22

CONSTITUTIONAL AMENDMENT

By: Delegate Novotny

Introduced and read first time: January 19, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1	AN ACT concerning
2	Election Law – Recall Elections
3 4	FOR the purpose of providing that certain officials are subject to a recall election; and establishing recall election procedures.
5 6 7	BY proposing an amendment to the Maryland Constitution Article XVII – Quadrennial Elections Section 2
8 9 10	BY proposing an addition to the Maryland Constitution New Article XVII—A — Recall Elections Section 1 through 4
11 12 13	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND (Three–fifths of all the members elected to each of the two Houses concurring), That it be proposed that the Maryland Constitution read as follows:
14	Article XVII – Quadrennial Elections
15	2.
16 17 18 19 20 21	Except for a special election that may be authorized to fill a vacancy in a County Council or a vacancy in the office of chief executive officer or County Executive, under Article XI–A, Section 3 of the Constitution, OR A RECALL ELECTION, UNDER ARTICLE XVII–A OF THE CONSTITUTION, elections by qualified voters for State and county officers shall be held on the Tuesday next after the first Monday of November, in the year nineteen hundred and twenty–six, and on the same day in every fourth year thereafter.

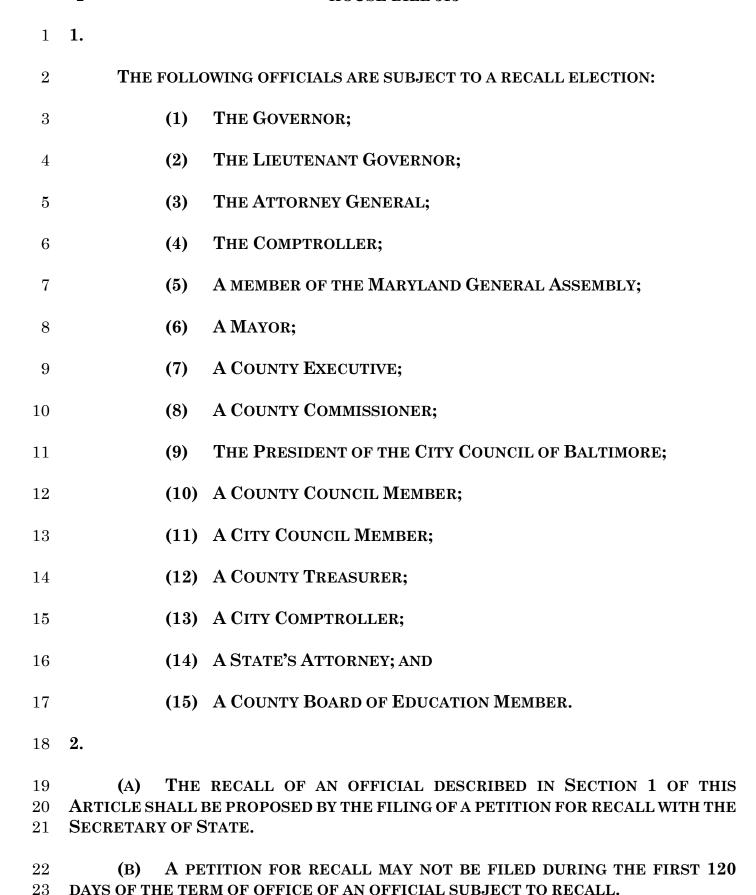
ARTICLE XVII-A - RECALL ELECTIONS

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



2 lr 0 3 1 5



1 **3.**

- 2 (A) A PETITION FOR RECALL SHALL BE SUFFICIENT IF IT HAS SIGNATURES
 3 FROM REGISTERED VOTERS ELIGIBLE TO VOTE FOR THE OFFICE IDENTIFIED IN THE
 4 RECALL PETITION THAT ARE EQUAL IN NUMBER TO AT LEAST 25% OF THE NUMBER
 5 OF VOTES CAST IN THE IMMEDIATELY PRECEDING ELECTION FOR THE OFFICE
 6 IDENTIFIED IN THE RECALL PETITION.
- 7 (B) IF A PETITION FOR RECALL FILED WITH THE SECRETARY OF STATE HAS 8 THE REQUIRED NUMBER OF SIGNATURES, THE SECRETARY OF STATE SHALL 9 CERTIFY THE PETITION FOR RECALL AND REFER IT TO A VOTE.
- 10 (C) THE SPECIAL RECALL ELECTION SHALL BE HELD WITHIN 120 DAYS 11 AFTER THE CERTIFICATION OF THE PETITION.
- 12 **4.**
- 13 A BALLOT FOR A SPECIAL RECALL ELECTION SHALL:
- 14 (1) FIRST, PRESENT A QUESTION FOR A VOTER TO INDICATE A
 15 PREFERENCE TO RECALL OR TO NOT RECALL THE OFFICIAL WHOSE RECALL IS
 16 BEING SOUGHT; AND
- 17 (2) SECOND, PRESENT A QUESTION FOR A VOTER TO INDICATE A
 18 PREFERRED CANDIDATE TO SUCCEED THE OFFICIAL WHOSE RECALL IS BEING
 19 SOUGHT, IF THE VOTER INDICATED A PREFERENCE TO RECALL THE OFFICIAL.
- SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed by Section 1 of this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland Constitution concerning local approval of constitutional amendments do not apply.
- 24SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the 25Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified voters of the State at the next general election to be held in November 2022 for adoption or 26rejection pursuant to Article XIV of the Maryland Constitution. At that general election, 2728 the vote on the proposed amendment to the Constitution shall be by ballot, and on each 29 ballot there shall be printed the words "For the Constitutional Amendment" and "Against 30 the Constitutional Amendment", as now provided by law. Immediately after the election, 31 all returns shall be made to the Governor of the vote for and against the proposed 32 amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV. 33