

**SENATE BILL 848**  
CONSTITUTIONAL AMENDMENT

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SB 905/00 - SRU

2001 Regular Session  
11r2960

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By: **Senator Della**

Introduced and read first time: February 20, 2001

Assigned to: Rules

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A BILL ENTITLED

1 AN ACT concerning

2 **Retroactive Legislation**

3 FOR the purpose of proposing an amendment to the Constitution of Maryland  
4 prohibiting the General Assembly from passing any legislation that may or must  
5 be applied or take effect retroactively to a date prior to the date of the signing of  
6 the legislation by the Governor; providing a certain exception; and submitting  
7 this amendment to the qualified voters of the State of Maryland for their  
8 adoption or rejection.

9 BY proposing an addition to the Constitution of Maryland  
10 Article III - Legislative Department  
11 Section 62

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 III - Legislative Department**

16 62.

17 EXCEPT BY A TWO-THIRDS VOTE OF ALL THE MEMBERS ELECTED TO EACH OF  
18 THE TWO HOUSES CONCURRING, THE GENERAL ASSEMBLY SHALL PASS NO LAW  
19 THAT MAY OR MUST BE APPLIED OR TAKE EFFECT RETROACTIVELY TO A DATE PRIOR  
20 TO THE DATE OF THE SIGNING OF THE LEGISLATION BY THE GOVERNOR.

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

25 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
26 proposed as an amendment to the Constitution of Maryland shall be submitted to the  
27 legal and qualified voters of this State at the next general election to be held in  
28 November, 2002 for their adoption or rejection in pursuance of directions contained in  
29 Article XIV of the Constitution of this State. At that general election, the vote on this

1 proposed amendment to the Constitution shall be by ballot, and upon each ballot  
2 there shall be printed the words "For the Constitutional Amendment" and "Against  
3 the Constitutional Amendment," as now provided by law. Immediately after the  
4 election, all returns shall be made to the Governor of the vote for and against the  
5 proposed amendment, as directed by Article XIV of the Constitution, and further  
6 proceedings had in accordance with Article XIV.