

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 289

(Delegate Otto)

Rules and Executive Nominations

Reapportionment and Redistricting

**Somerset County – Elections – County Commissioners Districts and Board of
Education Candidate Filings**

This emergency bill adjusts the boundaries of the five commissioner districts from which the five members of the Board of County Commissioners for Somerset County are elected. The bill also specifies that the candidate filing deadline will be reopened for a candidate for the Somerset County Board of Education through 12:00 p.m. (noon) on the second business day following the effective date of the bill. In addition, the bill prohibits an individual who files as a candidate for the Somerset County Board of Education from withdrawing the individual's candidacy.

Fiscal Summary

State Effect: The bill does not directly affect State finances or operations.

Local Effect: The Somerset County Board of Elections can implement the bill with existing budgeted resources. No effect on revenues.

Small Business Effect: None.

Analysis

Current Law: The boundaries of local electoral districts must be redrawn every 10 years following the decennial census to adjust for population changes. The Board of County Commissioners for Somerset County is comprised of five commissioners elected from five commissioner districts. Chapter 194 of 2019 requires a commissioner elected from a commissioner district to be a resident of that district during the six months immediately preceding the candidacy filing deadline and during the full, four-year term of office.

However, if the boundary of a commissioner district is changed, the term of an incumbent commissioner who no longer resides in that district because of the change is not affected during that term.

The Somerset County Board of Education is comprised of five members elected from the five commissioner districts in the county. A candidate for the Somerset County Board of Education must be a registered voter of the county, and a member of the board must be a resident of the district from which the member is elected.

Somerset County is one of six counties that operate under the county commission form of government. Commission counties have limited powers and only those powers that are expressly delegated by the General Assembly. Alterations to the boundaries of commissioner districts must receive the approval of the General Assembly. The current commissioner district plan for Somerset County was enacted as Chapter 1 of 2012.

Chapters 66 and 67 of 2010 require that population counts used to create legislative districts used to elect local governing bodies of counties and municipalities in the State exclude individuals incarcerated in State or federal correctional facilities, as determined by the decennial census, who were not State residents prior to their incarceration. Individuals incarcerated in State or federal correctional facilities who were residents of the State prior to their incarceration must be counted at their last known residence.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 270 (Senator Carozza) - Reapportionment and Redistricting.

Information Source(s): Somerset County; Maryland Department of Planning; Maryland State Board of Elections; Department of Legislative Services

Fiscal Note History: First Reader - February 14, 2022
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