
By: Allegany County Delegation and Delegates W. Baker, Bozman, and Walkup

Introduced and read first time: January 24, 1997

Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Code Home Rule - Classification of Counties**

3 FOR the purpose of establishing a certain number of classifications for counties that
4 adopt code home rule, based on geographic regions of the State; defining the
5 composition of the various regions; providing for the application of certain laws that
6 are not limited to specific classes; and generally relating to the classification of
7 counties that adopt home rule under Article XI-F of the Maryland Constitution.

8 BY repealing and reenacting, without amendments,
9 Article 25B - Home Rule for Code Counties
10 Section 1(a)
11 Annotated Code of Maryland
12 (1996 Replacement Volume)

13 BY repealing
14 Article 25B - Home Rule for Code Counties
15 Section 2
16 Annotated Code of Maryland
17 (1996 Replacement Volume)

18 BY adding to
19 Article 25B - Home Rule for Code Counties
20 Section 2
21 Annotated Code of Maryland
22 (1996 Replacement Volume)

23 Preamble

24 WHEREAS, Current law classifies each county that has adopted code home rule
25 under Article XI-F of the Maryland Constitution as a single class; and

26 WHEREAS, A single classification restricts the General Assembly's ability to
27 adequately address the diversity of interests and concerns among various regions of the
28 State; and

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1 WHEREAS, This rigidity not only limits the General Assembly's ability to address
2 concerns of counties that have adopted code home rule, but may well discourage
3 nonhome rule counties from achieving the benefits of code home rule under Article XI-F
4 of the Constitution; and

5 WHEREAS, Recognizing the need for flexibility among counties throughout the
6 State, the drafters of the Code Home Rule Amendment proposed, and the voters of the
7 State ratified, authorization for the General Assembly to classify code counties by
8 grouping them into not more than four classes, based on criteria that the General
9 Assembly considers appropriate; now, therefore,

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That the Laws of Maryland read as follows:

12 **Article 25B - Home Rule for Code Counties**

13 1.

14 (a) "Code county" (as defined in Article XI-F of the Constitution, § 1) means a
15 county which is not a charter county under Article XI-A of the Constitution and which
16 has adopted the optional powers of home rule provided in Article XI-F of the
17 Constitution and this article.

18 [2.

19 The General Assembly determines that there is one classification of code counties.
20 All counties functioning under the provisions of Article XI-F of the Constitution are
21 members of that class and subject to the constitutional and statutory law applicable
22 thereto.]

23 2.

24 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
25 INDICATED.

26 (2) "CENTRAL MARYLAND" MEANS ANNE ARUNDEL COUNTY,
27 BALTIMORE CITY, BALTIMORE COUNTY, CARROLL COUNTY, FREDERICK COUNTY,
28 HARFORD COUNTY, HOWARD COUNTY, MONTGOMERY COUNTY, AND PRINCE
29 GEORGE'S COUNTY.

30 (3) "EASTERN SHORE" MEANS CAROLINE COUNTY, CECIL COUNTY,
31 DORCHESTER COUNTY, KENT COUNTY, QUEEN ANNE'S COUNTY, SOMERSET
32 COUNTY, TALBOT COUNTY, WICOMICO COUNTY, AND WORCESTER COUNTY.

33 (4) "SOUTHERN MARYLAND" MEANS CALVERT COUNTY, CHARLES
34 COUNTY, AND ST. MARY'S COUNTY.

35 (5) "WESTERN MARYLAND" MEANS ALLEGANY COUNTY, GARRETT
36 COUNTY, AND WASHINGTON COUNTY.

37 (B) (1) THE GENERAL ASSEMBLY DETERMINES THAT THERE ARE FOUR
38 CLASSES OF CODE COUNTIES, BASED ON THE GEOGRAPHIC REGION OF THE STATE
39 WHERE A COUNTY THAT ADOPTS HOME RULE UNDER ARTICLE XI-F OF THE
40 MARYLAND CONSTITUTION IS LOCATED.

3

1 (2) THE CLASSES ARE AS FOLLOWS:

2 (I) CENTRAL MARYLAND;

3 (II) EASTERN SHORE;

4 (III) SOUTHERN MARYLAND; AND

5 (IV) WESTERN MARYLAND.

6 (C) UNLESS LIMITED TO ONE OR MORE CLASSES LISTED UNDER THIS
7 SECTION, ANY PUBLIC GENERAL LAW ENACTED BY THE GENERAL ASSEMBLY
8 APPLICABLE TO CODE COUNTIES APPLIES TO EACH CODE COUNTY, REGARDLESS OF
9 CLASS.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 1997.