

# HOUSE BILL 716

F3

(7lr1533)

## ENROLLED BILL

— Ways and Means/Education, Health, and Environmental Affairs —

Introduced by ~~Delegates Beidle, McMillan, and Sophocleus~~ Anne Arundel County Delegation

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Anne Arundel County – Board of Education** ~~– Selection of Members~~

3 FOR the purpose of requiring that, beginning with a certain election, certain members of  
4 the Anne Arundel County Board of Education be elected by councilmanic districts  
5 ~~and a certain member be elected at large~~; repealing certain provisions of law  
6 governing the appointment of members of the county board; establishing the  
7 composition of the county board; providing for the residency requirements, terms of  
8 office, and filling of a vacancy in the office of certain members of the county board;  
9 establishing certain procedures for the election of certain members of the county  
10 board; renaming the School Board Nominating Commission of Anne Arundel County  
11 to be the School Board Appointment Commission of Anne Arundel County; altering  
12 the membership, purpose, and duties of the Commission; providing for the term of  
13 office of a certain member of the Commission; repealing certain provisions of law  
14 relating to the approval or rejection of the retention of certain members of the county

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 board by county voters in a certain general election; requiring the affirmative vote of  
 2 a certain number of members for the approval of any action by the county board;  
 3 altering the compensation of the members of the county board; altering the amount  
 4 of the scholarship granted a certain student member of the county board; providing  
 5 for the removal of, and hearings and appeal procedures for, certain members of the  
 6 county board; altering the manner of filling a vacancy in the office of certain members  
 7 of the county board; repealing certain provisions of law establishing and relating to  
 8 the School Board Appointment Commission of Anne Arundel County; providing for  
 9 the expiration of the terms of certain appointed members of the county board;  
 10 making certain conforming changes; providing for the application of this Act;  
 11 ~~providing for the effective dates of this Act~~ providing for a delayed effective date for  
 12 certain provisions of this Act; and generally relating to ~~the election of the members~~  
 13 ~~of~~ the Anne Arundel County Board of Education.

14 BY renumbering

15 Article – Education

16 Section 3–2A–01 through 3–2A–10, respectively, and the subtitle “Subtitle 2A.  
 17 Baltimore County”

18 to be Section 3–2B–01 through 3–2B–10, respectively, and the subtitle “Subtitle 2B.  
 19 Baltimore County”

20 Annotated Code of Maryland

21 (2014 Replacement Volume and 2016 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article – Education

24 Section 3–108(a), 3–110, and 3–114(a)

25 Annotated Code of Maryland

26 (2014 Replacement Volume and 2016 Supplement)

27 BY repealing and reenacting, without amendments,

28 Article – Education

29 Section 3–114(g) and (h)

30 Annotated Code of Maryland

31 (2014 Replacement Volume and 2016 Supplement)

32 BY adding to

33 Article – Education

34 Section 3–2A–02, 3–2A–03, 3–2A–06, and 3–2A–08 to be under the new subtitle  
 35 “Subtitle 2A. Anne Arundel County”

36 Annotated Code of Maryland

37 (2014 Replacement Volume and 2016 Supplement)

38 BY repealing and reenacting, without amendments,

39 Article – Education

40 Section 3–2B–01(a)

41 Annotated Code of Maryland

42 (2014 Replacement Volume and 2016 Supplement)

1 (As enacted by Section 1 of this Act)

2 BY repealing and reenacting, with amendments,  
3 Article – Education  
4 Section 3–2B–01(b)(2)  
5 Annotated Code of Maryland  
6 (2014 Replacement Volume and 2016 Supplement)  
7 (As enacted by Section 1 of this Act)

8 BY repealing and reenacting, with amendments,  
9 Article – Education  
10 Section 3–2A–03(c)  
11 Annotated Code of Maryland  
12 (2014 Replacement Volume and 2016 Supplement)  
13 (As enacted by Section 2 of this Act)

