

HOUSE BILL 590

F3

9lr0438

By: **Howard County Delegation**

Introduced and read first time: February 4, 2019

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 8, 2019

CHAPTER _____

1 AN ACT concerning

2 **Howard County Board of Education – Election of Members**

3 **Ho. Co. 01–19**

4 FOR the purpose of requiring that certain members of the Howard County Board of
5 Education be elected by the voters of certain districts and certain members be elected
6 at large by the voters of the county; providing for the application of this Act; and
7 generally relating to the election of the members of the Howard County Board of
8 Education.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 3–701(a) and (c)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2018 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Education
16 Section 3–701(b) and (d)
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2018 Supplement)

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

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.



Article – Education

3–701.

(a) (1) The Howard County Board consists of:

(i) Seven elected members; and

(ii) One student member.

(2) The seven elected members shall be elected as follows:

(i) [Five members, each of whom resides in a different one of the five councilmanic districts in the county] **ONE MEMBER FROM EACH OF THE FIVE COUNCILMANIC DISTRICTS IN THE COUNTY, ELECTED BY THE VOTERS OF THAT DISTRICT;** and

(ii) Two members [who may reside anywhere in the county] **AT LARGE, ELECTED BY THE VOTERS OF THE COUNTY.**

(b) (1) A candidate who becomes an elected member of the county board shall be a resident and registered voter of Howard County.

(2) (i) Any elected member who no longer resides in Howard County may not continue as a member of the board.

(ii) Any member elected from a councilmanic district who no longer resides in that district may not continue as a member of the board.

(3) If the boundary line of a Howard County Council District is changed, the term of an incumbent member of the county board who no longer resides in that councilmanic district because of the change is not affected during this term.

(c) The seven elected members of the Howard County Board shall be elected:

(1) Beginning in 2020, at the general election every 2 years as required by subsection (d) of this section; and

(2) [From Howard County at large by the voters of the entire county] **AS SPECIFIED IN SUBSECTION (A) OF THIS SECTION.**

(d) (1) (i) The terms of the elected members are staggered as provided in this subsection.

(ii) Each term of office begins on the first Monday in December after the election of a member and until a successor is elected and qualifies.

1 (2) (i) 1. The term of office of each member elected from a
2 councilmanic district, beginning at the 2020 election, is 4 years.

3 2. The term of office of each member elected at large,
4 beginning at the 2022 election, is 4 years.

5 (ii) The successors to the offices elected at the 2020 and 2022
6 elections, respectively, shall serve for a term of 4 years.

7 (3) Except as provided in paragraph (4) of this subsection and subject to
8 the confirmation of the County Council, the County Executive of Howard County shall
9 appoint a qualified individual to fill any vacancy for an elected member on the county board
10 for the remainder of that term and until a successor is appointed and qualifies.

11 (4) If a vacancy for an elected member occurs before the date that is 1 year
12 following the date of the member's election, the individual appointed under paragraph (3)
13 of this subsection shall serve only until a successor is elected by the voters at the next
14 general election.

15 (5) Candidates for the vacated office may be nominated at a primary
16 election in the same manner as for any other position on the county board.

17 (6) The candidate receiving the vacated position shall take office on the
18 first Monday in December after the election and shall continue to serve for the remainder
19 of the vacated term and until a successor is elected and qualifies.

20 (7) Except as provided in this subsection, an election to fill a vacancy on
21 the Howard County Board of Education shall be governed by §§ 8–801 through 8–806 of the
22 Election Law Article.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to the
24 election of the members of the Howard County Board of Education for the term of office
25 that begins on December 7, 2020.

26 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
27 1, 2019.