

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 433 (Senator Sydnor, *et al.*)
Education, Health, and Environmental Affairs

Legislative Department - Eligibility to Serve as Senators and Delegates - Place of Abode

This proposed constitutional amendment alters eligibility requirements for the office of senator or delegate to require a person to have maintained a place of abode in the district he or she has been chosen to represent for at least six months preceding his or her election or, if applicable, as long as the district has been established. The bill also makes stylistic changes.

Fiscal Summary

State Effect: The proposed constitutional amendment does not directly affect governmental finances or operations.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: A person is eligible to serve as a senator or delegate if the person is (1) at least age 25 or 21, respectively; (2) is a citizen of the State; (3) has resided in the State for at least one year preceding election; and (4) has resided in the district to which he or she has been elected to represent for six months preceding election or, if the district has been established for less than six months prior to the date of election, as long as the district has been established.

Background: In *Blount v. Boston*, 351 Md. 360, 718 A.2d 1111 (1998), the Court of Appeals held that a State senator had not abandoned his long established domicile in the 41st legislative district simply because he also maintained a residence in another jurisdiction, where he often slept. The court concluded that the senator was therefore eligible to continue serving as senator for the 41st district.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): State Board of Elections; Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2020
mr/mcr

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