14 BY repealing  
15 Article – Education  
16 Section 3–2A–04  
17 Annotated Code of Maryland  
18 (2014 Replacement Volume and 2016 Supplement)  
19 (As enacted by Section 2 of this Act)

20 BY adding to  
21 Article – Education  
22 Section 3–2A–04  
23 Annotated Code of Maryland  
24 (2014 Replacement Volume and 2016 Supplement)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
26 That Section(s) 3–2A–01 through 3–2A–10, respectively, and the subtitle “Subtitle 2A.  
27 Baltimore County” of Article – Education of the Annotated Code of Maryland be  
28 renumbered to be Section(s) 3–2B–01 through 3–2B–10, respectively, and the subtitle  
29 “Subtitle 2B. Baltimore County”.

30 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
31 as follows:

32 **Article – Education**

33 3–108.

34 (a) (1) Except as provided in paragraph (2) of this subsection, the Governor  
35 shall appoint the members of each county board from the residents of that county.

36 (2) The members of the following county boards of education shall be  
37 selected as follows:

1 (i) The Baltimore City Board of School Commissioners in  
2 accordance with § 3-108.1 of this subtitle;

3 (ii) The Harford County Board of Education in accordance with §  
4 3-6A-01 of this title;

5 (iii) The Caroline County Board of Education in accordance with §  
6 3-3A-02 of this title; **AND**

7 [(iv) The Anne Arundel County Board of Education in accordance with  
8 § 3-110 of this subtitle; and]

9 [(v)] **(IV)** The county boards of education in the counties listed in §  
10 3-114 of this subtitle in accordance with the provisions of that section.

11 3-114.

12 (a) In the following counties, the members of the county board shall be elected:

13 (1) Allegany;

14 **(2) ANNE ARUNDEL;**

15 **[(2)] (3)** Calvert;

16 **[(3)] (4)** Carroll;

17 **[(4)] (5)** Cecil;

18 **[(5)] (6)** Charles;

19 **[(6)] (7)** Dorchester;

20 **[(7)] (8)** Frederick;

21 **[(8)] (9)** Garrett;

22 **[(9)] (10)** Howard;

23 **[(10)] (11)** Kent;

24 **[(11)] (12)** Montgomery;

25 **[(12)] (13)** Queen Anne's;

1 [(13)] (14) St. Mary’s;

2 [(14)] (15) Somerset;

3 [(15)] (16) Talbot;

4 [(16)] (17) Washington;

5 [(17)] (18) Wicomico; and

6 [(18)] (19) Worcester.

7 (g) An individual subject to the authority of the county board may not serve as a  
 8 member of the county board. At the time of filing a certificate of candidacy for election to a  
 9 county board, a person shall certify to the local board of supervisors of elections whether or  
 10 not the person is subject to the authority of the county board. The Governor may not issue  
 11 a commission of election to a person who has certified affirmatively and who is elected to a  
 12 county board until the member–elect offers proof that the member–elect is no longer subject  
 13 to the authority of the county board.

14 (h) The election of the county boards shall be held as provided in Subtitles 2  
 15 through 14 of this title and the Election Law Article.

16 **SUBTITLE 2A. ANNE ARUNDEL COUNTY.**

17 **[3–110.] 3–2A–01.**

18 (a) [(1)] The Anne Arundel County Board **OF EDUCATION** consists of [9]  
 19 members who shall be appointed as follows:

20 (i) 3 from the county at large;

21 (ii) 1 each from legislative districts 30, 31, 32, 33, and that portion  
 22 of legislative district 21 that lies within Anne Arundel County; and

23 (iii) 1 student member.

