

CONSTITUTIONAL AMENDMENT

P5
SB 15/96 - EEA

7lr0238

By: Senator Ferguson

Introduced and read first time: January 15, 1997

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 2003, 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.

2

1 (C) SUBSECTION (B) OF THIS SECTION DOES NOT PROHIBIT AN INDIVIDUAL
2 WHO WAS ELECTED TO SERVE THREE CONSECUTIVE TERMS IN THE HOUSE OF
3 DELEGATES FROM THEN BEING ELECTED TO SERVE OFFICE IN THE SENATE OF
4 MARYLAND FOR NO MORE THAN THREE CONSECUTIVE TERMS.

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

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

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

25 (F) COMMENCING WITH THE GENERAL ELECTION TO BE HELD IN NOVEMBER
26 2002, AN INDIVIDUAL MAY NOT BE A CANDIDATE FOR ELECTION TO THE HOUSE OF
27 DELEGATES OR TO THE SENATE OF MARYLAND IF THE INDIVIDUAL HAS BEEN
28 ELECTED TO SERVE SIX OR MORE TERMS IN THE GENERAL ASSEMBLY.

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

33 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
34 proposed as an amendment to the Constitution of Maryland shall be submitted to the
35 legal and qualified voters of this State at the next general election to be held in
36 November, 1998 for their adoption or rejection in pursuance of directions contained in
37 Article XIV of the Constitution of this State. At that general election, the vote on this
38 proposed amendment to the Constitution shall be by ballot, and upon each ballot there
39 shall be printed the words "For the Constitutional Amendments" and "Against the
40 Constitutional Amendments," as now provided by law. Immediately after the election, all
41 returns shall be made to the Governor of the vote for and against the proposed
42 amendment, as directed by Article XIV of the Constitution, and further proceedings had
43 in accordance with Article XIV.