

# SENATE BILL 1131

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4r0408  
CF HB 1350

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By: **Howard County Senators**

Introduced and read first time: February 9, 2024

Assigned to: Rules

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## A BILL ENTITLED

1 AN ACT concerning

2 **Howard County Board of Education – Board Member Terms and Compensation**  
3 **Commission**

4 **Ho. Co. 2–24**

5 FOR the purpose of altering the terms of the members of the Howard County Board of  
6 Education; establishing the Howard County Board of Education Compensation  
7 Commission; and generally relating to the terms of members of the Howard County  
8 Board of Education and to the Howard County Board of Education Compensation  
9 Commission.

10 BY renumbering

11 Article – Local Government

12 Section 28–1A–01 through 28–1A–07 and the subtitle “Subtitle 1A. Montgomery  
13 County Board of Education Compensation Commission”

14 to be Section 28–1B–01 through 28–1B–07, respectively, and the subtitle “Subtitle  
15 1B. Montgomery County Board of Education Compensation Commission”

16 Annotated Code of Maryland

17 (2013 Volume and 2023 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – Education

20 Section 3–701(a), (c), and (d)(1)

21 Annotated Code of Maryland

22 (2022 Replacement Volume and 2023 Supplement)

23 BY repealing and reenacting, with amendments,

24 Article – Education

25 Section 3–701(d)(2) and 3–703

26 Annotated Code of Maryland

27 (2022 Replacement Volume and 2023 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY adding to  
2 Article – Local Government  
3 Section 28–1A–01 through 28–1A–08 to be under the new subtitle “Subtitle 1A.  
4 Howard County Board of Education Compensation Commission”  
5 Annotated Code of Maryland  
6 (2013 Volume and 2023 Supplement)

7 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
8 That Section(s) 28–1A–01 through 28–1A–07 and the subtitle “Subtitle 1A. Montgomery  
9 County Board of Education Compensation Commission” of Article – Local Government of  
10 the Annotated Code of Maryland be renumbered to be Section(s) 28–1B–01 through  
11 28–1B–07, respectively, and the subtitle “Subtitle 1B. Montgomery County Board of  
12 Education Compensation Commission”.

13 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
14 as follows:

15 **Article – Education**

16 3–701.

17 (a) (1) The Howard County Board consists of:

18 (i) Seven elected members; and

19 (ii) One student member.

20 (2) The seven elected members shall be elected as follows:

21 (i) One member from each of the five councilmanic districts in the  
22 county, elected by the voters of that district; and

23 (ii) Two members at large, elected by the voters of the county.

24 (c) The seven elected members of the Howard County Board shall be elected:

25 (1) Beginning in 2020, at the general election every 2 years as required by  
26 subsection (d) of this section; and

27 (2) As specified in subsection (a) of this section.

28 (d) (1) (i) The terms of the elected members are staggered as provided in  
29 this subsection.

30 (ii) Each term of office begins on the first Monday in December after  
31 the election of a member and until a successor is elected and qualifies.

1           (2)   (i)   1.    The [term] **TERMS** of office of [each member elected from  
2 a councilmanic district, beginning at the 2020 election, is 4 years] **THE MEMBERS**  
3 **ELECTED FROM A COUNCILMANIC DISTRICT AT THE 2024 ELECTION ARE:**

4                   **A.    FOR THE TWO ELECTED MEMBERS WHO RECEIVE THE**  
5 **HIGHEST PERCENTAGE OF VOTES, 6 YEARS; AND**

6                   **B.    FOR THE THREE ELECTED MEMBERS WHO RECEIVE**  
7 **THE LOWEST PERCENTAGE OF VOTES, 4 YEARS.**

8                   2.    The [term] **TERMS** of office of [each member] **THE TWO**  
9 **MEMBERS** elected at large[, beginning] at the [2022] **2026** election[, is 4 years] **ARE:**

10                   **A.    FOR THE INDIVIDUAL WHO RECEIVES THE HIGHEST**  
11 **NUMBER OF VOTES, 6 YEARS; AND**

12                   **B.    FOR THE INDIVIDUAL WHO RECEIVES THE SECOND**  
13 **HIGHEST NUMBER OF VOTES, 4 YEARS.**

14                   (ii)   The successors to [the]:

15                   1.    **THE** offices **OF THE THREE MEMBERS** elected at the  
16 [2020 and 2022 elections, respectively, shall serve for a term of 4 years] **2024 ELECTION**  
17 **WHO RECEIVED THE LOWEST PERCENTAGE OF VOTES SHALL BE ELECTED AT THE**  
18 **2028 ELECTION AND EVERY 4 YEARS THEREAFTER AND SHALL SERVE FOR A TERM**  
19 **OF 4 YEARS;**

20                   2.    **THE OFFICES OF THE TWO MEMBERS ELECTED AT**  
21 **THE 2024 ELECTION WHO RECEIVED THE HIGHEST PERCENTAGE OF VOTES SHALL**  
22 **BE ELECTED AT THE 2030 ELECTION AND EVERY 4 YEARS THEREAFTER AND SHALL**  
23 **SERVE FOR A TERM OF 4 YEARS;**

24                   3.    **THE OFFICE OF THE MEMBER ELECTED AT LARGE AT**  
25 **THE 2026 ELECTION WHO RECEIVED THE HIGHEST NUMBER OF VOTES IN THAT**  
26 **ELECTION SHALL BE ELECTED AT THE 2032 ELECTION AND EVERY 4 YEARS**  
27 **THEREAFTER AND SHALL SERVE A TERM OF 4 YEARS; AND**

28                   4.    **THE OFFICE OF THE MEMBER ELECTED AT LARGE AT**  
29 **THE 2026 ELECTION WHO RECEIVED THE SECOND HIGHEST NUMBER OF VOTES IN**  
30 **THAT ELECTION SHALL BE ELECTED AT THE 2030 ELECTION AND EVERY 4 YEARS**  
31 **THEREAFTER AND SHALL SERVE A TERM OF 4 YEARS.**

1                   **(III) IN THE EVENT OF A TIE BETWEEN ELECTED MEMBERS**  
2 **UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE LOCAL BOARD OF ELECTIONS**  
3 **SHALL ADMINISTER A RANDOM DRAWING TO DETERMINE THE TERM OF OFFICE FOR**  
4 **EACH ELECTED MEMBER INVOLVED IN THE TIE.**

5 3-703.

6           (a)   **(1)**   The chair of the county board is entitled to receive:

7                   **(I)**   \$18,000 annually as compensation [and the]; **OR**

8                   **(II)**   **AN ANNUAL SALARY SET THROUGH LEGISLATION BASED ON**  
9 **THE RECOMMENDATIONS OF THE HOWARD COUNTY BOARD OF EDUCATION**  
10 **COMPENSATION COMMISSION IN ACCORDANCE WITH TITLE 28, SUBTITLE 1A OF**  
11 **THE LOCAL GOVERNMENT ARTICLE.**

12           **(2)**   **THE** other elected members are entitled to receive:

13                   **(I)**   \$16,000 each annually as compensation; **OR**

14                   **(II)**   **AN ANNUAL SALARY SET THROUGH LEGISLATION BASED ON**  
15 **THE RECOMMENDATIONS OF THE HOWARD COUNTY BOARD OF EDUCATION**  
16 **COMPENSATION COMMISSION IN ACCORDANCE WITH TITLE 28, SUBTITLE 1A OF**  
17 **THE LOCAL GOVERNMENT ARTICLE.**

18           (b)   After submitting vouchers under the rules and regulations adopted by the  
19 county board, the chair and the other elected members are entitled to receive  
20 reimbursement for travel and other expenses as provided in the Howard County budget.

21           (c)   The employer's share for State retirement and pension contributions made on  
22 behalf of the chair and other elected board members may not be considered compensation  
23 for the purpose of calculating compensation under subsection (a) of this section.

24           (d)   (1)   The chair and other elected board members may participate in health  
25 insurance and other benefit programs sponsored by the board.

26                   (2)   An elected board member's participation in a benefit program  
27 sponsored by the board under this subsection may not be considered compensation for the  
28 purpose of calculating compensation under subsection (a) of this section.

