

SENATE BILL 580

L6

CONSTITUTIONAL AMENDMENT

6lr1984
CF HB 663

By: **Senators King, Feldman, Lee, Madaleno, and Manno**

Introduced and read first time: February 4, 2016

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Constitution – Local Government – Legal Notices**

3 FOR the purpose of proposing an amendment to the Maryland Constitution allowing a
4 charter county to publish certain notices of county legislation in a manner specified
5 by the General Assembly; submitting this amendment to the qualified voters of the
6 State for their adoption or rejection; and generally relating to publication of legal
7 notices by counties and municipalities.

8 BY proposing an amendment to the Maryland Constitution
9 Article XI–A – Local Legislation
10 Section 3

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 (Three–fifths of all the members elected to each of the two Houses concurring), That it be
13 proposed that the Maryland Constitution read as follows:

14 **Article XI–A – Local Legislation**

15 3.

16 Every charter so formed shall provide for an elective legislative body in which shall
17 be vested the law–making power of said City or County. Such legislative body in the City
18 of Baltimore shall be known as the City Council of the City of Baltimore, and in any county
19 shall be known as the County Council of the County. The chief executive officer or County
20 Executive, if any such charter shall provide for the election of such executive officer or
21 County Executive, or the presiding officer of said legislative body, if such charter shall not
22 provide for the election of a chief executive officer or County Executive, shall be known in
23 the City of Baltimore as Mayor of Baltimore, and in any County as the President or
24 Chairman of the County Council of the County, and all references in the Constitution and
25 laws of this State to the Mayor of Baltimore and City Council of the City of Baltimore or to
26 the County Commissioners of the Counties, shall be construed to refer to the Mayor of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Baltimore and City Council of the City of Baltimore and to the President or Chairman and
2 County Council herein provided for whenever such construction would be reasonable. From
3 and after the adoption of a charter by the City of Baltimore, or any County of this State, as
4 hereinbefore provided, the Mayor of Baltimore and City Council of the City of Baltimore or
5 the County Council of said County, subject to the Constitution and Public General Laws of
6 this State, shall have full power to enact local laws of said City or County including the
7 power to repeal or amend local laws of said City or County enacted by the General
8 Assembly, upon all matters covered by the express powers granted as above provided, and,
9 as expressly authorized by statute, to provide for the filling of a vacancy in the County
10 Council or in the chief executive officer or County Executive by special election; provided
11 that nothing herein contained shall be construed to authorize or empower the County
12 Council of any County in this State to enact laws or regulations for any incorporated town,
13 village, or municipality in said County, on any matter covered by the powers granted to
14 said town, village, or municipality by the Act incorporating it, or any subsequent Act or
15 Acts amendatory thereto. Provided, however, that the charters for the various Counties
16 shall specify the number of days, not to exceed forty-five, which may but need not be
17 consecutive, that the County Council of the Counties may sit in each year for the purpose
18 of enacting legislation for such Counties, and all legislation shall be enacted at the times
19 so designated for that purpose in the charter, and the title or a summary of all laws and
20 ordinances proposed shall be published once a week for two successive weeks prior to
21 enactment followed by publication once after enactment in at least one newspaper of
22 general circulation in the county, **OR IN A MANNER SPECIFIED BY THE GENERAL**
23 **ASSEMBLY**, so that the taxpayers and citizens may have notice thereof. The validity of
24 emergency legislation shall not be affected if enacted prior to the completion of advertising
25 thereof. These provisions concerning publication shall not apply to Baltimore City. All such
26 local laws enacted by the Mayor of Baltimore and City Council of the City of Baltimore or
27 the Council of the Counties as hereinbefore provided, shall be subject to the same rules of
28 interpretation as those now applicable to the Public Local Laws of this State, except that
29 in case of any conflict between said local law and any Public General Law now or hereafter
30 enacted the Public General Law shall control.

31 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
32 determines that the amendment to the Maryland Constitution proposed by this Act affects
33 multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland
34 Constitution concerning local approval of constitutional amendments do not apply.

35 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
36 proposed as an amendment to the Maryland Constitution shall be submitted to the
37 qualified voters of the State at the next general election to be held in November 2016 for
38 their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that
39 general election, the vote on this proposed amendment to the Constitution shall be by
40 ballot, and upon each ballot there shall be printed the words "For the Constitutional
41 Amendment" and "Against the Constitutional Amendment," as now provided by law.
42 Immediately after the election, all returns shall be made to the Governor of the vote for and
43 against the proposed amendment, as directed by Article XIV of the Maryland Constitution,
44 and further proceedings had in accordance with Article XIV.