
By: Chairman, Commerce and Government Matters Committee (Departmental - Elections, State Board of)

Introduced and read first time: January 29, 1996
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: February 27, 1996

CHAPTER _____

1 AN ACT concerning

2 Election Laws - Board of Supervisors of Elections - Employees - Residency

3 FOR the purpose of repealing the requirement that each employee of a local board of
4 supervisors of elections be a resident of the county where the board is located; and
5 retaining the residency requirement for the chief administrator of each board.

6 BY repealing and reenacting, with amendments,
7 Article 33 - Election Code
8 Section 2-6
9 Annotated Code of Maryland
10 (1993 Replacement Volume and 1995 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article 33 - Election Code**

14 2-6.

15 (a) (1) Except as provided in paragraph (2) of this subsection, this section
16 applies to all employees of an election board, including clerks, registrars, stenographers,
17 and voting machine operators.

18 (2) Subsections (a) through (f) of this section do not apply to any attorney to
19 an election board or to any election judge, by any title.

20 (b) This section does not alter, in any way, the method by which the salaries of the
21 employees to which this section applies are currently funded by the various counties
22 under this article.

2

1 (c) (1) If the employees of a board are covered by a county merit system:

2 (i) The employees shall be classified employees under the county
3 merit system; and

4 (ii) The board may appoint and remove the employees subject to the
5 rules and regulations of the personnel officials of the county where the board is located.

6 (2) If the employees of a board are not covered by a county merit system:

7 (i) The employees shall be in the classified service of the State
8 Personnel Management System; and

9 (ii) The board may appoint and remove the employees in accordance
10 with the provisions of the State Personnel and Pensions Article that govern classified
11 service employees.

12 (d) (1) Each employee[:

13 (1) Shall] SHALL be a registered voter of the State[; and]

14 (2) ~~Shall~~ THE CHIEF ADMINISTRATOR OF A BOARD SHALL be a resident
15 of the county where the board is located and maintain that residency while employed by
16 the board~~].~~

17 (e) While in office or employed by a board, an employee may not:

18 (1) Hold any public office or office in a political party;

19 (2) Be a candidate for any public office or office in a political party;

20 (3) Use the employee's official authority or influence to interfere with or
21 affect the result of an election; or

22 (4) Actively participate in political management or political campaigns.

23 (f) In Baltimore City, the board may not have more than 45 employees or the
24 number set by the Secretary of Personnel.

25 (g) An election judge or an attorney to an election board may not be:

26 (1) A candidate for any public office or office in a political party;

27 (2) A campaign manager for a candidate; or

28 (3) A treasurer for a candidate or political committee.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 1996.