24 (2) Except for the student member, the Governor shall appoint a member  
 25 of the county board from a list of nominees submitted by the School Board Nominating  
 26 Commission of Anne Arundel County as provided in subsection (b) of this section.]:

27 **(1) ~~EIGHT SEVEN~~ NONPARTISAN ELECTED MEMBERS; AND**

28 **(2) ONE STUDENT MEMBER.**

1 (B) THE ~~EIGHT~~ ELECTED MEMBERS SHALL BE ELECTED AS FOLLOWS:

2 (1) ONE MEMBER FROM EACH OF THE SEVEN COUNCILMANIC  
3 DISTRICTS IN THE COUNTY, ELECTED BY THE VOTERS OF THAT DISTRICT; AND

4 ~~(2) ONE MEMBER AT LARGE, ELECTED BY THE VOTERS OF THE~~  
5 ~~COUNTY AT A GENERAL ELECTION IN ACCORDANCE WITH § 3-2A-03 OF THIS~~  
6 ~~SUBTITLE AND TITLE 8, SUBTITLE 8 OF THE ELECTION LAW ARTICLE.~~

7 (C) THE STUDENT MEMBER SHALL BE SELECTED IN ACCORDANCE WITH §  
8 3-2A-05 OF THIS SUBTITLE.

9 (D) (1) (I) EACH MEMBER OF THE COUNTY BOARD MUST BE A  
10 RESIDENT OF ANNE ARUNDEL COUNTY.

11 (II) A MEMBER ELECTED FROM A COUNCILMANIC DISTRICT  
12 MUST BE A RESIDENT OF THAT DISTRICT.

13 (2) A MEMBER WHO NO LONGER RESIDES IN ANNE ARUNDEL COUNTY  
14 MAY NOT CONTINUE AS A MEMBER OF THE COUNTY BOARD.

15 (3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, A  
16 MEMBER FROM A COUNCILMANIC DISTRICT WHO DOES NOT MAINTAIN RESIDENCY  
17 IN THAT DISTRICT MAY NOT CONTINUE AS A MEMBER OF THE COUNTY BOARD AND  
18 THE OFFICE SHALL BE DEEMED VACANT.

19 (II) IF THE BOUNDARY LINE OF A COUNCILMANIC DISTRICT IS  
20 CHANGED, THE TERM OF AN INCUMBENT MEMBER OF THE COUNTY BOARD WHO NO  
21 LONGER RESIDES IN THAT COUNCILMANIC DISTRICT BECAUSE OF THE CHANGE IS  
22 NOT AFFECTED DURING THAT TERM.

23 3-2A-02.

24 ~~(A) THE ELECTED MEMBERS OF THE COUNTY BOARD SHALL BE ELECTED AT~~  
25 ~~A GENERAL ELECTION IN ACCORDANCE WITH § 3-2A-03 OF THIS SUBTITLE AND~~  
26 ~~TITLE 8, SUBTITLE 8 OF THE ELECTION LAW ARTICLE.~~

27 ~~(B)~~ (A) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, AN  
28 ELECTED MEMBER OF THE COUNTY BOARD SERVES FOR A TERM OF 4 YEARS  
29 BEGINNING ON THE FIRST MONDAY IN DECEMBER AFTER THE MEMBER'S ELECTION  
30 AND UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

31 (2) THE TERM OF OFFICE OF EACH MEMBER ELECTED AT THE  
32 GENERAL ELECTION IN 2018 IS 6 YEARS.

1           ~~(C)~~ **(B)**           EACH ELECTED MEMBER OF THE COUNTY BOARD:

2                   **(1)**   IS ELIGIBLE FOR REELECTION FOR A SECOND CONSECUTIVE  
3 TERM IN ACCORDANCE WITH THE PROVISIONS OF THIS SUBTITLE; BUT

4                   **(2)**   MAY NOT BE ELECTED TO SERVE ON THE COUNTY BOARD FOR  
5 MORE THAN TWO CONSECUTIVE TERMS.

6   **3-2A-03.**

7           **(A)**   AT THE GENERAL ELECTION FOR THE ELECTED MEMBERS OF THE  
8 COUNTY BOARD, THE BALLOT SHALL PROVIDE:

9                   ~~(1)~~   ~~THE~~ THE VOTERS OF A COUNCILMANIC DISTRICT WITH THE  
10 CHOICE TO CAST A VOTE “FOR” A CANDIDATE FOR ELECTION FROM THAT DISTRICT  
11 ONLY;~~AND~~

12                   ~~(2)~~   ~~BEGINNING WITH THE GENERAL ELECTION IN 2020, ALL VOTERS~~  
13 ~~THE CHOICE TO CAST A VOTE “FOR” A CANDIDATE FOR ELECTION FROM THE~~  
14 ~~COUNTY AT LARGE.~~

15           **(B)**   AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF  
16 ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN  
17 ELECTED.

