

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1350
Ways and Means

(Howard County Delegation)

**Howard County Board of Education - Board Member Terms and Compensation
Commission
Ho. Co. 2-24**

This bill alters the election process for members of the Howard County Board of Education by staggering board member elections such that, by the 2032 election (1) two members elected from councilmanic districts and one member elected from the county at large must be elected in gubernatorial election years and (2) three members elected from councilmanic districts and one member elected from the county at large must be elected in presidential election years. The bill also establishes the Howard County Board of Education Compensation Commission, staffed by the Howard County Government, to study the salaries of school board members and issue a report to the Howard County Council on or before September 1, 2025, and every four years thereafter. The bill further authorizes the Howard County Council to, after reviewing the commission's report, recommend by resolution that members of the Howard County Delegation to the General Assembly alter the salary of school board members. **The bill takes effect July 1, 2024.**

Fiscal Summary

State Effect: None. The bill only affects local government operations.

Local Effect: The Howard County Government can staff the compensation commission with existing resources. The bill is otherwise procedural in nature and does not affect local finances.

Small Business Effect: None.

Analysis

Bill Summary:

Staggering of Elections

To achieve the staggering of board member's terms, the bill specifies that all members elected from councilmanic districts in office on the effective date of the bill must expire on December 2, 2024. Additionally, the terms of members elected from the voters of the county at large must expire on December 7, 2026. Further, the terms of office of the members elected from a councilmanic district at the 2024 election are six years for the two elected members who receive the highest percentage of votes and four years for the three elected members who receive the lowest percentage of votes. The terms of office of the two members elected at large at the 2026 election are six years for the individual who receives the highest number of votes and four years for the individual who receives the second highest number of votes. In the event of a tie between elected members, the local board of elections must administer a random drawing to determine the term of office for each elected member involved in the tie.

As a result of the bill, (1) three members elected from councilmanic districts must be elected at the 2028 presidential election and each presidential election thereafter; (2) two members elected from councilmanic districts and one member elected from the county at large must be elected at the 2030 gubernatorial election and each gubernatorial election thereafter; and (3) one member elected from the county at large must be elected at the 2032 presidential election and each presidential election thereafter. Beginning with members elected at the 2028 elections, all members must serve a term of four years.

Member Compensation

The bill does not change the current annual compensation and scholarship amounts of elected board members, the board chair, or the student member, but does specify that compensation and scholarship amounts must be either those amounts specified under current law or an annually salary or scholarship amount set through legislation based on the recommendations of the Howard County Board of Education Compensation Commission.

Howard County Board of Education Compensation Commission

The compensation commission consists of five residents of Howard County appointed by the Howard County Executive and confirmed by the Howard County Council. Commission members must be appointed on or before January 1, 2025, and every four years thereafter. A majority of commission members is considered a quorum and action by the commission

requires the affirmative vote of a majority of the commission members present. The Howard County Government must provide staff for the commission.

Commission members may neither be employed by the Howard County Board of Education nor have a relative who is a member of the Howard County Board of Education. A commission member may be removed by the county council for the same causes and subject to the same procedures as specified in current law for the removal of a school board member.

The commission must study the salaries of school board members. The commission must issue a report to the Howard County Council on or before September 1, 2025, and every four years thereafter regarding its recommendations for the appropriate compensation for board members. The report must include information on any additional stipend for the chair of the county board and a scholarship amount to be awarded to a student member who completes a full term on the county board to be applied toward the student's higher education costs. In making the report, the commission must consider for each member (1) the scope of responsibilities of a county board member; (2) the education, skills, and abilities necessary to perform the duties of a county board member; (3) the salaries of similar county board members in other jurisdictions; (4) the time required to perform the duties of a county board member; (5) the salaries of subordinate employees under the direct supervision of the county board; (6) the volume and workload of the county board; and (7) any other relevant information.

The Howard County Council may, after reviewing the commission's report, recommend by resolution that members of the Howard County Delegation to the General Assembly alter the salary of school board members. If the council does so, it must submit the resolution and the commission's report to the members of the Howard County Delegation. On receipt of a resolution and report from the Howard County Council, the Howard County Delegation may introduce legislation to alter the salary of school board members.

Current Law: The Howard County Board of Education consists of seven elected members and one student member. Of the seven elected members, (1) one member is elected from each of the five councilmanic districts in the county, elected by the voters of that district and (2) two members are elected at large by the voters of the county. The terms of the elected members are staggered, and each term of office begins on the first Monday in December after the election of a member and until a successor is elected and qualifies. The term of office of each member elected from a councilmanic district, beginning at the 2020 election, is four years. The term of office of each member elected at large, beginning at the 2022 election, is four years. The successors to the offices elected at the 2020 and 2022 elections, respectively, serve for a term of four years.

The State Board of Education may remove a member of the Howard County Board of Education for immorality, misconduct in office, incompetency, or willful neglect of duty. Before removing a board member, the State board must send the member a copy of the charges against the member and give the member an opportunity within 10 days to request a hearing. If the member requests a hearing, the State board must promptly hold a hearing, but a hearing may not be set within 10 days after the State board sends the member a notice of the hearing and the member must have an opportunity to be heard publicly before the State board in the member's own defense, in person or by counsel. A member removed has the right to a *de novo* review of the removal by the Howard County Circuit Court.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 1131 (Howard County Senators) - Rules.

Information Source(s): Howard County; Department of Legislative Services

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