

HOUSE BILL 348

G1, L2

CONSTITUTIONAL AMENDMENT

7lr0531

By: **Montgomery County Delegation**

Introduced and read first time: January 25, 2017

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Staggered Election Terms for Members of the County**
3 **Council**

4 **MC 4-17**

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

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

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

19 **Article XVII – Quadrennial Elections**

20 2.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

4 **(2) AN ELECTION THAT MAY BE AUTHORIZED UNDER LEGISLATION**
5 **ENACTED BY THE COUNTY COUNCIL OF MONTGOMERY COUNTY TO STAGGER THE**
6 **TERMS OF OFFICE OF THE MEMBERS OF THE COUNTY COUNCIL, WITH SOME**
7 **MEMBERS ELECTED ON THE TUESDAY NEXT AFTER THE FIRST MONDAY OF**
8 **NOVEMBER AT THE GUBERNATORIAL GENERAL ELECTION AND SOME MEMBERS**
9 **ELECTED ON THE TUESDAY NEXT AFTER THE FIRST MONDAY OF NOVEMBER AT THE**
10 **PRESIDENTIAL GENERAL ELECTION.**

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

14 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
15 determines that the amendment to the Maryland Constitution proposed by this Act affects
16 only one county and that the provisions of Article XIV, § 1 of the Maryland Constitution
17 concerning local approval of constitutional amendments apply.

18 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
19 proposed as an amendment to the Maryland Constitution shall be submitted to the
20 qualified voters of the State at the next general election to be held in November 2018 for
21 their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that
22 general election, the vote on this proposed amendment to the Constitution shall be by
23 ballot, and upon each ballot there shall be printed the words “For the Constitutional
24 Amendment” and “Against the Constitutional Amendment,” as now provided by law.
25 Immediately after the election, all returns shall be made to the Governor of the vote for and
26 against the proposed amendment, as directed by Article XIV of the Maryland Constitution,
27 and further proceedings had in accordance with Article XIV.