

CONSTITUTIONAL AMENDMENT

(PRE-FILED)

P5

6lr0161

By: Senator Ferguson

Requested: July 18, 1995

Introduced and read first time: January 10, 1996

Assigned to: Economic and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly - Term Limits**

3 FOR the purpose of limiting the number of consecutive terms that an individual may
4 serve in the House of Delegates and the number of consecutive terms that an
5 individual may serve in the Senate of Maryland; prohibiting a member of the Senate
6 of Maryland from being a candidate for election to the House of Delegates
7 immediately upon the completion of a certain number of terms in the Senate of
8 Maryland under certain circumstances; limiting the number of cumulative terms
9 that an individual may serve in the General Assembly; and submitting this
10 amendment to the qualified voters of the State of Maryland for their adoption or
11 rejection.

12 BY proposing an amendment to the Constitution of Maryland

13 Article III - Legislative Department

14 Section 6

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

18 **Article III - Legislative Department**

19 6.

20 (A) A member of the General Assembly shall be elected by the registered voters
21 of the legislative or delegate district from which [he] THE MEMBER seeks election, to
22 serve for a term of four years beginning on the second Wednesday of January following
23 [his] THE MEMBER'S election.

24 (B) SUBJECT TO SUBSECTIONS (C) THROUGH (F) OF THIS SECTION,
25 COMMENCING WITH THE TERM THAT BEGINS IN JANUARY, 1999, AND THEREAFTER:

26 (1) AN INDIVIDUAL MAY NOT BE ELECTED TO SERVE MORE THAN
27 THREE CONSECUTIVE TERMS IN THE HOUSE OF DELEGATES; AND

28 (2) AN INDIVIDUAL MAY NOT BE ELECTED TO SERVE MORE THAN
29 THREE CONSECUTIVE TERMS IN THE SENATE OF MARYLAND.

1 (C) SUBSECTION (B) OF THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL
2 WHO HAS SERVED THREE CONSECUTIVE TERMS IN THE HOUSE OF DELEGATES
3 FROM THEN IMMEDIATELY HOLDING OFFICE IN THE SENATE OF MARYLAND FOR
4 NO MORE THAN THREE CONSECUTIVE TERMS.

5 (D) AN INDIVIDUAL WHO PREVIOUSLY HAS SERVED THREE CONSECUTIVE
6 TERMS IN ONE BRANCH OF THE GENERAL ASSEMBLY MAY AGAIN HOLD OFFICE IN
7 THAT BRANCH IF AT LEAST FOUR YEARS HAVE ELAPSED SINCE THE EXPIRATION OF
8 THE LAST PREVIOUS TERM OF THE INDIVIDUAL IN THAT BRANCH. HOWEVER, THE
9 INDIVIDUAL REMAINS SUBJECT TO THE LIMITATIONS ON CONSECUTIVE TERMS
10 SPECIFIED IN SUBSECTIONS (B) AND (C) OF THIS SECTION.

11 (E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN
12 INDIVIDUAL WHO HAS SERVED MORE THAN TWO CONSECUTIVE TERMS IN THE
13 SENATE OF MARYLAND MAY NOT SERVE IN THE HOUSE OF DELEGATES IN THE
14 TERM IMMEDIATELY FOLLOWING THE EXPIRATION OF THE INDIVIDUAL'S LAST
15 FULL TERM IN THE SENATE.

16 (2) AN INDIVIDUAL WHO HAS SERVED MORE THAN TWO CONSECUTIVE
17 TERMS IN THE SENATE OF MARYLAND MAY BE APPOINTED TO SERVE IN THE HOUSE
18 OF DELEGATES TO FILL A VACANCY IN AN UNEXPIRED TERM OF A MEMBER OF THE
19 HOUSE. AN INDIVIDUAL SO APPOINTED IS INELIGIBLE TO BE ELECTED TO A FULL
20 TERM AS A MEMBER OF THE HOUSE OF DELEGATES AT THE NEXT SUCCEEDING
21 GENERAL ELECTION, UNLESS AT LEAST FOUR YEARS HAVE ELAPSED SINCE THE
22 EXPIRATION OF THE LAST FULL TERM THAT THE INDIVIDUAL SERVED IN THE
23 SENATE OF MARYLAND.

24 (F) COMMENCING WITH THE GENERAL ELECTION TO BE HELD IN
25 NOVEMBER, 1998, AN INDIVIDUAL MAY NOT BE A CANDIDATE FOR ELECTION TO THE
26 HOUSE OF DELEGATES OR TO THE SENATE OF MARYLAND IF THE INDIVIDUAL HAS
27 SERVED SIX OR MORE TERMS IN THE GENERAL ASSEMBLY.

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

32 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
33 proposed as an amendment to the Constitution of Maryland shall be submitted to the
34 legal and qualified voters of this State at the next general election to be held in
35 November, 1996 for their adoption or rejection in pursuance of directions contained in
36 Article XIV of the Constitution of this State. At that general election, the vote on this
37 proposed amendment to the Constitution shall be by ballot, and upon each ballot there
38 shall be printed the words "For the Constitutional Amendments" and "Against the
39 Constitutional Amendments," as now provided by law. Immediately after the election, all
40 returns shall be made to the Governor of the vote for and against the proposed
41 amendment, as directed by Article XIV of the Constitution, and further proceedings had
42 in accordance with Article XIV.