

CHAPTER 79

(House Bill 613)

AN ACT concerning

Election Law – Board of Elections Members – Montgomery County

MC 704-07

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

BY repealing and reenacting, with amendments,

Article – Election Law
Section 2-201(b) and (h)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

BY adding to

Article – Election Law
Section 2-201(k)
Annotated Code of Maryland
(2003 Volume and 2006 Supplement)

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

Article – Election Law

2-201.

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

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

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

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

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

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

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

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

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

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

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

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

Approved by the Governor, April 10, 2007.