

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

Senate Bill 47 (Senator Conway)
Education, Health, and Environmental Affairs

General Assembly - Senators - Age of Eligibility for Service

This proposed constitutional amendment lowers the minimum age of eligibility for State senators from 25 to 21, making it the same as the minimum age of eligibility for State delegates. It also makes stylistic changes, making references to State senators and delegates in the constitution gender neutral.

Fiscal Summary

State Effect: None.

Local 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 election 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 2012 general election in newspapers or on specimen ballots.

Small Business Effect: None.

Analysis

Current Law: To be eligible to serve as a Maryland State senator, an individual must be at least 25 years old on the date of election; the minimum age for a State delegate is 21 on the date of election. These eligibility requirements for senators and delegates have remained unchanged since 1776.

Background: The minimum age of eligibility for state senators and representatives varies among the states, even among the four states that neighbor Maryland. For senators, the minimum age of eligibility is 27 in Delaware, 25 in West Virginia and Pennsylvania, and 21 in Virginia. For state representatives, the minimum age of eligibility is 24 in Delaware, 21 in Virginia and Pennsylvania, and 18 in West Virginia. Of the four neighboring states, only Virginia has the same minimum age of eligibility (21) for both senators and representatives.

The minimum age to serve in the U.S. Congress is 25 for representatives and 30 for senators.

Additional Information

Prior Introductions: None.

Cross File: None.

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

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