

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Improve the Candidate Nomination and Replacement Process

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 21-A MRSA §374-A, sub-§1, as amended by PL 2001, c. 310, §24, is further amended to read:

1. Withdrawal and replacement of nominees. The Secretary of State shall declare the vacancy as provided in section 362-A and a political committee may make a replacement nomination following a candidate's withdrawal only if a person who has filed a primary petition under section 335 or nominated for an office, other than United States Senator, Representative to Congress or Governor, at a primary election or by a political committee:

- A. Withdraws on or before 5 p.m. of the 2nd Monday in July preceding the general election;
- B. Withdraws because of a catastrophic illness that has permanently and continuously incapacitated the candidate and would prevent performance of the duties of the office sought, provided the candidate or a member of the candidate's immediate family files with the Secretary of State a certificate accompanying the withdrawal request, which describes the illness and is signed by at least 2 licensed physicians; or
- C. Dies prior to the general election.

SUMMARY

This bill allows a person who has filed a primary petition to be a candidate for state or county office by the March 15th deadline but then withdraws from the race to be replaced by the fourth Monday in July.