18           **(C)**   IN ANY ELECTION, IF NO CANDIDATE FILES A CERTIFICATE OF  
19 CANDIDACY FOR THE OFFICE OR IF NO INDIVIDUAL OTHERWISE QUALIFIES TO HAVE  
20 THE INDIVIDUAL’S NAME PLACED ON THE BALLOT, THE SCHOOL BOARD  
21 APPOINTMENT COMMISSION OF ANNE ARUNDEL COUNTY SHALL APPOINT A  
22 QUALIFIED INDIVIDUAL TO FILL THAT VACANCY NO LATER THAN 30 DAYS AFTER THE  
23 GENERAL ELECTION.

24   **3-2A-04.**

25           **[(b)] (A)**   **(1)**   **[(i)]**   There is a School Board **[(Nominating)] APPOINTMENT**  
26 Commission of Anne Arundel County.

27                   **[(ii)] (2)**   The purpose of the Commission is to select **[(nominees to**  
28 **be recommended to the Governor as qualified candidates for appointment to)] AND**  
29 **APPOINT QUALIFIED INDIVIDUALS TO FILL VACANCIES ON** the Anne Arundel County  
30 Board of Education.

1                            [(iii)] **(3)**     The Commission shall hold at least two public hearings on  
2 the [selection of nominees] **CANDIDATES** before [recommending to the Governor nominees  
3 for] **MAKING AN** appointment to the county board.

4                            [(2)] **(B)**     **(1)**     The Commission consists of the following 13 members:

5                            (i)     ~~[Three]~~ **TWO** members appointed by the County Executive of  
6 Anne Arundel County from the county at large:

7                            1.     One of whom shall be a parent of a child enrolled in the  
8 Anne Arundel County public school system; and

9                            2.     No more than one of whom may be a current employee of  
10 Anne Arundel County;

11                            (ii)    One member appointed by the Teachers Association of Anne  
12 Arundel County;

13                            (iii)   One member appointed by the Annapolis and Anne Arundel  
14 County Chamber of Commerce;

15                            (iv)    One member appointed by the Anne Arundel County Community  
16 College Board of Trustees;

17                            (v)     One member appointed by the Association of Educational  
18 Leaders (AEL);

19                            (vi)    Two members appointed by the Anne Arundel County Council of  
20 Parent Teacher Associations who may not:

21                            1.     Be affiliated with a teachers' union or association; or

22                            2.     Be a current employee of Anne Arundel County;

23                            (vii)   One member appointed by the Anne Arundel County Branch of  
24 the National Association for the Advancement of Colored People (NAACP);

25                            (viii)  One member appointed by CASA de Maryland;

26                            (ix)    One member appointed by the Anne Arundel Special Education  
27 Citizens' Advisory Committee who is a parent of a child with special needs in the Anne  
28 Arundel County public school system; [and]

29                            (x)     Beginning June 1, 2016, and every 2 years thereafter, one  
30 member appointed by a chamber of commerce based in Anne Arundel County on a rotating  
31 basis in the following order:



- 1                                    1.     The West Anne Arundel County Chamber of Commerce;
- 2                                    2.     The Northern Anne Arundel County Chamber of
- 3 Commerce;
- 4                                    3.     The Southern Anne Arundel Chamber of Commerce;
- 5                                    4.     The Greater Crofton Chamber of Commerce; and
- 6                                    5.     The Greater Severna Park and Arnold Chamber of
- 7 Commerce; AND

8                                    **(XI) ONE MEMBER DESIGNATED BY THE CHESAPEAKE**  
 9 **REGIONAL ASSOCIATION OF STUDENT COUNCILS WHO IS A STUDENT ENROLLED IN**  
 10 **THE ANNE ARUNDEL COUNTY PUBLIC SCHOOL SYSTEM.**

11                                    **[(3)] (2)**     (i)     Each member of the Commission must be a resident of  
 12 Anne Arundel County.

