

HOUSE BILL 233

P5
HB 363/13 – HRU

CONSTITUTIONAL AMENDMENT

4lr0994

By: **Delegates Hough, Afzali, Arentz, Aumann, Bates, Beitzel, Eckardt, Frank, George, Glass, Haddaway–Ricchio, Hogan, Jacobs, Kipke, Krebs, McComas, McDermott, Myers, Norman, O'Donnell, Otto, Parrott, Ready, Schuh, Schulz, and Szeliga**

Introduced and read first time: January 17, 2014

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

AN ACT concerning

Tax Increases – Super Majority Vote Required

FOR the purpose of proposing an amendment to the Maryland Constitution to require the approval of two–thirds of the members elected to each House of the General Assembly to pass legislation to increase the rate of an existing tax or to impose a tax on an individual or entity not subject to the tax at the time of consideration of the legislation; and submitting this amendment to the qualified voters of the State for their adoption or rejection.

BY proposing an addition to the Maryland Constitution
Article III – Legislative Department
Section 28A

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

Article III – Legislative Department

28A.

A BILL TO INCREASE THE RATE OF AN EXISTING TAX OR TO IMPOSE A TAX AGAINST AN INDIVIDUAL OR ENTITY NOT SUBJECT TO THE TAX AT THE TIME OF CONSIDERATION OF THE BILL MAY NOT BECOME A LAW UNLESS, ON ITS FINAL PASSAGE, THE BILL RECEIVES THE YEA VOTES OF AT LEAST TWO–THIRDS OF THE MEMBERS ELECTED TO EACH HOUSE OF THE GENERAL ASSEMBLY.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section proposed as an amendment to the Maryland Constitution shall be submitted to the qualified voters of the State at the next general election to be held in November 2014 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that general election, the vote on this proposed amendment to the Constitution shall be by ballot, and upon each ballot there shall be printed the words “For the Constitutional Amendment” and “Against the Constitutional Amendment,” as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV.