

CLARENCE K. LAM, M.D., M.P.H.  
*Legislative District 12*  
Baltimore and Howard Counties

Education, Health, and Environmental Affairs  
Committee

Executive Nominations Committee

Joint Committee on Ending Homelessness

*Chair*

Joint Committee on Fair Practices and  
State Personnel Oversight

*Chair*

Howard County Senate Delegation



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

Miller Senate Office Building  
11 Bladen Street, Room 420  
Annapolis, Maryland 21401  
410-841-3653 · 301-858-3653  
800-492-7122 Ext. 3653  
Clarence.Lam@senate.state.md.us

## Support SB 10: General Assembly – Special Election to Fill a Vacancy in Office

### The Issue:

- When a vacancy occurs in the Senate or House of Delegates, voters are denied input on who represents them
- Current appointment process focuses on maintaining the power of a political party over a seat
- Often members are appointed to executive branch positions at the start of new administrations, leaving voters represented by unelected members for nearly four years
- Appointed members have an incumbency advantage in the next election

### What Does SB 313 Do?

- If a vacancy occurs more than 20 days before the candidate filing deadline for a presidential election:
  - A replacement member is appointed to serve until a new member is elected
  - Governor calls for a special election to occur at the same time as the presidential election
  - A new member is elected at the presidential election
- If a vacancy occurs within 20 days of the candidate filing deadline for a presidential election:
  - A replacement member is appointed to serve the remainder of the current term

### How Does SB 313 Help?

- Allows voters to elect replacement Senators and Delegates
- Makes the selection of replacement members more democratic
- Reduces political control over the vacancy filling process

### Additional Background Information:

- 28 states use special elections to fill state legislative vacancies: Alabama, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, Wisconsin
- Currently, Maryland fills U.S. Senate, U.S. House of Representatives, Attorney General and Comptroller vacancies using special elections

## How State's Fill Legislative Vacancies

