

SB0555/954935/1

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 555
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, strike “Attorney General” and substitute “United States Senator, Attorney General,”; in the same line, before “Special” insert “Temporary Appointments and”; in line 3, after “of” insert “proposing an amendment to the Maryland Constitution to require the Governor to appoint an individual to fill a vacancy on a temporary basis, under certain circumstances, in the office of Attorney General or Comptroller from a list of names submitted by the State Central Committee of the political party of the vacating officeholder; altering certain provisions of law to require that the Governor appoint an individual to fill a vacancy on a temporary basis, under certain circumstances, in the office of United States Senator from a list of names submitted by the State Central Committee of the political party of the vacating officeholder; requiring individuals whose names are submitted to the Governor to have been affiliated with the political party, if any, of the vacating officeholder before the vacancy occurred; providing for the appointment of an individual to fill a vacancy in the office of United States Senator, Attorney General, or Comptroller if the political party of the vacating officeholder fails to submit names to the Governor within a certain period of time or the vacating officeholder was not affiliated with a political party;”; in line 12, strike “filling” and substitute “temporary appointments and the filling of”; in the same line, strike “either the Attorney General” and substitute “United States Senator, the Attorney General,”; in line 13, strike “by special election” and substitute “and a special election to fill a vacancy in the office of either the Attorney General or the Comptroller”; and after line 14, insert:

“BY repealing and reenacting, with amendments,

Article – Election Law

Section 8-602

Annotated Code of Maryland

(2010 Replacement Volume and 2015 Supplement)”.

(Over)

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AMENDMENT NO. 2

On page 1, after line 20, insert:

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

Article – Election Law

8–602.

(a) (1) (I) If there is a vacancy in the office of United States Senator, the Governor shall appoint an eligible individual to fill the vacancy AS PROVIDED IN THIS PARAGRAPH.

(II) THE GOVERNOR SHALL APPOINT ONE OF THREE INDIVIDUALS WHOSE NAMES ARE SUBMITTED TO THE GOVERNOR IN WRITING, WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, BY THE STATE CENTRAL COMMITTEE OF THE POLITICAL PARTY, IF ANY, WITH WHICH THE VACATING SENATOR HAD BEEN AFFILIATED AT THE TIME OF THE SENATOR’S LAST ELECTION OR APPOINTMENT.

(III) EACH INDIVIDUAL WHOSE NAME IS SUBMITTED TO THE GOVERNOR MUST HAVE BEEN A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING SENATOR ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.

(IV) THE GOVERNOR SHALL MAKE THE APPOINTMENT WITHIN 15 DAYS AFTER NAMES ARE SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE POLITICAL PARTY.

(V) IF NAMES ARE NOT SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE POLITICAL PARTY WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE GOVERNOR SHALL APPOINT WITHIN ANOTHER PERIOD OF 15 DAYS ANY QUALIFIED INDIVIDUAL WHO WAS A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING SENATOR ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.

(VI) IF THE VACATING SENATOR WAS NOT AFFILIATED WITH A POLITICAL PARTY AT THE TIME OF THE SENATOR'S LAST ELECTION OR APPOINTMENT, THE GOVERNOR SHALL APPOINT ANY QUALIFIED INDIVIDUAL WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY.

(2) Except as provided in paragraph (3) of this subsection, the appointed individual shall serve until a successor is elected pursuant to subsection (b) of this section to fill the remainder of the term.

(3) The appointed individual shall serve for the remainder of the term if the vacancy occurs after the date that is 21 days before the deadline for filing certificates of candidacy for the election that is held in the fourth year of the term.

(b) If the vacancy occurs before the date that is 21 days before the deadline for filing certificates of candidacy for the next succeeding regular statewide election, the Governor shall issue a proclamation immediately after the occurrence of the vacancy declaring that a special primary election and a special general election shall be held at the same time as the next regular statewide primary election and regular statewide general election.”;

and in line 21, strike “1.” and substitute “2.”.

(Over)

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AMENDMENT NO. 3

On page 2, in line 1, after “(A)” insert “(1)”; in line 4, after the bracket insert “AS PROVIDED IN THIS SUBSECTION”; and after line 4, insert:

“(2) THE GOVERNOR SHALL APPOINT ONE OF THE THREE INDIVIDUALS WHOSE NAMES ARE SUBMITTED TO THE GOVERNOR IN WRITING, WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, BY THE STATE CENTRAL COMMITTEE OF THE POLITICAL PARTY, IF ANY, WITH WHICH THE VACATING ATTORNEY GENERAL HAD BEEN AFFILIATED AT THE TIME OF THE ATTORNEY GENERAL’S LAST ELECTION OR APPOINTMENT.

