HOUSE BILL 240

By: Montgomery County Delegation
Introduced and read first time: January 13, 2022
Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Montgomery County – Board of Education – Membership

MC 16–22

FOR the purpose of altering the number of elected members of the Montgomery County Board of Education who may reside anywhere in the county; and generally relating to the membership of the Montgomery County Board of Education.

BY repealing and reenacting, with amendments,
Article – Education
Section 3–901(a), (b), and (f)(1) and (3)(i) and (ii)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, without amendments,
Article – Education
Section 3–901(c), (d), and (f)(2)
Annotated Code of Maryland
(2018 Replacement Volume and 2021 Supplement)

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

Article – Education

3–901.

(a) (1) In this subtitle the following words have the meanings indicated.

(2) “Board of Education District” means a geographic area of Montgomery County in which an elected member of the Montgomery County Board of Education must
be a legal resident. The geographic area of each district is described in subsection (f) of this
section. Each district shall be substantially equal in population, and the districts shall be
reapportioned on the basis of each decennial census of the United States.

(3) “Elected member” means 1 of the [7] 8 elected and voting members of
the Montgomery County Board or a member appointed to fill a vacancy of 1 of these [7] 8
members.

(b) The Montgomery County Board consists of:

(1) 5 elected members, each of whom resides in a different board of
education district;

(2) [2] 3 elected members who may reside anywhere in the county; and

(3) 1 student member.

(c) An elected member of the county board shall be a registered voter of
Montgomery County.

(d) Members of the Montgomery County Board shall be elected at the general
election every 2 years as required by subsection (f) of this section.

(f) (1) (I) Each elected member serves for a term of 4 years beginning on
December 1 after the member’s election and until a successor is elected and qualifies.

(II) The terms of elected members are staggered [as required by the
terms of the members serving on the county board as of July 1, 1978] so that 4 members
are elected in gubernatorial election years and [3], BEGINNING AT THE 2024 GENERAL
ELECTION, 4 members are elected in presidential election years.

(2) Elected members of the county board shall be elected by the voters of
the entire county.

(3) (i) Of the 4 members elected [in 1992] IN A GUBERNATORIAL
ELECTION YEAR and every 4 years thereafter[.]:

1. 1 shall reside in Board of Education District 2 and 1 shall
reside in Board of Education District 4[. The third member]; AND

2. BEGINNING AT THE 2024 GENERAL ELECTION, 2
MEMBERS may reside in any part of the county.

(ii) Of the 4 members elected in [1990] A PRESIDENTIAL ELECTION
YEAR and every 4 years thereafter[.]:
1. 1 shall reside in Board of Education District 1, 1 shall reside in Board of Education District 3, and 1 shall reside in Board of Education District 5. The fourth; AND

2. 1 member may reside in any part of the county.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.