13                                    (ii)     Except for the members appointed under paragraph **[(2)(ii) and**  
 14 **(v)] (1)(II) AND (V)** of this subsection, a member of the Commission may not be a current  
 15 employee of a county school board.

16                                    **[(4)] (3)**     (i)     The Commission shall select a chair from among its  
 17 members.

18                                    (ii)     The term of the chair of the Commission is 2 years.

19                                    **[(5)] (4)**     (i)     Except as provided in subparagraph (ii) of this paragraph,  
 20 the term of a member of the Commission is 4 years.

21                                    (ii)     **1.**     The term of a member appointed by a chamber of  
 22 commerce under paragraph **[(2)(x)] (1)(X)** of this subsection is 2 years.

23                                    **2.     THE TERM OF A MEMBER DESIGNATED BY THE**  
 24 **CHESAPEAKE REGIONAL ASSOCIATION OF STUDENT COUNCILS UNDER**  
 25 **PARAGRAPH (1)(XI) OF THIS SUBSECTION IS 1 YEAR.**

26                                    (iii)     A member may be reappointed but may not serve more than 8  
 27 years.

28                                    **[(6)] (C)**     The Anne Arundel County Board of Education shall provide staff  
 29 for the Commission.

1            **[(7) (i) (D) (1)]** The affirmative vote of at least eight members of the  
2 Commission is required for the approval of any action.

3            **[(ii) (2)]** A member of the Commission may not vote by proxy.

4            **[(8) (i) (E) (1)]** The Commission shall require each applicant for  
5 **[nomination] APPOINTMENT** to complete an application that includes:

6                            **[1.] (I)** The full name and address of the individual;

7                            **[2.] (II)** Any former name used by the individual;

8                            **[3.] (III)** A statement as to whether the individual has any  
9 conviction for a crime that:

10                           **[A.] 1.** Relates to the responsibilities of a member of the  
11 county board; and

12                           **[B.] 2.** Has not been expunged or otherwise shielded;

13                           **[4.] (IV)** A statement as to whether the individual has been  
14 adjudged bankrupt or insolvent; and

15                           **[5.] (V)** A declaration that the statements made in the  
16 application are true, correct, and complete to the best of the individual's knowledge and  
17 belief.

18                           **[(ii) (2)]** The Commission shall consult the Maryland Judiciary  
19 Case Search to verify the statements made by the applicant under **[subparagraph (i) of this**  
20 **paragraph] PARAGRAPH (1) OF THIS SUBSECTION.**

21            **[(9)]** Beginning January 1, 2008, for each nomination to the county board,  
22 the Commission shall submit to the Governor a list of nominees that contains:

23                           (i) At least two names for each vacancy; or

24                           (ii) If there are fewer than two applicants for a vacancy, the number  
25 of names that is equal to the number of applicants for the vacancy.

26            (c) (1) Following the appointment of a member of the Anne Arundel County  
27 Board of Education by the Governor, a member may serve for the remainder of the  
28 member's term, as provided in § 3-108(c) of this subtitle, subject to the approval or rejection  
29 of the registered voters of the county at the next general election.

1 (2) A member of the county board is eligible for nomination and  
 2 reappointment for a second consecutive term in accordance with the provisions of  
 3 subsections (a) and (b) of this section.

4 (3) (i) The approval or rejection of a member of the county board by the  
 5 registered voters of the county provided for in subparagraph (ii) of this paragraph shall be  
 6 a vote for the member's retention or removal.

7 (ii) On receipt of the notice required under § 5-301(h) of the Election  
 8 Law Article, the name of the member of the county board shall be placed on the appropriate  
 9 ballot and shown, without opposition, and the voters shall vote for or against the member's  
 10 retention as a member of the county board.

