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HB 363/95 - CGM

1997 Regular Session  
7lr1133

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**By: Allegany County Delegation and Delegates W. Baker, Bozman, and Walkup**

Introduced and read first time: January 24, 1997

Assigned to: Commerce and Government Matters

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Committee Report: Favorable

House action: Adopted

Read second time: February 25, 1997

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CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Code Home Rule - Classification of Counties**

3 FOR the purpose of establishing a certain number of classifications for counties that  
4 adopt code home rule, based on geographic regions of the State; defining the  
5 composition of the various regions; providing for the application of certain laws that  
6 are not limited to specific classes; and generally relating to the classification of  
7 counties that adopt home rule under Article XI-F of the Maryland Constitution.

8 BY repealing and reenacting, without amendments,  
9 Article 25B - Home Rule for Code Counties  
10 Section 1(a)  
11 Annotated Code of Maryland  
12 (1996 Replacement Volume)

13 BY repealing  
14 Article 25B - Home Rule for Code Counties  
15 Section 2  
16 Annotated Code of Maryland  
17 (1996 Replacement Volume)

18 BY adding to  
19 Article 25B - Home Rule for Code Counties  
20 Section 2  
21 Annotated Code of Maryland  
22 (1996 Replacement Volume)

2

1 Preamble

2 WHEREAS, Current law classifies each county that has adopted code home rule  
3 under Article XI-F of the Maryland Constitution as a single class; and

4 WHEREAS, A single classification restricts the General Assembly's ability to  
5 adequately address the diversity of interests and concerns among various regions of the  
6 State; and

7 WHEREAS, This rigidity not only limits the General Assembly's ability to address  
8 concerns of counties that have adopted code home rule, but may well discourage  
9 nonhome rule counties from achieving the benefits of code home rule under Article XI-F  
10 of the Constitution; and

11 WHEREAS, Recognizing the need for flexibility among counties throughout the  
12 State, the drafters of the Code Home Rule Amendment proposed, and the voters of the  
13 State ratified, authorization for the General Assembly to classify code counties by  
14 grouping them into not more than four classes, based on criteria that the General  
15 Assembly considers appropriate; now, therefore,

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

18 **Article 25B - Home Rule for Code Counties**

19 1.

20 (a) "Code county" (as defined in Article XI-F of the Constitution, § 1) means a  
21 county which is not a charter county under Article XI-A of the Constitution and which  
22 has adopted the optional powers of home rule provided in Article XI-F of the  
23 Constitution and this article.

24 [2.

25 The General Assembly determines that there is one classification of code counties.  
26 All counties functioning under the provisions of Article XI-F of the Constitution are  
27 members of that class and subject to the constitutional and statutory law applicable  
28 thereto.]

29 2.

30 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
31 INDICATED.

32 (2) "CENTRAL MARYLAND" MEANS ANNE ARUNDEL COUNTY,  
33 BALTIMORE CITY, BALTIMORE COUNTY, CARROLL COUNTY, FREDERICK COUNTY,  
34 HARFORD COUNTY, HOWARD COUNTY, MONTGOMERY COUNTY, AND PRINCE  
35 GEORGE'S COUNTY.

36 (3) "EASTERN SHORE" MEANS CAROLINE COUNTY, CECIL COUNTY,  
37 DORCHESTER COUNTY, KENT COUNTY, QUEEN ANNE'S COUNTY, SOMERSET  
38 COUNTY, TALBOT COUNTY, WICOMICO COUNTY, AND WORCESTER COUNTY.

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1                   (4) "SOUTHERN MARYLAND" MEANS CALVERT COUNTY, CHARLES  
2 COUNTY, AND ST. MARY'S COUNTY.

3                   (5) "WESTERN MARYLAND" MEANS ALLEGANY COUNTY, GARRETT  
4 COUNTY, AND WASHINGTON COUNTY.

5                   (B) (1) THE GENERAL ASSEMBLY DETERMINES THAT THERE ARE FOUR  
6 CLASSES OF CODE COUNTIES, BASED ON THE GEOGRAPHIC REGION OF THE STATE  
7 WHERE A COUNTY THAT ADOPTS HOME RULE UNDER ARTICLE XI-F OF THE  
8 MARYLAND CONSTITUTION IS LOCATED.

9                   (2) THE CLASSES ARE AS FOLLOWS:

10                   (I) CENTRAL MARYLAND;

11                   (II) EASTERN SHORE;

12                   (III) SOUTHERN MARYLAND; AND

13                   (IV) WESTERN MARYLAND.

14                   (C) UNLESS LIMITED TO ONE OR MORE CLASSES LISTED UNDER THIS  
15 SECTION, ANY PUBLIC GENERAL LAW ENACTED BY THE GENERAL ASSEMBLY  
16 APPLICABLE TO CODE COUNTIES APPLIES TO EACH CODE COUNTY, REGARDLESS OF  
17 CLASS.

18                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 1997.