HOUSE BILL 976
B1, P5 CONSTITUTIONAL AMENDMENT 2lr1159
SB 848/09 – B&T

By: Delegates Kittleman, Arikan, Boteler, Krebs, and McComas
Introduced and read first time: February 10, 2022
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 Legislation – Spending Mandates – Three–Fifths Vote and Limited Duration
   Requirement

3 FOR the purpose of requiring that any bill that requires the Governor to make an
4 appropriation in the State budget may not become law without at least a three–fifths
5 supermajority in each House and may only remain effective for 4 years.

6 BY proposing an amendment to the Maryland Constitution
7 Article III – Legislative Department
8 Section 28

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
10 (Three–fifths of all the members elected to each of the two Houses concurring), That it be
11 proposed that the Maryland Constitution read as follows:

12 Article III – Legislative Department

13 28.

14 (A) [No] SUBJECT TO SUBSECTION (B) OF THIS SECTION, NO bill, nor single
15 group of bills placed on the “consent calendar,” shall become a Law unless it be passed in
16 each House by a majority of the whole number of members elected, and on its final passage,
17 the yeas and nays be recorded, and on final passage of the bills placed on the “consent
18 calendar” the yeas and nays on the entire group of bills be recorded. A resolution requiring
19 the action of both Houses shall be passed in the same manner.

20 (B) A BILL REQUIRING THE GOVERNOR TO INCLUDE AN APPROPRIATION IN
21 THE STATE BUDGET MAY NOT BECOME A LAW UNLESS IT IS PASSED IN EACH HOUSE
22 BY A THREE–FIFTHS MAJORITY OF THE WHOLE NUMBER OF MEMBERS ELECTED,
23 AND MAY ONLY REMAIN IN EFFECT FOR FOUR YEARS OR LESS.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly determines that the amendment to the Maryland Constitution proposed in 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.

SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the Maryland 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 rejection pursuant to Article XIV of the Maryland Constitution. At that general election, the vote on the proposed amendment to the Constitution shall be by ballot, and on each ballot there shall be printed the words “For the Constitutional Amendment” and “Against the Constitutional Amendment”, as now provided by law. Immediately after the election, all returns shall be made to the Governor of the vote for and against the proposed amendment, as directed by Article XIV of the Maryland Constitution, and further proceedings had in accordance with Article XIV.