29           (e)   (1)   (i)   A student member who completes a full term on the board shall  
30 be entitled to a scholarship of:

31                           1.   \$5,000 to be applied to the student's higher education  
32 costs; **OR**

1                               **2. A SCHOLARSHIP AMOUNT SET THROUGH**  
2 **LEGISLATION BASED ON THE RECOMMENDATIONS OF THE HOWARD COUNTY BOARD**  
3 **OF EDUCATION COMPENSATION COMMISSION IN ACCORDANCE WITH TITLE 28,**  
4 **SUBTITLE 1A OF THE LOCAL GOVERNMENT ARTICLE.**

5                               (ii) The scholarship shall be paid directly to the educational  
6 institution that the student attends.

7                               (iii) A student may receive only one scholarship regardless of the  
8 number of terms the student serves as the student member of the county board.

9                               (iv) The scholarship may not be considered compensation for the  
10 purpose of calculating taxable income.

11                              (2) On the submission of expense vouchers, the student member is entitled  
12 to reimbursement for travel and other expenses incurred in the performance of official  
13 duties for the county board.

14                              (3) The student member is not entitled to any compensation or payment  
15 other than that specified under paragraphs (1) and (2) of this subsection for their work as  
16 the student member of the county board.

17   **Article – Local Government**

18   **SUBTITLE 1A. HOWARD COUNTY BOARD OF EDUCATION COMPENSATION**  
19   **COMMISSION.**

20 **28-1A-01.**

21                              **IN THIS SUBTITLE, “COMMISSION” MEANS THE HOWARD COUNTY BOARD OF**  
22 **EDUCATION COMPENSATION COMMISSION.**

23 **28-1A-02.**

24                              **THERE IS A HOWARD COUNTY BOARD OF EDUCATION COMPENSATION**  
25 **COMMISSION.**

26 **28-1A-03.**

27                              **(A) (1) THE COMMISSION CONSISTS OF FIVE RESIDENTS OF HOWARD**  
28 **COUNTY APPOINTED BY THE HOWARD COUNTY EXECUTIVE AND CONFIRMED BY**  
29 **THE HOWARD COUNTY COUNCIL.**

1           **(2) MEMBERS OF THE COMMISSION SHALL BE APPOINTED ON OR**  
2 **BEFORE JANUARY 1, 2025, AND EVERY 4 YEARS THEREAFTER.**

3           **(B) A MEMBER OF THE COMMISSION MAY NOT:**

4           **(1) BE EMPLOYED BY THE HOWARD COUNTY BOARD OF EDUCATION;**  
5 **OR**

6           **(2) HAVE A RELATIVE WHO IS A MEMBER OF THE HOWARD COUNTY**  
7 **BOARD OF EDUCATION.**

8           **(C) A MEMBER OF THE COMMISSION MAY BE REMOVED BY THE HOWARD**  
9 **COUNTY COUNCIL FOR THE SAME CAUSES AND SUBJECT TO THE SAME PROCEDURES**  
10 **AS SET FORTH IN § 3-701(H) OF THE EDUCATION ARTICLE.**

11 **28-1A-04.**

12           **(A) THE COMMISSION SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS.**

13           **(B) THE COMMISSION SHALL DETERMINE THE TIME AND PLACES OF ITS**  
14 **MEETINGS.**

15           **(C) (1) A MAJORITY OF THE MEMBERS OF THE COMMISSION IS A**  
16 **QUORUM.**

17           **(2) ACTION BY THE COMMISSION REQUIRES THE AFFIRMATIVE VOTE**  
18 **OF A MAJORITY OF THE COMMISSION MEMBERS PRESENT.**

19           **(D) THE HOWARD COUNTY GOVERNMENT SHALL PROVIDE STAFF FOR THE**  
20 **COMMISSION.**

21 **28-1A-05.**

22           **(A) THE COMMISSION SHALL STUDY THE SALARIES OF THE MEMBERS OF**  
23 **THE HOWARD COUNTY BOARD OF EDUCATION.**

