

HOUSE BILL 613

G1

71r0467

By: **Montgomery County Delegation**

Introduced and read first time: February 8, 2007

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 13, 2007

CHAPTER _____

1 AN ACT concerning

2 **Election Law – Board of Elections Members – Montgomery County**

3 **MC 704–07**

4 FOR the purpose of altering the number of members of the Montgomery County Board
5 of Elections; requiring that a certain number of regular members and substitute
6 members belong to certain parties; making a technical correction; and generally
7 relating to members of the Montgomery County Board of Elections.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 2–201(b) and (h)
11 Annotated Code of Maryland
12 (2003 Volume and 2006 Supplement)

13 BY adding to
14 Article – Election Law
15 Section 2–201(k)
16 Annotated Code of Maryland
17 (2003 Volume and 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



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

3 **Article – Election Law**

4 2–201.

5 (b) (1) Except as provided in [subsection] **SUBSECTIONS (j) AND (k)** of
6 this section, each local board consists of three regular members and two substitute
7 members.

8 (2) Two regular members and one substitute member shall be of the
9 majority party, and one regular member and one substitute member shall be of the
10 principal minority party.

11 (3) In the event of the absence of a regular member or a vacancy in the
12 office of a regular member, the substitute member of the same political party shall
13 exercise the powers and duties of a regular member until the regular member returns
14 or the vacancy is filled as prescribed in subsection (h) of this section.

15 (h) (1) **[If] EXCEPT AS PROVIDED IN SUBSECTIONS (J) AND (K) OF**
16 **THIS SECTION, IF** a member of a local board dies, resigns, is removed, or becomes
17 ineligible:

18 (i) the substitute member belonging to the same political party
19 shall become a regular member of the local board; and

20 (ii) the Governor shall appoint an eligible person from the same
21 political party to be the new substitute member.

22 (2) If a substitute member of a local board becomes a regular member
23 as provided in paragraph (1)(ii) of this subsection, dies, resigns, is removed, or
24 becomes ineligible when the confirming legislative body is not in session, the Governor
25 shall appoint an eligible person from the same political party as the predecessor
26 substitute member to fill the vacancy. That individual shall serve until the earlier of:

27 (i) the adjournment of the next session of the General
28 Assembly; or

29 (ii) the appointment of another individual to fill the same
30 vacancy.

1 **(K) (1) IN MONTGOMERY COUNTY, THE LOCAL BOARD CONSISTS OF**
2 **FIVE REGULAR MEMBERS AND TWO SUBSTITUTE MEMBERS.**

3 **(2) THREE REGULAR MEMBERS AND ONE SUBSTITUTE MEMBER**
4 **SHALL BE OF THE MAJORITY PARTY, AND TWO REGULAR MEMBERS AND ONE**
5 **SUBSTITUTE MEMBER SHALL BE OF THE PRINCIPAL MINORITY PARTY.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2007.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.