
By: ~~Senator Miller~~ **Prince George's County Senators**
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Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 29, 1999

CHAPTER _____

1 AN ACT concerning

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

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

9 BY repealing and reenacting, with amendments,
10 Article 33 - Election Code
11 Section 2-207 and 2-301
12 Annotated Code of Maryland
13 (1997 Replacement Volume and 1998 Supplement)

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

16 **Article 33 - Election Code**

17 2-207.

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

19 (2) This section does not apply to:

20 (i) Local board counsel; {or}

1 (ii) An election judge; ~~OR~~

2 ~~(iii) THE ELECTION DIRECTOR IN PRINCE GEORGE'S COUNTY.~~

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

6 (c) (1) ~~IF EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION, IF~~ the
7 employees of a local board are covered by its county merit system:

8 (i) The employees shall be classified employees under the county
9 merit system; and

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

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

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

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

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

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

22 ~~(F) THE ELECTIONS ADMINISTRATOR IN PRINCE GEORGE'S COUNTY SHALL BE~~
23 ~~IN THE EXEMPT SERVICE UNDER THE PRINCE GEORGE'S COUNTY PERSONNEL~~
24 ~~SYSTEM.~~

25 2-301.

26 (a) This section applies to:

27 (1) A member of the State Board;

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

29 (3) The State Administrator;

30 (4) An employee of the State Board or of a local board, INCLUDING THE
31 ELECTION DIRECTOR AND THE ELECTIONS ADMINISTRATOR OF A BOARD;

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

1 (6) An election judge.

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

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

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

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

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

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