

HOUSE BILL 1031

P5
HB 366/20 – HRU

CONSTITUTIONAL AMENDMENT

1lr2455

By: **Delegate Saab**

Introduced and read first time: February 5, 2021

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly – Term Limits**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to limit the
4 number of consecutive terms as either a Senator or a Delegate to which a person may
5 be elected; specifying how service for a certain partial term shall be considered for
6 purposes of the term limits; providing that certain provisions of this amendment do
7 not prohibit a certain person who was elected to serve a further consecutive term in
8 the same office in a certain election from serving in the same office during a certain
9 term; providing for the termination of certain provisions of this amendment; making
10 stylistic changes; and submitting this amendment to the qualified voters of the State
11 for their adoption or rejection.

12 BY proposing an amendment to the Maryland Constitution
13 Article III – Legislative Department
14 Section 6

15 BY proposing an addition to the Maryland Constitution
16 Article XVIII – Provisions of Limited Duration
17 Section 6

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

21 **Article III – Legislative Department**

22 6.

23 (A) A member of the General Assembly shall be elected by the registered voters of
24 the legislative or delegate district from which [he] **THE MEMBER** seeks election, to serve

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 for a term of four years beginning on the second Wednesday of January following [his] THE
2 MEMBER'S election.

3 (B) (1) A PERSON WHO HAS BEEN ELECTED TO THREE CONSECUTIVE
4 TERMS AS EITHER A SENATOR OR A DELEGATE SHALL BE INELIGIBLE TO BE
5 ELECTED TO SERVE A FURTHER CONSECUTIVE TERM IN THE SAME OFFICE.

6 (2) FOR PURPOSES OF THE LIMITATION UNDER THIS SUBSECTION, IF
7 A PERSON HAS SERVED MORE THAN THREE YEARS OF A TERM AS A SENATOR OR A
8 DELEGATE TO WHICH ANOTHER PERSON WAS ELECTED, THAT PERSON SHALL BE
9 CONSIDERED TO HAVE BEEN ELECTED TO A FULL TERM.

10 Article XVIII – Provisions of Limited Duration

11 6.

12 (A) FOR THE PURPOSE OF IMPLEMENTING THE AMENDMENTS PROPOSED
13 BY HOUSE BILL ___ OF 2021 (1LR2455) CONCERNING TERM LIMITS FOR MEMBERS
14 OF THE GENERAL ASSEMBLY, THIS SECTION IS TEMPORARILY A PART OF ARTICLE
15 III – LEGISLATIVE DEPARTMENT, SECTION 6. THIS SECTION SHALL EXPIRE AT THE
16 END OF THE GENERAL ASSEMBLY TERM THAT BEGINS JANUARY 11, 2023.

17 (B) ARTICLE III, SECTION 6 OF THIS CONSTITUTION DOES NOT PROHIBIT A
18 PERSON WHO HAS BEEN ELECTED TO THREE OR MORE CONSECUTIVE TERMS AS A
19 SENATOR OR A DELEGATE AND WHO WAS ELECTED TO SERVE A FURTHER
20 CONSECUTIVE TERM IN THE SAME OFFICE IN THE NOVEMBER 2022 ELECTION FROM
21 SERVING IN THE SAME OFFICE DURING THE TERM THAT BEGINS JANUARY 11, 2023.

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

26 SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the
27 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified
28 voters of the State at the next general election to be held in November 2022 for adoption or
29 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,
30 the vote on the proposed amendment to the Constitution shall be by ballot, and on each
31 ballot there shall be printed the words “For the Constitutional Amendment” and “Against
32 the Constitutional Amendment”, as now provided by law. Immediately after the election,
33 all returns shall be made to the Governor of the vote for and against the proposed
34 amendment, as directed by Article XIV of the Maryland Constitution, and further
35 proceedings had in accordance with Article XIV.