**§371. Primary election candidates; vacancy**

**1. Primary petition if time.**

[PL 1999, c. 426, §14 (RP).]

**2. Chosen by committee if not time.**

[PL 1999, c. 426, §14 (RP).]

**3. Vacancy and replacement of candidates in uncontested races.**  If a candidate for nomination dies or becomes disqualified prior to the primary election or withdraws 70 days or more before the primary election, the Secretary of State shall declare the vacancy pursuant to section 362‑A if no other candidate from the same political party will appear on the primary election ballot for that office. A political committee may fill the vacancy pursuant to section 363. The Secretary of State shall remove the former candidate's name from the primary election ballot and shall produce new primary election ballots or amend or supplement the primary election ballots already printed in accordance with section 376 or 604.

[PL 2019, c. 636, §6 (NEW).]

**4. Removal of candidate's name from ballot in contested races.**  The Secretary of State shall remove the name of a candidate for nomination from the primary election ballot but is not required to declare a vacancy if, 70 days or more before the primary election, the candidate dies, becomes disqualified or withdraws and another candidate from the same political party will appear on the ballot for that office.

[PL 2019, c. 636, §6 (NEW).]

**5. Death or disqualification of candidates less than 70 days before primary election in contested races.**  The Secretary of State is not required to remove the name of a candidate from the primary election ballot or declare a vacancy if a candidate dies or becomes disqualified less than 70 days before the primary election and another candidate from the same political party will appear on the ballot for that office. Upon receipt of information that the candidate has died or become disqualified, the Secretary of State shall immediately prepare and distribute to the local election officials in the candidate's electoral district a notice informing voters that the candidate has died or become disqualified and that a vote for that candidate will not be counted. The notice must be distributed with all absentee ballots requested after the notice is received by the local election officials and, on election day, must be posted outside the guardrail enclosure in accordance with section 651, subsection 2 and in each voting booth. Notice that the candidate has died or become disqualified must also be posted on the Secretary of State's publicly accessible website.

[PL 2019, c. 636, §6 (NEW).]

**6. Withdrawal of candidates less than 70 days before primary election in contested and uncontested races.**  When a candidate for nomination withdraws less than 70 days before the primary election, the candidate's name may not be removed from the primary election ballot and a vacancy may not be declared. Upon receipt of the notice of withdrawal, the Secretary of State shall immediately prepare and distribute to the local election officials in the candidate's electoral district a notice informing voters that the candidate has withdrawn and that a vote for that candidate will not be counted. The notice must be distributed with all absentee ballots requested after the notice is received by the local election officials and, on election day, must be posted outside the guardrail enclosure in accordance with section 651, subsection 2 and in each voting booth. Notice of the late withdrawal must also be posted on the Secretary of State's publicly accessible website.

[PL 2019, c. 636, §6 (NEW).]

SECTION HISTORY

PL 1985, c. 161, §6 (NEW). PL 1999, c. 426, §§13,14 (AMD). PL 2001, c. 310, §22 (AMD). PL 2007, c. 455, §15 (AMD). PL 2011, c. 342, §11 (AMD). PL 2015, c. 447, §11 (AMD). PL 2019, c. 636, §6 (RPR).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular Session and the First Special Session of the131st Maine Legislature and is current through November 1, 2023
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.