(3) EACH INDIVIDUAL WHOSE NAME IS SUBMITTED TO THE GOVERNOR MUST HAVE BEEN A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING ATTORNEY GENERAL ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.

(4) THE GOVERNOR SHALL MAKE THE APPOINTMENT WITHIN 15 DAYS AFTER NAMES ARE SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE POLITICAL PARTY.

(5) IF NAMES ARE NOT SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE POLITICAL PARTY WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE GOVERNOR SHALL APPOINT WITHIN ANOTHER PERIOD OF 15 DAYS ANY QUALIFIED INDIVIDUAL WHO WAS A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING ATTORNEY GENERAL ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.

(6) IF THE VACATING ATTORNEY GENERAL WAS NOT AFFILIATED WITH A POLITICAL PARTY AT THE TIME OF THE ATTORNEY GENERAL’S LAST

ELECTION OR APPOINTMENT, THE GOVERNOR SHALL APPOINT ANY QUALIFIED INDIVIDUAL WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY.”.

AMENDMENT NO. 4

On page 2, in line 36, after “INDIVIDUAL” insert “AS PROVIDED IN THIS SUBSECTION”; and after line 36, insert:

“(2) THE GOVERNOR SHALL APPOINT ONE OF THE THREE INDIVIDUALS WHOSE NAMES ARE SUBMITTED TO THE GOVERNOR IN WRITING, WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, BY THE STATE CENTRAL COMMITTEE OF THE POLITICAL PARTY, IF ANY, WITH WHICH THE VACATING COMPTROLLER HAD BEEN AFFILIATED AT THE TIME OF THE COMPTROLLER’S LAST ELECTION OR APPOINTMENT.

“(3) EACH INDIVIDUAL WHOSE NAME IS SUBMITTED TO THE GOVERNOR MUST HAVE BEEN A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING COMPTROLLER ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.

“(4) THE GOVERNOR SHALL MAKE THE APPOINTMENT WITHIN 15 DAYS AFTER NAMES ARE SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE POLITICAL PARTY.

“(5) IF NAMES ARE NOT SUBMITTED BY THE STATE CENTRAL COMMITTEE OF THE APPROPRIATE POLITICAL PARTY WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY, THE GOVERNOR SHALL APPOINT WITHIN ANOTHER PERIOD OF 15 DAYS ANY QUALIFIED INDIVIDUAL WHO WAS A REGISTERED VOTER AFFILIATED WITH THE POLITICAL PARTY OF THE VACATING COMPTROLLER ON THE DATE IMMEDIATELY PRECEDING THE DATE ON WHICH THE VACANCY OCCURRED.

(Over)

(6) IF THE VACATING COMPTROLLER WAS NOT AFFILIATED WITH A POLITICAL PARTY AT THE TIME OF THE COMPTROLLER’S LAST ELECTION OR APPOINTMENT, THE GOVERNOR SHALL APPOINT ANY QUALIFIED INDIVIDUAL WITHIN 30 DAYS AFTER THE OCCURRENCE OF THE VACANCY.

On page 3, in line 1, strike “(2)” and substitute “(D)(1)”; in the same line, strike “(3)” and substitute “(2)”; in line 2, strike “PARAGRAPH (1) OF THIS SUBSECTION” and substitute “SUBSECTION (C) OF THIS SECTION”; in lines 3, 5, and 10, strike “(4)”, “(3)”, and “(4)”, respectively, and substitute “(3)”, “(2)”, and “(3)”, respectively; in lines 5 and 6, strike “PARAGRAPH (1) OF THIS SUBSECTION” and substitute “SUBSECTION (C) OF THIS SECTION”; in lines 18 and 22, strike “(D)” and “(E)”, respectively, and substitute “(E)” and “(F)”, respectively; in lines 25 and 29, strike “2.” and “3.”, respectively, and substitute “3.” and “4.”, respectively; in lines 29 and 30, strike “aforegoing section proposed as an”; and in line 30, after “Constitution” insert “proposed by Section 2 of this Act”.