

**Department of Legislative Services**  
Maryland General Assembly  
2010 Session

**FISCAL AND POLICY NOTE**

Senate Bill 1023 (Senators Harris and Mooney)  
Education, Health, and Environmental Affairs

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**Members of the General Assembly - Limitation of Terms**

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This proposed constitutional amendment establishes that a person who has served four consecutive popular elective terms of office as a State Senator or Delegate is ineligible to serve as a Senator or Delegate for the term immediately following the fourth of the four consecutive terms.

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**Fiscal Summary**

**State Effect:** If approved by the voters, the constitutional amendment is not expected to materially affect State finances.

**Local Effect:** If approved by the General Assembly, this constitutional amendment will be submitted to the voters at the 2010 general election. It should not result in additional costs for the local boards of elections.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** Under the Maryland Constitution, members of the General Assembly serve terms of four years. The constitution does not specify limits on consecutive terms a Senator or Delegate may serve. Members of the General Assembly are elected every four years during the gubernatorial elections.

**Background:** The National Conference of State Legislatures (NCSL) indicates that proposals to limit the terms of state legislators have been the subject of public policy debate since 1990, when citizen initiatives limiting the terms of legislators were passed

by voters in California, Colorado, and Oklahoma. Since that time, NCSL indicates that 18 other states adopted term limits through 2008, but term limits in four states were thrown out by state supreme courts and the legislatures in Idaho and Utah repealed term limits.

**Local Fiscal Effect:** The Maryland Constitution requires that proposed amendments to the constitution be publicized either (1) in at least two newspapers in each county, if available, and in at least three newspapers in Baltimore City once a week for four weeks immediately preceding the general election; or (2) by order of the Governor in a manner provided by law. State law requires local boards of elections to publicize proposed amendments to the constitution either in newspapers or on specimen ballots; local boards of elections are responsible for the costs associated with these requirements. It is anticipated that the budgets of local election boards will contain funding for notifying qualified voters about proposed constitutional amendments for the 2010 general election in newspapers or on specimen ballots.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** National Conference of State Legislatures, Department of Legislative Services

**Fiscal Note History:** First Reader - March 23, 2010  
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