports are due to the State no more than ten (10) days after the report is due to the City.**

**Maryland State Board of Elections**

**Street Address: 151 West Street, Suite 200, Annapolis, Maryland 21401**

**Mailing Address: P.O. Box 6486, Annapolis, Maryland 21401**

**Phone: 410-269-2840**

**V. QUALIFICATIONS AND REGISTRATION OF VOTERS**

- A. Every person who is a citizen of the United States and is at least eighteen (18) years of age by Election Day, and
- B. Resides within the corporate limits of the City for at least thirty (30) days preceding the election, and
- C. Is registered to vote with the Board of Elections for Prince George's County.

**VI. ABSENTEE BALLOTS**

- A. Any qualified voter may request an application for an absentee ballot from the City Clerk under the authority of City of New Carrollton Board of Elections no later than the last business day prior to the election (**Friday, August 5, 2022**).
- B. Upon receipt of an application, the City of New Carrollton Board of Elections will approve or reject the applicant's request for an absentee ballot and, if approved and time allows, one (1) ballot will be mailed to the applicant. If time does not allow the applicant may pick up the ballot.
- C. An application can be rejected if the City of New Carrollton Board of Elections determines upon inquiry that the applicant is not legally qualified to vote at the City election. An application can be rejected for cause only upon a majority vote of the entire City of New Carrollton Board of Elections.
- D. The City of New Carrollton Board of Elections must receive all original absentee ballots not later than 8:00 p.m. on election day (**Wednesday, August 10, 2022**).

### **Record of Application**

- A. The City of New Carrollton Board of Elections will keep a record of applications for absentee ballots as they are received, showing the date/time received and the names and addresses of the applicants.
- B. The application shall contain an affidavit which shall set forth the following information under penalty of perjury:
  - 1) The voter's name and address, including the street number.
  - 2) That the person is a qualified voter at the address given.
- C. An absentee ballot may be cast by any qualified voter.

### **VII. WRITE-IN CANDIDATE PROVISIONS**

- A. A voter in a City election may write in the name of any person for the office of Mayor or Councilmember in the method provided by the City Board of Elections on Election Day. A voter may write in only one name for each office.
- B. All write-in candidates must be qualified at the time of the election to be eligible to hold the office of Mayor or Councilmember. All write-in candidates must meet all the requirements contained in the City Code concerning who may be a candidate for the office of Mayor or Councilmember prior to being sworn in. All write-in candidates must also file a final campaign finance report prior to being sworn in. The City Board of Elections shall certify that both of the above requirements have been met prior to any write-in candidate taking office. If a write-in candidate wins the election and cannot meet any of the above requirements, the sitting Mayor or Councilmember shall continue in office until a special election for such office can be held.

### **VIII. FAIR ELECTIONS PRACTICE PROVISIONS**

- A. No person shall be permitted to canvass, electioneer, post any campaign material, engage in any other solicitation activities, or impede the flow of pedestrian traffic in any manner at the polling place or within 100 feet of the entrance or exit to the polling place.
- B. No activity other than voting will be allowed in the polling place.
- B. It is the responsibility of the Election Judges (members of the New Carrollton Board of Elections) to maintain order in the polling place and control all activity within.

- D. Each candidate or treasurer and every person who publishes or distributes or causes to be published or distributed any printed, multi-graphed, photographed, written matter, or statement relating to or concerning any candidate or prospective candidate for public office shall maintain for a period of one-hundred and twenty (120) days following each election a complete file of sample copies of all matter printed, published or broadcast by his/her authority.
- E. All campaign literature and posters shall contain an authority line that shall include the name and address of the person, treasurer, or political agent responsible for the publication or distribution of the same, except that if the person, treasurer or political agent has furnished his address to the New Carrollton Board of Elections the literature need not contain an address.

**IX. ELECTIONEERING ON CITY PROPERTY**

- A. Definition: Electioneering shall include the visible wearing of a button, shirt, sticker or other article of clothing or carrying a sign in support or opposition of a candidate or issue. It further encompasses the canvassing or posting of any campaign material on behalf of or against a person or issue as well as the working for or in the interest of a person; ticket; party; or the like in an election.
- B. To prevent the appearance of favoritism or other improprieties, electioneering is not allowed in any municipal building or on any City property, except on election day as set forth herein. On Election Day, the polling place in the City is identified by signs as described in section XII.

**X. POLL GUIDELINES**

- A. The New Carrollton Board of Elections shall post signs delineating a line around the entrance and exit of the polling place. Consideration of the effect on safety and the flow of pedestrian and vehicular traffic will be given priority.
- B. The signs shall contain the words “No Electioneering Beyond This Point.”

**XI. POLL WATCHERS**

Only one (1) person can be present in the polling place representing a candidate at any given time. Poll watchers can enter the polling place one-half-hour before the opening of the polls. When overcrowding interferes with the orderly conduct of the election, the Election Judges (members of the City Board of Elections) may ask any or all of the poll watchers to leave.



- A. Poll watchers are official observers only. They may observe the conduct of the election before, during, and after the polls close.
- B. Each poll watcher must have credentials issued by the candidate; the poll watcher must present these credentials to the Election Judges immediately upon entering the polling place.
- C. The Election Judges are the sole authority in the polling place on Election Day.
- D. It is unlawful for any poll watcher to inquire or ascertain for which candidate any voter intends to vote, or has voted, or to converse in the polling place with any voter or to assist any voter in the preparation of his ballot or in the operation of the voting machine.

