

**SENATE BILL 337**  
CONSTITUTIONAL AMENDMENT

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1998 Regular Session  
8r1819

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By: **Senators Conway, Blount, Della, Hughes, Lawlah, McFadden, Sfikas,  
and Trotter**

Introduced and read first time: February 5, 1998

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore City - Circuit Court - Clerk Vacancy**

3 FOR the purpose of requiring the Judges of the Circuit Court of Baltimore City to fill  
4 a vacancy in the office of Clerk of the Circuit Court within a certain period of  
5 time from the date of the occurrence of the vacancy; and submitting this  
6 amendment to the qualified voters of the State of Maryland for their adoption or  
7 rejection.

8 BY proposing an amendment to the Constitution of Maryland  
9 Article IV - Judiciary Department  
10 Section 25

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

14 **Article IV - Judiciary Department**

15 25.

16 There shall be a Clerk of the Circuit Court for each County and Baltimore City,  
17 who shall be elected by a plurality of the qualified voters of said County or City, and  
18 shall hold his office for four years from the time of his election, and until his successor  
19 is elected and qualified, and be re-eligible, subject to be removed for wilful neglect of  
20 duty or other misdemeanor in office, on conviction in a Court of Law. In case of a  
21 vacancy in the office of Clerk of a Circuit Court, the Judges of that Court may fill the  
22 vacancy until the general election for Delegates to the General Assembly, to be held  
23 next thereafter, when a successor shall be elected for the term of four years. IN  
24 BALTIMORE CITY, IN CASE OF A VACANCY IN THE OFFICE OF CLERK OF THE CIRCUIT  
25 COURT, THE JUDGES OF THE CIRCUIT COURT FOR BALTIMORE CITY SHALL FILL THE  
26 VACANCY WITHIN SIXTY DAYS FROM THE DATE OF THE OCCURRENCE OF THE  
27 VACANCY.

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

1 affects only the City of Baltimore and that the provisions of Article XIV, Section 1 of  
2 the Constitution concerning local approval of constitutional amendments apply.

3       SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
4 proposed as an amendment to the Constitution of Maryland shall be submitted to the  
5 legal and qualified voters of this State at the next general election to be held in  
6 November, 1998 for their adoption or rejection in pursuance of directions contained in  
7 Article XIV of the Constitution of this State. At that general election, the vote on this  
8 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
9 there shall be printed the words "For the Constitutional Amendments" and "Against  
10 the Constitutional Amendments," as now provided by law. Immediately after the  
11 election, all returns shall be made to the Governor of the vote for and against the  
12 proposed amendment, as directed by Article XIV of the Constitution, and further  
13 proceedings had in accordance with Article XIV.