

1 **..Title**

2 **ELECTIONS - Definitions** – For the purpose of updating the definitions in Title 4, Elections.

3 **..Body**

4 **CITY COUNCIL OF THE**
5 **City of Annapolis**

6 **Ordinance 17-24**

7 **Introduced by: Mayor Buckley**

8 **Referred to:**

9 Rules and City Government Committee

10 **AN ORDINANCE** concerning

11 **Elections - Definitions**

12 **FOR** the purpose of updating the definitions in Title 4, Elections.

13 **BY** repealing and reenacting with amendments the following portions of the Code of the City
14 of Annapolis, 2024 Edition:
15 **4.04.010**

16 **SECTION I: BE IT ESTABLISHED AND ORDAINED BY THE ANNAPOLIS CITY**
17 **COUNCIL** that the Code of the City of Annapolis shall be amended to read as follows:

18 **Title 4 - ELECTIONS**

19 **Chapter 4.04 - General Provisions**

20 **Section 4.04.010 – Definitions**

21 As used in this title, the following terms shall have the meanings indicated unless a contrary
22 meaning is clearly intended from the context in which the term appears:

23 1. "Approved voting device" means a paper ballot approved under ~~Section~~§ 4.24.060 or a
24 voting device approved by the Anne Arundel County Board of Elections and the
25 Maryland State Board of Elections.

26 2. "Absentee ballot" means a ballot not used in a polling place. Absentee ballots include
27 "mail-in voting," as referred to in the Maryland Constitution, the Annotated Code of
28 Maryland, and the Code of Maryland Regulations.

29 "~~Ballot~~" or "~~ballots~~" means paper ballots, ballots, provisional ballots or the labels which
30 appear on the face of voting machines, whichever in context would be appropriate.

Explanation: ~~Strikethrough~~ indicates matter stricken from existing law.
Underlining indicates a change to the City Code.
Underlining & black - copyediting or reformatting of existing Code section
Underlining & red - new matter added to the code.

- 1 3. "Ballot" or "official ballot" includes:
2 a. an absentee ballot;
3 b. a mail-in ballot
4 c. a provisional ballot;
5 d. a document ballot; or
6 e. a voting machine ballot
- 7 "Ballot" or "official ballot" does not include:
8 a. a sample ballot; or
9 b. a specimen ballot.
- 10 4. "Ballot drop box" means a secure, durable, and weatherproof container officially
11 designated by the City exclusively for voters to deposit election-related materials in
12 person, including mail-in ballots, mail-in ballot applications, and voter registration
13 applications.
- 14 5. "Ballot question" means a proposition formally presented to city-registered voters on the
15 ballot for their approval or rejection.
- 16 6. "Board" means the Board of Supervisors of Elections of the City and the respective
17 members of the board. However, where the City Council delegated responsibility for
18 administering an election under this title ~~has been delegated by the City Council to the~~
19 Board of Supervisors of Elections of the County, "board" refers to that body where such
20 construction would be reasonable.
- 21 7. "Campaign manager" means any person appointed or designated by any candidate or the
22 candidate's representative to exercise general overall responsibility for the conduct of a
23 political campaign.
- 24 8. "Campaign contributions" are funds received, in-kind services, and other financial
25 transactions required to be included in the candidate's campaign finance report per §
26 33.13.02 of the Maryland Code of Regulations (COMAR).
- 27 9. "Chair", for the purposes of § 4.44, means the leader of a political committee. The Chair
28 shall be a registered voter of the State of Maryland and be in good standing with the
29 election board. A candidate may serve as Chair of their own committee. A lobbyist shall
30 not be a Chair.
- 31 10. "Campaign manager" means any person appointed or designated by any candidate or the
32 candidate's representative to exercise general overall responsibility for the conduct of a
33 political campaign.
- 34 11. "Campaign Material" is defined in § 4.44.085.
- 35 12. "Candidate" means any person who files a certificate of candidacy for any public or party
36 office. Candidate also has the meaning defined in § 4.20.030.

Explanation: ~~Strikethrough~~ indicates matter stricken from existing law.
 Underlining indicates a change to the City Code.
 Underlining & black - copyediting or reformatting of existing Code section
 Underlining & red - new matter added to the code.

- 1 13. "Canvass" means the entire process of vote tallying, vote tabulation, and vote verification
2 or audit, culminating in producing and certifying the official election results.
- 3 14. "Challenger" or "watcher" means registered voters designated by a candidate, political
4 party, or other group to be in a precinct ~~to observe for the purpose of observing an~~
5 election. These individuals may observe the set-up of the voting units, voting throughout
6 the day, and the closing procedures.
- 7 15. "Central committee" means the City governing body of a political party.
- 8 16. "Clearly identified" is defined in § 4.44.085.
- 9 17. "Contributions" means the gift, transfer or promise of gift or transfer of money or other
10 thing of value to any candidate, or a candidate's representative, or a representative of any
11 political party or partisan organization to promote or assist in the promotion of the
12 success or defeat of any candidate, political party, principle or proposition submitted to a
13 vote at any election.
- 14 18. "Donation" is defined in § 4.44.085.
- 15 19. "Election" means any primary, general, special election or referendum election of the
16 City.
- 17 20. "Election cycle" means that period of time beginning on the day after the day of a general
18 election as established by Article II, Section 5 of the Charter of the City of Annapolis and
19 ending on the day of the next general election as established by that charter provision. A
20 Special Election conducted pursuant to Article II, Section 7 of the Charter of the City of
21 Annapolis shall constitute a separate election cycle for those running in the Special
22 Election.
- 23 21. "Expenditure" means any gift, transfer, disbursement or promise of money or valuable
24 thing by any candidate, treasurer or other agent of the candidate, political party or
25 partisan organization to promote or assist in the promotion of the success or defeat of any
26 candidate, political party, principle or proposition submitted to a vote at any election.
- 27 22. "Fundraising" in this chapter pertains to political fundraising.
- 28 23. "General election" means the election held on the first Tuesday after the first Monday in
29 the ~~month~~ of November, at which the voters of the City vote for candidates for Mayor
30 and aldermen.
- 31 24. "Independent Expenditure" is defined in § 4.44.085.
- 32 25. "Infamous crime" means any felony, treason, perjury, or any crime involving an element
33 of deceit, fraud or corruption.