24           **(B) THE COMMISSION SHALL ISSUE A REPORT TO THE HOWARD COUNTY**  
25 **COUNCIL ON OR BEFORE SEPTEMBER 1, 2025, AND EVERY 4 YEARS THEREAFTER,**  
26 **REGARDING ITS RECOMMENDATIONS FOR THE APPROPRIATE COMPENSATION FOR**  
27 **MEMBERS OF THE HOWARD COUNTY BOARD OF EDUCATION, INCLUDING:**

28           **(1) ANY ADDITIONAL STIPEND FOR THE CHAIR OF THE COUNTY**  
29 **BOARD; AND**

1           **(2) A SCHOLARSHIP AMOUNT TO BE AWARDED TO A STUDENT**  
2 **MEMBER OF THE COUNTY BOARD WHO COMPLETES A FULL TERM ON THE COUNTY**  
3 **BOARD TO BE APPLIED TOWARD THE STUDENT’S HIGHER EDUCATION COSTS.**

4 **28-1A-06.**

5           **IN FORMULATING ITS REPORT AND RECOMMENDATIONS, THE COMMISSION**  
6 **SHALL CONSIDER FOR EACH MEMBER OF THE HOWARD COUNTY BOARD OF**  
7 **EDUCATION:**

8           **(1) THE SCOPE OF RESPONSIBILITIES OF A COUNTY BOARD MEMBER;**

9           **(2) THE EDUCATION, SKILLS, AND ABILITIES NECESSARY TO**  
10 **PERFORM THE DUTIES OF A COUNTY BOARD MEMBER;**

11           **(3) THE SALARIES OF SIMILAR COUNTY BOARD MEMBERS IN OTHER**  
12 **JURISDICTIONS;**

13           **(4) THE TIME REQUIRED TO PERFORM THE DUTIES OF A COUNTY**  
14 **BOARD MEMBER;**

15           **(5) THE SALARIES OF SUBORDINATE EMPLOYEES UNDER THE DIRECT**  
16 **SUPERVISION OF THE COUNTY BOARD;**

17           **(6) THE VOLUME AND WORKLOAD OF THE COUNTY BOARD; AND**

18           **(7) ANY OTHER RELEVANT INFORMATION.**

19 **28-1A-07.**

20           **(A) IN EACH APPLICABLE YEAR, AFTER REVIEWING THE COMMISSION’S**  
21 **REPORT AND RECOMMENDATIONS, THE HOWARD COUNTY COUNCIL MAY, BY**  
22 **RESOLUTION, RECOMMEND THAT THE MEMBERS OF THE HOWARD COUNTY**  
23 **DELEGATION TO THE GENERAL ASSEMBLY ALTER THE SALARY OF MEMBERS OF THE**  
24 **HOWARD COUNTY BOARD OF EDUCATION BY AN AMOUNT NOT MORE THAN THE**  
25 **RECOMMENDATIONS OF THE COMMISSION.**

26           **(B) IF THE HOWARD COUNTY COUNCIL APPROVES A RESOLUTION UNDER**  
27 **SUBSECTION (A) OF THIS SECTION, THE COUNCIL SHALL SUBMIT THE RESOLUTION**  
28 **AND THE COMMISSION’S REPORT TO THE MEMBERS OF THE HOWARD COUNTY**  
29 **DELEGATION TO THE GENERAL ASSEMBLY.**

1 **28-1A-08.**

2 **ON RECEIPT OF A RESOLUTION FROM THE HOWARD COUNTY COUNCIL AND**  
3 **THE COMMISSION'S REPORT SUBMITTED UNDER § 28-1A-07(B) OF THIS SUBTITLE,**  
4 **THE MEMBERS OF THE HOWARD COUNTY DELEGATION TO THE GENERAL**  
5 **ASSEMBLY MAY INTRODUCE LEGISLATION TO ALTER THE SALARY OF MEMBERS OF**  
6 **THE HOWARD COUNTY BOARD OF EDUCATION.**

7 SECTION 3. AND BE IT FURTHER ENACTED, That:

8 (1) The terms of the members of the Howard County Board of Education  
9 elected from councilmanic districts in office on the effective date of this Act shall expire on  
10 December 2, 2024; and

11 (2) The terms of the members of the Howard County Board of Education  
12 elected by the voters of the county at large in office on the effective date of this Act shall  
13 expire on December 7, 2026.

14 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
15 1, 2024.