

**SENATE BILL 164**  
CONSTITUTIONAL AMENDMENT

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P5  
SB 215/98 - EEA

1999 Regular Session  
9lr0443

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By: **Senators Ferguson and Sfikas**

Introduced and read first time: January 28, 1999

Assigned to: Economic and Environmental Affairs

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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  
6 Senate of Maryland from being a candidate for election to the House of  
7 Delegates immediately upon the completion of a certain number of terms in the  
8 Senate of Maryland under certain circumstances; limiting the number of  
9 cumulative terms that an individual may serve in the General Assembly; and  
10 submitting this amendment to the qualified voters of the State of Maryland for  
11 their adoption or 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  
23 following [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 THREE  
27 CONSECUTIVE TERMS IN THE HOUSE OF DELEGATES; AND

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

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

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

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

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

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

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

35     SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
36 proposed as an amendment to the Constitution of Maryland shall be submitted to the  
37 legal and qualified voters of this State at the next general election to be held in  
38 November, 2000 for their adoption or rejection in pursuance of directions contained in  
39 Article XIV of the Constitution of this State. At that general election, the vote on this  
40 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
41 there shall be printed the words "For the Constitutional Amendments" and "Against  
42 the Constitutional Amendments," as now provided by law. Immediately after the

1 election, all returns shall be made to the Governor of the vote for and against the  
2 proposed amendment, as directed by Article XIV of the Constitution, and further  
3 proceedings had in accordance with Article XIV.