

**HOUSE BILL 540**  
CONSTITUTIONAL AMENDMENT

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SB 638/97 - EEA

1998 Regular Session  
8r0947  
CF 8r1056

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By: **Delegates Barve, Kagan, Mandel, and Patterson**

Introduced and read first time: February 5, 1998

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2                                   **Charter Counties - Proposed Charter Amendments - Number of Petition**  
3                                   **Signatures**

4 FOR the purpose of proposing an amendment to the Constitution of Maryland to  
5 authorize Baltimore City and certain counties that adopt charters to modify,  
6 through charter amendment, the number of signatures required for certain  
7 petitions proposing charter amendments; and submitting this amendment to the  
8 qualified voters of the State of Maryland for their adoption or rejection.

9 BY proposing an amendment to the Constitution of Maryland  
10 Article XI-A - Local Legislation  
11 Section 5

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

15                                   **Article XI-A - Local Legislation**

16 5.

17 (A) Amendments to any charter adopted by the City of Baltimore or by any  
18 County of this State under the provisions of this Article may be proposed by:

19 (1) [a] A resolution of the Mayor of Baltimore and the City Council of  
20 the City of Baltimore, or the Council of the County[, or by]; OR

21 (2) EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, a  
22 petition FILED WITH THE MAYOR OF THE CITY OF BALTIMORE OR THE PRESIDENT OF  
23 THE COUNTY COUNCIL THAT IS signed by not less than 20% of the registered voters of  
24 the City or County, provided, however, that in any case 10,000 signatures shall be  
25 sufficient to complete a petition[. A petition shall be filed with the Mayor of Baltimore  
26 or the President of the County Council].

27 (B) THE CITY OF BALTIMORE OR ANY COUNTY THAT HAS ADOPTED A  
28 CHARTER UNDER THIS ARTICLE MAY MODIFY, BY CHARTER AMENDMENT, THE

1 NUMBER OF PETITION SIGNATURES REQUIRED TO PROPOSE A CHARTER  
2 AMENDMENT UNDER SUBSECTION (A)(2) OF THIS SECTION TO ANY NUMBER NOT TO  
3 EXCEED 20%, BUT NOT LESS THAN 5%, OF THE REGISTERED VOTERS OF THE CITY OR  
4 COUNTY.

5 (C) An amendment so proposed shall be submitted to the voters of the City or  
6 County at the next general or congressional election occurring after the passage of the  
7 resolution or the filing of the petition. If at the election the majority of the votes cast  
8 for and against the amendment shall be in favor thereof, the amendment shall be  
9 adopted and become a part of the charter of the City or County from and after the  
10 thirtieth day after said election. The amendments shall be published by the Mayor of  
11 Baltimore or President of the County Council once a week for five successive weeks  
12 prior to the election in at least one newspaper published in said City or County.

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

17 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
18 proposed as an amendment to the Constitution of Maryland shall be submitted to the  
19 legal and qualified voters of this State at the next general election to be held in  
20 November, 1998 for their adoption or rejection in pursuance of directions contained in  
21 Article XIV of the Constitution of this State. At that general election, the vote on this  
22 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
23 there shall be printed the words "For the Constitutional Amendments" and "Against  
24 the Constitutional Amendments," as now provided by law. Immediately after the  
25 election, all returns shall be made to the Governor of the vote for and against the  
26 proposed amendment, as directed by Article XIV of the Constitution, and further  
27 proceedings had in accordance with Article XIV.