

HOUSE BILL 380

F3

2lr0341

By: **Montgomery County Delegation**

Introduced and read first time: January 19, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County Board of Education – Election of Members**

3 **MC 04–22**

4 FOR the purpose of requiring members of the Montgomery County Board of Education who
5 are required to reside in a specific board of education district to be elected by a
6 plurality of the voters who reside in that district; requiring members who are not
7 required to reside in a specific board of education district to be elected by the voters
8 of the entire county; and generally relating to elections of members of the
9 Montgomery County Board of Education.

10 BY repealing and reenacting, without amendments,
11 Article – Education
12 Section 3–901(a), (c), (d), and (f)(1)
13 Annotated Code of Maryland
14 (2018 Replacement Volume and 2021 Supplement)

15 BY repealing and reenacting, with amendments,
16 Article – Education
17 Section 3–901(b) and (f)(2)
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2021 Supplement)

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

22 **Article – Education**

23 3–901.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

6 (3) "Elected member" means 1 of the 7 elected and voting members of the
7 Montgomery County Board or a member appointed to fill a vacancy of 1 of these 7 members.

8 (b) The Montgomery County Board consists of:

9 (1) 5 elected members, each of whom [resides] **SHALL RESIDE** in a
10 different board of education district;

11 (2) 2 elected members who may reside anywhere in the county; and

12 (3) 1 student member.

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

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

17 (f) (1) Each elected member serves for a term of 4 years beginning on
18 December 1 after the member's election and until a successor is elected and qualifies. The
19 terms of elected members are staggered as required by the terms of the members serving
20 on the county board as of July 1, 1978 so that 4 members are elected in gubernatorial
21 election years and 3 members are elected in presidential election years.

22 (2) **(I) EACH ELECTED MEMBER OF THE COUNTY BOARD WHO IS**
23 **REQUIRED TO RESIDE IN A SPECIFIC BOARD OF EDUCATION DISTRICT SHALL BE**
24 **ELECTED BY A PLURALITY OF THE VOTERS WHO RESIDE IN THAT DISTRICT.**

25 **(II) [Elected members] EACH ELECTED MEMBER** of the county
26 board **WHO MAY RESIDE ANYWHERE IN THE COUNTY** shall be elected by the voters of the
27 entire county.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
29 January 1, 2023.