Explanation: ~~Strikethrough~~ indicates matter stricken from existing law.
Underlining indicates a change to the City Code.
Underlining & black - copyediting or reformatting of existing Code section
Underlining & red - new matter added to the code.

- 1 26. "Judge" means any ~~person who is a~~ registered voter of the City of Annapolis or Anne
2 Arundel County designated as a judge of election and shall include book judges and
3 machine attendants. Judges" refers to a combination of judges which shall, at all times,
4 include judges affiliated with the majority party and the principal minority party.
- 5 27. "Majority party" means the principal political party to which the incumbent Mayor
6 belongs; if the incumbent Mayor is a member of one of the two principal political parties;
7 if the incumbent Mayor is not a member of one of the two principal political parties,
8 "majority party" means the principal political party whose candidate for Mayor received
9 the highest number of votes at the last preceding general election.
- 10 28. "Mail-in Ballots" means ballots requested and then submitted by mail, in person, or drop-
11 box.
- 12 29. "Partisan organization" means any combination of two or more persons formed ~~for the~~
13 ~~purpose of assisting~~ to assist the promotion of the success or defeat of any candidate,
14 political party, principle or proposition to be submitted to a vote at any election.
- 15 30. "Party" or "political party" means an organized group of the electorate that attempts to
16 control government through the election of its candidates to office; and which polled
17 three percent of the entire vote cast in the City in the last presidential general election
18 held in the City. "Party" or "political party" shall also include any political party
19 recognized as such by the Maryland State Board of Elections or its successors.
- 20 31. "Petitioner" means:
- 21 a. For the purposes of § 4.20, a candidate for public or party office who has been
22 defeated based on the certified results of any City election
- 23 b. For the purposes of § 4.40, City residents who have completed required the ballot
24 question process as prescribed in § 4.40.
- 25 32. "Person" means an individual, association, unincorporated association, corporation, or
26 any other entity. "Person" also has the meaning defined in § 4.44.085.
- 27 33. "Political agent" means any person appointed by any candidate, a candidate's
28 representative, a political party or partisan organization to promote or assist in the
29 promotion of the success or defeat of any candidate, political party, principal or
30 proposition submitted to a vote at any election.
- 31 34. "Political committee" means any combination of two or more persons appointed by a
32 candidate or any other person or formed in any other manner which assists or attempts to
33 assist in any manner the promotion of the success or defeat of any candidate, candidates,
34 political party, principle or proposition submitted to a vote at any election.
- 35 35. "Principal minority party" means the other of the two principal political parties.

Explanation: ~~Strikethrough~~ indicates matter stricken from existing law.
Underlining indicates a change to the City Code.
Underlining & black - copyediting or reformatting of existing Code section
Underlining & red - new matter added to the code.

- 1 36. "Principal political party" means a political party recognized by the State Board of
2 Elections which is required to nominate its candidates for public office in the primary
3 elections.
- 4 37. "Provisional ballot" means a ballot ~~distributed to an individual after the individual has~~
5 ~~completed a temporary certificate of registration~~ that is cast by an individual but not
6 counted until the individual's qualifications to vote have been confirmed by the local
7 board.
- 8 38. "Registration" means the act by which a person becomes qualified to vote in any election
9 in this City.
- 10 39. "Residence" means a place of fixed permanent domicile.
- 11 40. "Treasurer" means any person appointed by a candidate, political agent, political
12 committee, or political party or partisan organization to receive or disburse money or
13 other things of value to promote or assist in the promotion of the success or defeat of any
14 candidate, political party, principle or proposition submitted to a vote at any election.
- 15 41. "Unaffiliated" means any voter who has declined to affiliate with a political party.
- 16 42. Watcher. See "challenger" above.
- 17 43. "Write-in vote" means a vote cast, in a contest at a general election, for an individual
18 whose name is not on the ballot for that contest.

19 **SECTION II: AND BE IT FURTHER ESTABLISHED AND ORDAINED BY THE**
20 **ANNAPOLIS CITY COUNCIL** that this ordinance shall take effect upon passage.

Explanation: ~~Strikethrough~~ indicates matter stricken from existing law.
Underlining indicates a change to the City Code.
Underlining & black - copyediting or reformatting of existing Code section
Underlining & red - new matter added to the code.