11 (4) If the voters reject the retention of the member, or the vote is tied:

12 (i) The position shall become vacant 10 days after certification of the  
 13 election returns;

14 (ii) The member shall resign from the county board effective 10 days  
 15 after certification of the election returns; and

16 (iii) The member may not continue to serve on the county board.]

17 **(F) AN INDIVIDUAL WHO TAKES OFFICE TO FILL A VACANCY FOR AN**  
 18 **ELECTED OR APPOINTED MEMBER OF THE COUNTY BOARD SERVES FOR THE**  
 19 **REMAINDER OF THE TERM FOR WHICH THE APPOINTMENT WAS MADE AND UNTIL A**  
 20 **SUCCESSOR IS ELECTED OR APPOINTED.**

21 **3-2A-05.**

22 [(d) (1)] **(A)** The student member shall:

23 [(i)] **(1)** Be a regularly enrolled senior year student of good  
 24 character and in good standing in an Anne Arundel County public high school;

25 [(ii)] **(2)** Be selected in the student's junior year by a method  
 26 selected by the Chesapeake Regional Association of Student Councils of Anne Arundel  
 27 County;

28 [(iii) 1.] **(3) (I)** Serve a term of 1 year; and

29 [2.] **(II)** Continue to serve after graduation and until a  
 30 successor is appointed and qualifies.



1           **(5) FAILURE TO ATTEND, WITHOUT GOOD CAUSE, AT LEAST 75% OF**  
2 **THE SCHEDULED MEETINGS OF THE COUNTY BOARD IN ANY 1 CALENDAR YEAR.**

3           **(B) BEFORE REMOVING A MEMBER, THE STATE BOARD SHALL SEND THE**  
4 **MEMBER A COPY OF THE CHARGES AGAINST THE MEMBER AND GIVE THE MEMBER**  
5 **AN OPPORTUNITY TO REQUEST A HEARING WITHIN 10 DAYS.**

6           **(C) IF THE MEMBER REQUESTS A HEARING WITHIN THE 10-DAY PERIOD:**

7           **(1) THE STATE BOARD PROMPTLY SHALL HOLD A HEARING, BUT A**  
8 **HEARING MAY NOT BE SET WITHIN 10 DAYS AFTER THE STATE BOARD SENDS THE**  
9 **MEMBER A NOTICE OF THE HEARING; AND**

10           **(2) THE MEMBER SHALL HAVE AN OPPORTUNITY TO BE HEARD**  
11 **PUBLICLY BEFORE THE STATE BOARD IN THE MEMBER'S OWN DEFENSE IN PERSON**  
12 **OR BY COUNSEL.**

13           **(D) A MEMBER REMOVED UNDER THIS SECTION HAS THE RIGHT TO A DE**  
14 **NOVO REVIEW OF THE REMOVAL BY THE CIRCUIT COURT FOR ANNE ARUNDEL**  
15 **COUNTY.**

16 3-2B-01.

17           (a) The Baltimore County Board of Education consists of:

18                   (1) Seven nonpartisan elected members;

19                   (2) Four appointed members; and

20                   (3) One student member.

21           (b) (2) (i) The seven elected members shall be elected at a general election  
22 in accordance with [§ 3-2A-02] **§ 3-2B-02** of this subtitle.

23                   (ii) The four appointed members shall be appointed by the Governor  
24 from a list of nominees submitted by the Baltimore County School Board Nominating  
25 Commission as provided in [§ 3-2A-03] **§ 3-2B-03** of this subtitle:

26                           1. On the expiration of the term of an incumbent appointed  
27 member within 30 days after the general election; or

28                           2. Within the 30-day period otherwise required under this  
29 subtitle.

1 SECTION 3. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
2 as follows:

3 **Article – Education**

4 3–2A–03.

5 (c) In any election, if no candidate files a certificate of candidacy for the office or  
6 if no individual otherwise qualifies to have the individual’s name placed on the ballot, the  
7 [School Board Appointment Commission of Anne Arundel County] ~~REMAINING MEMBERS~~  
8 ~~OF THE COUNTY BOARD~~ COUNTY COUNCIL OF ANNE ARUNDEL COUNTY shall appoint  
9 a qualified individual to fill that vacancy no later than 30 days after the general election.

