

HOUSE BILL 129

G1, L6

CONSTITUTIONAL AMENDMENT

6lr0891

By: **Delegates Carr, Hayes, and Moon**

Introduced and read first time: January 20, 2016

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Staggered Election Terms – Charter County Councils**

3 FOR the purpose of proposing an amendment to the Maryland Constitution authorizing a
4 charter county to enact legislation to stagger the terms of office for the members of
5 the county council of the county; providing that some members of the county council
6 of a charter county may be elected at the presidential general election and some
7 members may be elected at the gubernatorial general election; generally relating to
8 staggering the terms of members of the county council for a charter county; and
9 submitting this amendment to the qualified voters of the State for their adoption or
10 rejection.

11 BY proposing an amendment to the Maryland Constitution
12 Article XVII – Quadrennial Elections
13 Section 2

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 (Three-fifths of all the members elected to each of the two Houses concurring), That it be
16 proposed that the Maryland Constitution read as follows:

17 **Article XVII – Quadrennial Elections**

18 2.

19 (A) [Except for a] **THIS SECTION DOES NOT APPLY TO:**

20 (1) A special election that may be authorized to fill a vacancy in a County
21 Council or a vacancy in the office of chief executive officer or County Executive[,] under
22 Article XI–A, Section 3 of the Constitution[, elections]; **OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(2) AN ELECTION THAT MAY BE AUTHORIZED UNDER LEGISLATION**
2 **ENACTED BY A CHARTER COUNTY TO STAGGER THE TERMS OF THE MEMBERS OF THE**
3 **COUNTY COUNCIL IN THE COUNTY, WITH SOME MEMBERS ELECTED ON THE**
4 **TUESDAY NEXT AFTER THE FIRST MONDAY OF NOVEMBER AT THE GUBERNATORIAL**
5 **GENERAL ELECTION AND SOME MEMBERS ELECTED ON THE TUESDAY NEXT AFTER**
6 **THE FIRST MONDAY OF NOVEMBER AT THE PRESIDENTIAL GENERAL ELECTION.**

7 **(B) ELECTIONS** by qualified voters for State and county officers shall be held on
8 the Tuesday next after the first Monday of November, in the year nineteen hundred and
9 twenty-six, and on the same day in every fourth year thereafter.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
11 determines that the amendment to the Maryland Constitution proposed by this Act affects
12 multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland
13 Constitution concerning local approval of constitutional amendments do not apply.

14 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
15 proposed as an amendment to the Maryland Constitution shall be submitted to the
16 qualified voters of the State at the next general election to be held in November 2016 for
17 their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that
18 general election, the vote on this proposed amendment to the Constitution shall be by
19 ballot, and upon each ballot there shall be printed the words "For the Constitutional
20 Amendment" and "Against the Constitutional Amendment," as now provided by law.
21 Immediately after the election, all returns shall be made to the Governor of the vote for and
22 against the proposed amendment, as directed by Article XIV of the Maryland Constitution,
23 and further proceedings had in accordance with Article XIV.