
By: **Senator Miller**

Introduced and read first time: March 1, 1999

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Elections - Directors of County Boards of Elections**

3 FOR the purpose of removing the election director of the Prince George's County
4 Board of Elections from certain provisions relating to employees of a county
5 board of elections; prohibiting the election director of a county board of elections
6 from participating in certain political activities; and generally relating to county
7 boards of elections.

8 BY repealing and reenacting, with amendments,
9 Article 33 - Election Code
10 Section 2-207 and 2-301
11 Annotated Code of Maryland
12 (1997 Replacement Volume and 1998 Supplement)

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

15 **Article 33 - Election Code**

16 2-207.

17 (a) (1) This section applies to each employee of a local board.

18 (2) This section does not apply to:

19 (i) Local board counsel; [or]

20 (ii) An election judge; OR

21 (III) THE ELECTION DIRECTOR IN PRINCE GEORGE'S COUNTY.

22 (b) This section does not alter in any manner the method by which the salary
23 of an employee of a local board is funded by the county in which the employee is
24 employed.

1 (c) (1) If the employees of a local board are covered by its county merit
2 system:

3 (i) The employees shall be classified employees under the county
4 merit system; and

5 (ii) The employees may be appointed and removed subject to the
6 personnel regulations of the county in which the local board is located.

7 (2) If the employees of a local board are not covered by its county merit
8 system:

9 (i) The employees shall be in the skilled service or professional
10 service of the State Personnel Management System; and

11 (ii) Appointment and removal of the employees shall be in
12 accordance with the provisions of the State Personnel and Pensions Article that
13 govern skilled service or professional service employees.

14 (d) Each classified employee shall be a registered voter of the State.

15 (e) An employee of a local board is subject to the restrictions and requirements
16 of § 2-301 of this article.

17 2-301.

18 (a) This section applies to:

19 (1) A member of the State Board;

20 (2) A regular or substitute member of a local board;

21 (3) The State Administrator;

22 (4) An employee of the State Board or of a local board, INCLUDING THE
23 ELECTION DIRECTOR OF A BOARD;

24 (5) Counsel appointed under § 2-205 of this title; and

25 (6) An election judge.

26 (b) (1) An individual subject to this section may not, while holding the
27 position:

28 (i) Hold or be a candidate for any public or political party office;

29 (ii) Use the individual's official authority for the purpose of
30 influencing or affecting the result of an election; or

1 (iii) Except as provided in paragraph (2) of this subsection, take an
2 active part in political management or a political campaign related to any candidate
3 or any matter that is subject to an election under this article.

4 (2) Notwithstanding paragraph (1)(iii) of this subsection, except while
5 performing official duties on election day, an election judge may engage in the
6 activities of a political campaign, other than serving as a campaign manager for a
7 candidate or as the treasurer for a candidate or committee.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 1999.