10 [3–2A–04.

11 (a) (1) There is a School Board Appointment Commission of Anne Arundel  
12 County.

13 (2) The purpose of the Commission is to select and appoint qualified  
14 individuals to fill vacancies on the Anne Arundel County Board of Education.

15 (3) The Commission shall hold at least two public hearings on the  
16 candidates before making an appointment to the county board.

17 (b) (1) The Commission consists of the following 13 members:

18 (i) Two members appointed by the County Executive of Anne  
19 Arundel County from the county at large:

20 1. One of whom shall be a parent of a child enrolled in the  
21 Anne Arundel County public school system; and

22 2. No more than one of whom may be a current employee of  
23 Anne Arundel County;

24 (ii) One member appointed by the Teachers Association of Anne  
25 Arundel County;

26 (iii) One member appointed by the Annapolis and Anne Arundel  
27 County Chamber of Commerce;

28 (iv) One member appointed by the Anne Arundel County Community  
29 College Board of Trustees;

30 (v) One member appointed by the Association of Educational  
31 Leaders (AEL);

1 (vi) Two members appointed by the Anne Arundel County Council of  
2 Parent Teacher Associations who may not:

- 3 1. Be affiliated with a teachers' union or association; or
- 4 2. Be a current employee of Anne Arundel County;

5 (vii) One member appointed by the Anne Arundel County Branch of  
6 the National Association for the Advancement of Colored People (NAACP);

7 (viii) One member appointed by CASA de Maryland;

8 (ix) One member appointed by the Anne Arundel Special Education  
9 Citizens' Advisory Committee who is a parent of a child with special needs in the Anne  
10 Arundel County public school system;

11 (x) Beginning June 1, 2016, and every 2 years thereafter, one  
12 member appointed by a chamber of commerce based in Anne Arundel County on a rotating  
13 basis in the following order:

- 14 1. The West Anne Arundel County Chamber of Commerce;
- 15 2. The Northern Anne Arundel County Chamber of  
16 Commerce;
- 17 3. The Southern Anne Arundel Chamber of Commerce;
- 18 4. The Greater Crofton Chamber of Commerce; and
- 19 5. The Greater Severna Park and Arnold Chamber of  
20 Commerce; and

21 (xi) One member designated by the Chesapeake Regional Association  
22 of Student Councils who is a student enrolled in the Anne Arundel County public school  
23 system.

24 (2) (i) Each member of the Commission must be a resident of Anne  
25 Arundel County.

26 (ii) Except for the members appointed under paragraph (1)(ii) and  
27 (v) of this subsection, a member of the Commission may not be a current employee of a  
28 county school board.

29 (3) (i) The Commission shall select a chair from among its members.

30 (ii) The term of the chair of the Commission is 2 years.

1 (4) (i) Except as provided in subparagraph (ii) of this paragraph, the  
2 term of a member of the Commission is 4 years.

3 (ii) 1. The term of a member appointed by a chamber of  
4 commerce under paragraph (1)(x) of this subsection is 2 years.

5 2. The term of a member designated by the Chesapeake  
6 Regional Association of Student Councils under paragraph (1)(xi) of this subsection is 1  
7 year.

8 (iii) A member may be reappointed but may not serve more than 8  
9 years.

10 (c) The Anne Arundel County Board of Education shall provide staff for the  
11 Commission.

12 (d) (1) The affirmative vote of at least eight members of the Commission is  
13 required for the approval of any action.

14 (2) A member of the Commission may not vote by proxy.

