

SENATE BILL 708

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HB 1513/06 – W&M

71r1762

By: **Senators McFadden, Gladden, Jones, and Miller**
Introduced and read first time: February 2, 2007
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 24, 2007

CHAPTER _____

1 AN ACT concerning

2 **Election Law – County Offices or Baltimore City Municipal Offices – Election**
3 **Dates**

4 FOR the purpose of altering the date of the primary elections in Baltimore City;
5 requiring that any county, including Baltimore City, hold general elections for
6 county offices or Baltimore City municipal offices on certain dates; providing for
7 the terms of office for certain municipal officers; providing that certain
8 individuals holding elected office in Baltimore City on a certain date shall earn
9 a certain service credit in the Baltimore City Elected Officials' Retirement
10 System; providing that certain individuals who leave office before a certain date
11 shall receive a certain service credit; providing that certain individuals
12 appointed to fill certain municipal office vacancies in Baltimore City shall
13 receive certain service credit; providing that individuals holding certain elected
14 offices in Baltimore City after a certain date shall receive certain service credit;
15 providing for a delayed effective date; and generally relating to election dates
16 for county offices or Baltimore City municipal offices.

17 BY repealing and reenacting, with amendments,
18 Article – Election Law
19 Section 8–201 and 8–301
20 Annotated Code of Maryland

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 (2003 Volume and 2006 Supplement)

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

4 **Article – Election Law**

5 8–201.

6 (a) (1) There shall be a statewide primary election in every
7 even-numbered year.

8 (2) A primary election shall be held:

9 (i) in the year in which the Governor is elected, on the second
10 Tuesday after the first Monday in September; and

11 (ii) in the year in which the President of the United States is
12 elected, on the first Tuesday in March.

13 (b) In Baltimore City, there shall be a primary election for municipal offices
14 on the second Tuesday following the first Monday in September in the year [following
15 the election of] the Governor **IS ELECTED**.

16 8–301.

17 (a) (1) There shall be a statewide general election in each even-numbered
18 year.

19 (2) A statewide general election shall be held on the Tuesday following
20 the first Monday in November.

21 (b) [In Baltimore City, there shall be a general election for municipal offices
22 on the Tuesday following the first Monday in November in the year following the
23 election of the Governor] **IN ANY COUNTY, INCLUDING BALTIMORE CITY, THERE
24 SHALL BE A GENERAL ELECTION FOR COUNTY OFFICES AND BALTIMORE CITY
25 MUNICIPAL OFFICES ON THE TUESDAY FOLLOWING THE FIRST MONDAY IN
26 NOVEMBER IN THE YEAR IN WHICH THE GOVERNOR IS ELECTED.**

27 SECTION 2. AND BE IT FURTHER ENACTED, That the term of office for
28 municipal officers elected in Baltimore City in the general election in November 2007

1 is 3 years. Beginning in November 2010, the term of office for municipal officers
2 elected in Baltimore City in the general election is 4 years.

3 SECTION 3. AND BE IT FURTHER ENACTED, That:

4 (a) This section only applies to an individual elected to a municipal office in
5 the 2007 general election in Baltimore City.

6 (b) (1) An individual described under subsection (a) of this section who
7 serves a three-year term of office as provided in Section 2 of this Act shall earn 4
8 years of service credit in the Baltimore City Elected Officials' Retirement System for
9 that term of office.

10 (2) If an individual described under subsection (a) of this section
11 leaves office before the completion of the three-year term, that individual shall only
12 receive one year of service credit or partial year of service credit for each year or
13 partial year served before leaving office.

14 SECTION 4. AND BE IT FURTHER ENACTED, That if an individual elected
15 to municipal office in the 2007 general election in Baltimore City dies, declines or
16 resigns from the office, is disqualified, is removed from office, or otherwise becomes
17 unavailable, an individual appointed to fill the vacancy shall only receive one year of
18 service credit or partial year of service credit for each year or partial year that the
19 individual serves in the municipal office in Baltimore City during the three-year term.

20 SECTION 5. AND BE IT FURTHER ENACTED, That any individual serving
21 as an elected official for a municipal office in Baltimore City as a result of the general
22 election in 2010, and any general election thereafter, shall only receive one year of
23 service credit or partial year of service credit for each year or partial year that the
24 individual serves as an elected official for a municipal office in Baltimore City.

25 SECTION ~~3~~ 6. AND BE IT FURTHER ENACTED, That this Act shall take
26 effect January 1, 2008.