

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Enrolled

Senate Bill 157

(Senator Waldstreicher)

Education, Energy, and the Environment

Environment and Transportation

Municipalities - Charter Amendments - Notice

This bill modifies the manner in which a chief executive officer of a municipality may deliver charter amendment notices by authorizing the publishing of a fair summary of the proposed amendment in a newspaper of general circulation in the municipality at least once and delivering a copy of a fair summary of the proposed charter amendment by hand or by mail once to every residence in the municipality, as specified.

The fair summary of the proposed charter amendment, which is delivered by hand or by mail, may be included in a *printed* newsletter or other regular municipal publication. The bill requires a municipality to maintain records in accordance with the municipality's record retention policies and make these records available to the general public in accordance with the Maryland Public Information Act.

The bill also requires notice of a municipal charter amendment initiated by a petition of qualified voters to be posted at the main municipal building or other public place for at least 40 days, instead of four weeks, immediately before a charter amendment referendum is held.

Fiscal Summary

State Effect: None.

Local Effect: The bill does not materially affect municipal expenditures. Municipal revenues are not affected.

Small Business Effect: None.

Analysis

Current Law: Title 4, Subtitle 3 of the Local Government Article describes the powers granted to municipalities to amend or repeal their charters under Article XI-E of the Maryland Constitution and establishes the requirements that municipal government officials must adhere to in notifying the public of a proposed charter amendment.

Municipal charter amendments may be initiated by the legislative body of a municipality or by a petition of qualified voters, as specified.

Notification of Charter Amendments Initiated by Legislative Body

The chief executive officer of a municipality must provide notice of a resolution that proposes a municipal charter amendment by posting an exact copy of the resolution at the main municipal building or other public place for 40 days after the resolution is adopted and by publishing a fair summary of the proposed amendment in a newspaper, as specified.

Notification of Charter Amendments Initiated by a Petition of Qualified Voters

The chief executive officer of a municipality must provide notice of a municipal charter amendment by posting an exact copy of the proposed amendment at the main municipal building or other public place for at least four weeks immediately preceding the referendum at which the question is to be submitted and on the day of the referendum by posting a copy of the amendment at the voting place. The chief executive officer must also publish notice of the referendum and a fair summary of the proposed amendment in a newspaper, as specified.

Additional Information

Prior Introductions: Similar legislation has been introduced within the last three years. See HB 381 of 2022.

Designated Cross File: HB 104 (Delegate Solomon) - Environment and Transportation.

Information Source(s): City of Laurel; Maryland Municipal League; Department of Legislative Services

Fiscal Note History: First Reader - February 3, 2023
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