

SENATE BILL 221

G1

8lr0674

By: **Senator Simonaire**

Introduced and read first time: January 18, 2018

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – State Administrator of Elections – Term**

3 FOR the purpose of establishing the term of office for the State Administrator of Elections;
4 providing that the State Administrator is eligible for reappointment; requiring that,
5 at the end of a term, the State Administrator continue to serve until a successor is
6 appointed by the State Board, with the advice and consent of the Senate of Maryland;
7 requiring that the first term of the State Administrator appointed in accordance with
8 a certain provision of this Act begin on a certain date; providing that any State
9 Administrator in office before a certain date is eligible to apply for and be appointed
10 as State Administrator for a certain term; and generally relating to the term of office
11 for the State Administrator of Elections.

12 BY repealing and reenacting, with amendments,
13 Article – Election Law
14 Section 2–103
15 Annotated Code of Maryland
16 (2017 Replacement Volume and 2017 Supplement)

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

19 **Article – Election Law**

20 2–103.

21 (a) There is a State Administrator of Elections.

22 (b) The State Administrator shall:

23 (1) be appointed by the State Board, with the advice and consent of the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Senate of Maryland, [and] **FOR A TERM OF 12 YEARS;**

2 **(2)** serve at the pleasure of the State Board;

3 **(3)** **BE ELIGIBLE FOR REAPPOINTMENT; AND**

4 **(4)** **AT THE END OF A TERM, CONTINUE TO SERVE UNTIL A SUCCESSOR**
5 **IS APPOINTED BY THE STATE BOARD, WITH THE ADVICE AND CONSENT OF THE**
6 **SENATE OF MARYLAND.**

7 **(C) THE STATE ADMINISTRATOR SHALL:**

8 **[(2)] (1)** receive a salary as provided in the State budget;

9 **[(3)] (2)** as provided in the State budget, employ and supervise:

10 (i) a deputy administrator, who shall serve as State Administrator
11 in the event the State Administrator resigns, becomes disabled, or dies, pending the
12 appointment of a successor State Administrator; and

13 (ii) pursuant to the State Personnel and Pensions Article, other staff
14 of the State Board;

15 **[(4)] (3)** supervise the operations of the local boards;

16 **[(5)] (4)** perform all duties and exercise all powers that are assigned by
17 law to the State Administrator or delegated by the State Board;

18 **[(6)] (5)** implement, in a uniform and nondiscriminatory manner, a
19 single, uniform, official, centralized, interactive computerized statewide voter registration
20 list;

21 **[(7)] (6)** provided the State Board is fully constituted with five duly
22 confirmed members, be subject to removal by the affirmative vote of four duly confirmed
23 members of the State Board for incompetence, misconduct, or other good cause except that:

24 (i) prior to removal, the State Board shall set forth written charges
25 stating the grounds for dismissal and afford the State Administrator notice and an ample
26 opportunity to be heard; and

27 (ii) subsequent to a valid vote for removal by at least four duly
28 confirmed members of the State Board, the State Administrator is authorized to continue
29 to serve until a successor is appointed and confirmed by the Senate of Maryland; and

30 **[(8)] (7)** be the chief State election official.

1 **[(c)] (D)** Before taking office, the appointee to the office of State Administrator
2 shall take the oath required by Article I, § 9 of the Maryland Constitution.

3 SECTION 2. AND BE IT FURTHER ENACTED, That:

4 (a) The term of the State Administrator of Elections appointed in accordance with
5 § 2-103(b)(1) of the Election Law Article, as enacted by Section 1 of this Act, shall begin on
6 January 1, 2019.

7 (b) Any State Administrator of Elections in office before January 1, 2019, is
8 eligible to apply for and be appointed as State Administrator for the 12-year term that
9 begins on January 1, 2019.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June
11 1, 2018.