

SENATE BILL 150

F3
SB 1055/20 – EHE

(PRE-FILED)

11r0978
CF HB 181

By: **Senator Sydnor**

Requested: October 14, 2020

Introduced and read first time: January 13, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 16, 2021

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Board of Education – Membership and Election of Officers**

3 FOR the purpose of altering the number of members serving on the Baltimore County
4 Board of Education; requiring the Baltimore County Executive to appoint one
5 member of the county board within a certain period of time; requiring the Baltimore
6 County School Board Nominating Commission to recommend county board nominees
7 to the County Executive; requiring the County Executive to appoint a member of the
8 county board from a list provided by the Commission; requiring the County
9 Executive to return the list of nominees to the Commission in certain circumstances;
10 altering the number of votes required for the members of the ~~Baltimore County~~
11 ~~Board of Education~~ county board to elect a chair and vice chair; making conforming
12 changes; and generally relating to the membership and election of officers for the
13 Baltimore County Board of Education.

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section ~~3-2B-01, 3-2B-03, 3-2B-04, and 3-2B-09(a)~~
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2020 Supplement)

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

21 **Article – Education**

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.



1 3-2B-01.

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

3 (1) Seven nonpartisan elected members;

4 (2) [Four] FIVE appointed members; and

5 (3) One student member.

6 (b) (1) Of the [11] 12 elected and appointed members of the county board:

7 (i) One member shall be elected from each of the seven councilmanic
8 districts in the county, established by the County Council of Baltimore County, by the
9 voters of that district; [and]

10 (ii) Four members shall be appointed by the Governor from the
11 county at large; AND

12 (iii) ONE MEMBER SHALL BE APPOINTED BY THE COUNTY
13 EXECUTIVE OF BALTIMORE COUNTY.

14 (2) (i) The seven elected members shall be elected at a general election
15 in accordance with § 3-2B-02 of this subtitle.

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

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

21 2. Within the 30-day period otherwise required under this
22 subtitle.

23 (3) (i) A member from a school board district shall be at least 21 years
24 old, a resident of that district for at least 2 years, and a registered voter of the county before
25 the election.

26 (ii) A member from a district who does not maintain residency in
27 that district may not continue as a member of the county board and the office shall be
28 deemed vacant.

1 (iii) If the boundary line of a district is changed, the term of an
2 incumbent member of the county board who no longer resides in the district because of the
3 change is not affected during this term.

4 (4) (i) A member may not be elected or appointed to serve on the county
5 board for more than three consecutive terms.

6 (ii) A member who has served three consecutive 4-year terms may
7 not be elected or appointed to the county board until at least 4 years have elapsed since the
8 end of the member's last term on the county board.

9 (5) During an election year:

10 (i) [The Governor may not appoint as a member of the county board
11 an] AN individual who files a certificate of candidacy for election to the county board MAY
12 NOT BE APPOINTED AS A MEMBER OF THE COUNTY BOARD; and

13 (ii) An individual who files a certificate of candidacy for election to
14 the county board may not seek appointment to the county board [by the Governor] through
15 nomination by the Baltimore County School Board Nominating Commission.

16 3-2B-03.

17 (a) (1) There is a Baltimore County School Board Nominating Commission.

18 (2) The purpose of the Commission is to select nominees to be
19 recommended to the Governor AND THE COUNTY EXECUTIVE OF BALTIMORE COUNTY
20 as qualified candidates for appointment to the Baltimore County Board of Education.

21 (3) The Commission shall hold at least three public hearings, each in a
22 different councilmanic district, on the selection of nominees before recommending to the
23 Governor nominees for appointment to the county board.

24 (b) (1) The Commission consists of 19 members who shall be appointed in
25 accordance with this subsection.

26 (2) The Commission shall reflect the rich cultural, geographic, ethnic, and
27 racial diversity of Baltimore County.

28 (3) The Governor, in consultation with the County Executive of Baltimore
29 County, shall appoint eight members, one from each legislative district that lies in whole
30 or in part in Baltimore County.

31 (4) The County Executive of Baltimore County shall appoint one member
32 from the county at large.

33 (5) The following organizations each shall appoint one member:

- 1 (i) The Teachers Association of Baltimore County;
- 2 (ii) The Baltimore County Chamber of Commerce;
- 3 (iii) The PTA Council of Baltimore County, Inc.;
- 4 (iv) Towson University;
- 5 (v) The League of Women Voters of Baltimore County;
- 6 (vi) The Baltimore County Branch of the National Association for the
7 Advancement of Colored People;
- 8 (vii) The Baltimore County Public Schools' Special Education
9 Citizens' Advisory Committee;
- 10 (viii) The Baltimore County Student Councils;
- 11 (ix) The Council of Administrative and Supervisory Employees; and
- 12 (x) The Education Support Personnel of Baltimore County.
- 13 (c) (1) The County Executive for Baltimore County shall designate one of the
14 Commission's members as chair of the Commission.
- 15 (2) The term of the chair of the Commission is 4 years.
- 16 (3) The term of a member of the Commission is 4 years.
- 17 (d) The Baltimore County Public Schools shall provide staff for the Commission.
- 18 (e) [Beginning October 1, 2018, for] **FOR** each nomination for a vacancy on the
19 county board, the Commission shall submit to the [Governor] **APPOINTING OFFICIAL** a
20 list of nominees that contains:
- 21 (1) At least two names for each vacancy; or
- 22 (2) If there are fewer than two applicants for a vacancy, the number of
23 names that is equal to the number of applicants for the vacancy.
- 24 (f) (1) Absent an extraordinary circumstance, the [Governor] **APPOINTING**
25 **OFFICIAL** shall appoint a member to the county board from the list provided by the
26 Commission.

1 (2) If the [Governor] APPOINTING OFFICIAL elects not to appoint a
2 member from a list submitted by the Commission, the [Governor] APPOINTING OFFICIAL
3 shall return the list to the Commission and request that the Commission submit the names
4 of additional qualified candidates.

5 3-2B-04.

6 (a) Except for the student member, a member serves for a term of 4 years
7 beginning on the first Monday in December after the member’s election or appointment and
8 until a successor is elected or appointed and qualifies.

9 (b) (1) An individual who takes office to fill a vacancy for an elected or
10 appointed member serves for the remainder of the term for which the appointment was
11 made and until a successor is elected or appointed and qualifies.

12 (2) The [Governor] APPOINTING OFFICIAL shall act within 30 days to
13 make any appointment to the county board.

14 3-2B-09.

15 (a) At the first meeting of the county board in December of each year, the county
16 board shall, **BY A MAJORITY VOTE OF THE VOTING MEMBERS CURRENTLY SERVING,**
17 elect a chair and vice chair from among the members.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
19 October 1, 2021.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.