## **XII. INSTRUCTIONS AND ASSISTANCE TO VOTERS**

- A. Any otherwise qualified voter who is blind, has impaired vision or other physical disability or is otherwise incapable of casting a ballot without assistance, whether by paper or machine ballot, may be assisted in voting by any person selected by the voter (except as limited in B) or by any Election Judge or Clerk. Any person casting a ballot on behalf of such a voter shall execute a certification that he or she is rendering assistance at the voter's request without attempting to influence the voter in any manner.
- B. The voter may not be assisted by his/her employer or agent of that employer or officer or agent of the voter's union.
- C. The individual or election workers assisting the voter shall operate the machine as the voter directs.

## **XIII. ADVERTISING FOR AN ELECTION**

The City of New Carrollton Board of Elections will approve all City election announcements prior to publication. All published notices must be signed by the Chairman, City of New Carrollton Board of Elections prior to publication.

- 1) Notices of the municipal election, calendar of deadlines for potential candidates, and the deadline for voter registration shall be published in a City Newsletter.
- 2) The City Charter requires a legal advertisement notifying residents of an upcoming election be published in a newspaper of general circulation thirty (30) to forty (40) days prior to the election.
- 4) The City Charter requires that a legal advertisement notifying residents of an upcoming election be published in a newspaper of

general circulation three (3) to ten (10) days prior to the election, containing the names of all certified candidates. Advisory question(s), if any are to appear on the ballot, will also be contained in the notice. This notice should also be printed in the City's Newsletter that is distributed prior to the May election.

**XIV. BALLOT**

- A. Candidate's names will appear in alphabetical order by last names.
- C. Blank lines will be incorporated for write-in candidates.

**XV. SURVEY GUIDELINES**

The City may determine that it desires to obtain information regarding voters' views on City related issues. If the City determines that it desires to conduct such a survey, the City Administrative Officer will assign person(s) who will conduct a City-related survey of those existing the polling place.

- A. All City related survey forms/questions will be compiled and/or reviewed by the City Council before being presented to voters at the polling place.
- B. Survey forms/questions will be geared to determine voters' views on related City services and issues, not their vote in the election.
- C. Survey forms/questions will be conducted as voters exit the polling place.
- D. While conducting the survey forms/questions no person shall impede the flow of pedestrian traffic in any manner at the polling place.
- E. Tables and survey signs on City property are not allowed within 100 feet of the polling place.

**XVI. REFERENDUM AND BALLOT QUESTIONS**

The residents of New Carrollton may petition the City Council for a variety of referendum and ballot questions to appear on the ballot of a regular or special municipal election, including those listed below. Petitioning an item to the ballot requires adhering to one of several detailed legal procedures and timelines. For more information, see the New Carrollton City Charter §§ 19-21.

- A. Annexation resolution – following a prescribed procedure, voters may request to have placed on a ballot for decision by the voters an annexation resolution previously adopted by the City Council.
- B. Charter amendment resolution – following a prescribed procedure, voters may request to have placed on a ballot for decision by the voters a resolution to amend the New Carrollton City Charter that has previously been adopted by the City Council.

- C. Other resolutions and ordinances – following a prescribed procedure, voters may petition to have placed on a ballot for a decision by the voters most other resolutions or ordinances previously adopted by the City Council.
- D. Recall of elected official – following a prescribed procedure, voters may petition to recall any elected official of the City on the basis of setting forth that the officeholder in question has failed to perform the duties of his/her office.

## **XVII. CITY OF NEW CARROLLTON BOARD OF ELECTIONS**

### **Excerpts from § C-5. Board of Elections of the New Carrollton Charter**

- A. Appointment and qualifications. There shall be a Board of Elections consisting of five (5) members who shall be appointed by the Mayor with the approval of the Council. Three (3) members shall be appointed at the first Council meeting in June of every even-numbered year, and two (2) members shall be appointed at the first Council meeting in June of every odd-numbered year. The terms of the members of the Board of Elections shall begin on the 15th day of June in the year in which they are appointed and shall run for two (2) years, or until their successor is appointed. Members of the Board of Elections shall be qualified voters of the City and shall not hold or be candidates for any elective office during their terms of office. The Board shall appoint one of its members as Chairperson. Vacancies on the Board shall be filled by the Mayor with the approval of the Council for the remainder of the unexpired term. Any compensation of the members of the Board shall be determined by the Council.
- B. Duties. The Board of Elections shall be in charge of the conduct of all City elections, as well as referendum matters, to the extent not inconsistent with State law. The City Clerk shall serve as Secretary to the Board. The Board of Elections shall appoint as many judges and clerks, who shall themselves be registered voters of the City, as may be required to conduct the election in such place as may be designated by the Mayor and the City Council.
- C. Removal. Any member of the Board of Elections may be removed for good cause by the Mayor with the approval of the Council. Before removal, the member of the Board of Elections to be removed shall be given a written statement of the charges against him or her and shall have a public hearing on said charges before the Council if he or she so requests within ten (10) days after receiving the written charges against him or her.

*The City Council may adopt by ordinance any procedures and regulations consistent with the provisions of this Charter and with the election laws of the State of Maryland necessary to provide for orderly conduct of municipal elections,*