15 (e) (1) The Commission shall require each applicant for appointment to  
16 complete an application that includes:

17 (i) The full name and address of the individual;

18 (ii) Any former name used by the individual;

19 (iii) A statement as to whether the individual has any conviction for  
20 a crime that:

21 1. Relates to the responsibilities of a member of the county  
22 board; and

23 2. Has not been expunged or otherwise shielded;

24 (iv) A statement as to whether the individual has been adjudged  
25 bankrupt or insolvent; and

26 (v) A declaration that the statements made in the application are  
27 true, correct, and complete to the best of the individual's knowledge and belief.

28 (2) The Commission shall consult the Maryland Judiciary Case Search to  
29 verify the statements made by the applicant under paragraph (1) of this subsection.



1 (f) An individual who takes office to fill a vacancy for an elected or appointed  
2 member of the county board serves for the remainder of the term for which the appointment  
3 was made and until a successor is elected or appointed.]

4 **3-2A-04.**

5 **THE REMAINING MEMBERS OF THE COUNTY BOARD COUNTY COUNCIL OF**  
6 **ANNE ARUNDEL COUNTY SHALL SELECT A QUALIFIED INDIVIDUAL TO FILL ANY**  
7 **VACANCY IN THE OFFICE OF AN ELECTED MEMBER OF THE COUNTY BOARD FOR THE**  
8 **REMAINDER OF THE TERM AND UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.**

9 SECTION 4. AND BE IT FURTHER ENACTED, That:

10 (a) (1) The terms of the following appointed members of the Anne Arundel  
11 County Board of Education who are in office on the effective date of this Act, or their  
12 successors, shall expire at the end of December 2, 2018:

13 (i) the member appointed from the county at large whose term is  
14 scheduled to expire June 30, 2017;

15 (ii) the member appointed from that portion of legislative district 21  
16 that lies within Anne Arundel County whose term is scheduled to expire June 30, 2017;

17 (iii) the member appointed from the county at large whose term is  
18 scheduled to expire June 30, 2018; and

19 (iv) the member appointed from legislative district 32 whose term is  
20 scheduled to expire June 30, 2018.

21 (2) The members elected from councilmanic districts 1, 4, 5, and 7 at the  
22 general election in November 2018 shall succeed the appointed members whose terms  
23 expire under paragraph (1) of this subsection and shall each serve for a term of 6 years  
24 beginning December 3, 2018, until a successor is elected and qualifies.

25 (b) (1) The terms of the following appointed members of the Anne Arundel  
26 County Board of Education who are in office on the effective date of this Act, or their  
27 successors, shall expire at the end of December 6, 2020:

28 (i) the member appointed from the county at large whose term is  
29 scheduled to expire June 30, 2019;

30 (ii) the members appointed from legislative districts 30 and 31  
31 whose terms are scheduled to expire June 30, 2020; and

32 (iii) the member appointed from legislative district 33 whose term is  
33 scheduled to expire June 30, 2021.

1                   (2) The members elected from councilmanic districts 2, 3, and 6 ~~and the~~  
 2 ~~one member elected at large~~ at the general election in November 2020 shall succeed the  
 3 appointed members whose terms expire under paragraph (1) of this subsection and shall  
 4 each serve for a term of 4 years beginning December 7, 2020, until a successor is elected  
 5 and qualifies.

6           SECTION 5. AND BE IT FURTHER ENACTED, That, pursuant to Article III, § 35  
 7 of the Maryland Constitution, this Act may not be construed to extend or apply to the salary  
 8 or compensation of the president, vice president, or other nonstudent members of the Anne  
 9 Arundel County Board of Education while serving in a term of office beginning before the  
 10 effective date of this Act, but the provisions of this Act concerning the salary or  
 11 compensation of the president, vice president, or other nonstudent members of the Anne  
 12 Arundel County Board of Education shall take effect at the beginning of the next following  
 13 term of office. This limitation does not apply to an individual appointed or elected after the  
 14 effective date of this Act to fill out an unexpired term.

15           SECTION 6. AND BE IT FURTHER ENACTED, That Section 3 of this Act shall take  
 16 effect November 1, 2020.

17           SECTION 7. AND BE IT FURTHER ENACTED, That, except as provided in Section  
 18 6 of this Act, this Act shall take effect June 1, 2017.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.