

Resolution No.: 16-847
Introduced: February 10, 2009
Adopted: February 12, 2009

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Special Election to fill District 4 Council Vacancy

Background

1. On January 30, 2009, Councilmember Donald E. Praisner died.
2. Under County Code §16-17, a special election must be held to fill this vacancy. Under §16-17(d)(1), the Council must adopt a resolution within 30 days after the vacancy occurs that sets the date of the special primary and special general election and takes any other action authorized by law.
3. After the Council adopts the resolution setting the election dates, the public notice required by §16-17(g) must specify the procedures under which a person may be nominated and elected to fill the vacancy and should include other important deadlines and requirements set under County and State law.

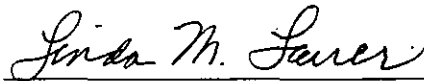
Action

The County Council for Montgomery County, Maryland approves the following resolution:

1. The County Board of Elections must hold a special primary election to fill the vacancy in the office of Councilmember representing Council District 4 on April 21, 2009.
2. The County Board of Elections must hold a special general election to fill the vacancy in the office of Councilmember representing Council District 4 on May 19, 2009.
3. A candidate for nomination by petition in this special election must:
 - (a) if the candidate seeks an advance determination of the sufficiency of a petition, request an advance determination from the County Election Director not later than March 23, 2009;

- (b) file a declaration of intent with the County Board of Elections not later than March 30, 2009; and
 - (c) file a certificate of candidacy with the County Board of Elections not later than April 21, 2009.
4. The content and arrangement of the ballot for the special general election must be certified not later than May 5, 2009.
 5. The Council urges the County Board of Elections to use the same polling places as were used in the 2008 special Council election, to the extent they are available.

This is a correct copy of Council action.



Linda M. Lauer, Clerk of the Council