

**Department of Legislative Services**  
Maryland General Assembly  
2021 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

House Bill 163  
Ways and Means

(Delegate Ivey)

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**State Board of Elections - Membership - Appointments**

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This bill repeals the authority of the Governor to appoint and remove (for specified good cause) members of the State Board of Elections (SBE). The bill instead authorizes the President of the Senate and the Speaker of the House to jointly appoint members of the board and to remove members (for specified good cause), subject to procedures similar to those applicable to the Governor’s authority.

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**Fiscal Summary**

**State Effect:** The bill does not directly affect State finances.

**Local Effect:** None.

**Small Business Effect:** None.

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**Analysis**

**Current Law:** SBE consists of five members appointed by the Governor, with the advice and consent of the Senate. The Governor must appoint as a member an individual whose name is submitted to the Governor by the State central committee of the principal political party entitled to the appointment. Each member of the board must be a member of one of the principal political parties. “Principal political party” means the majority party and the principal minority party. A person may not be appointed to the board if the appointment will result in the board having more than three or fewer than two members of the same principal political party.

The term of a member is four years and begins on July 1. Members are eligible for reappointment but may not serve more than three consecutive terms. Not later than August 1 of each year, the board must elect one of its members as chairman.

A member of the board is subject to removal by the Governor for incompetence, misconduct, or other good cause, upon written charges filed by the Governor with the board, and after having been afforded notice and ample opportunity to be heard.

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### **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 - January 15, 2021  
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