

Chapter 368

(Senate Bill 952)

AN ACT concerning

Frederick County – Board of Education – Vacancies

FOR the purpose of altering the method for filling a vacancy on the Frederick County Board of Education; and generally relating to the Frederick County Board of Education.

BY repealing and reenacting, without amendments,

Article – Education

Section 3–5B–01(a)

Annotated Code of Maryland

(2018 Replacement Volume and 2021 Supplement)

BY repealing and reenacting, with amendments,

Article – Education

Section 3–5B–01(d)

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

3–5B–01.

(a) The Frederick County Board consists of eight members as follows:

(1) Seven members elected from the county at large; and

(2) One nonvoting student member.

(d) (1) The terms of voting members are staggered as provided in subsection (c) of this section.

[(2) Subject to confirmation of the County Council, the County Executive shall appoint a qualified individual to fill a vacancy on the county board for the remainder of the term and until a successor is elected and qualifies.]

(2) IF THERE IS A VACANCY BY AN ELECTED MEMBER OF THE COUNTY BOARD OCCURRING 30 DAYS OR LESS BEFORE THE CANDIDATE REGISTRATION DEADLINE FOR THE NEXT PRIMARY ELECTION, THE COUNTY EXECUTIVE SHALL

APPOINT, SUBJECT TO CONFIRMATION OF THE COUNTY COUNCIL, A QUALIFIED INDIVIDUAL TO FILL THE VACANCY ON THE COUNTY BOARD FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS ELECTED IN ACCORDANCE WITH PARAGRAPH (4)(I) OF THIS SUBSECTION AND QUALIFIES.

(3) IF THERE IS A VACANCY BY AN ELECTED MEMBER OF THE COUNTY BOARD OCCURRING MORE THAN 30 DAYS BEFORE THE CANDIDATE REGISTRATION DEADLINE FOR THE NEXT PRIMARY ELECTION FOLLOWING THE VACATING MEMBER'S ELECTION:

(I) THE COUNTY EXECUTIVE SHALL APPOINT, SUBJECT TO CONFIRMATION OF THE COUNTY COUNCIL, A QUALIFIED INDIVIDUAL TO TEMPORARILY FILL THE VACANCY ON THE COUNTY BOARD WHO SHALL SERVE UNTIL A QUALIFIED INDIVIDUAL IS ELECTED IN ACCORDANCE WITH PARAGRAPH (4)(II) OF THIS SUBSECTION; AND

(II) THE INDIVIDUAL ELECTED UNDER ITEM (I) OF THIS PARAGRAPH SHALL SERVE FOR THE REMAINDER OF THAT TERM UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

(4) AT A GENERAL ELECTION, VACANCIES SHALL BE FILLED AS FOLLOWS:

(I) THE CANDIDATES WITH THE HIGHEST VOTE TOTALS SHALL FIRST FILL ANY VACANT POSITIONS FOR A FULL TERM OF 4 YEARS; AND

(II) AFTER ALL VACANT POSITIONS FOR A FULL TERM OF 4 YEARS ARE FILLED, THE CANDIDATE WITH THE NEXT HIGHEST VOTE TOTAL SHALL FILL THE POSITION FOR WHICH A SUCCESSOR WAS APPOINTED UNDER PARAGRAPH (3) OF THIS SUBSECTION AND SERVE THE REMAINDER OF THAT TERM.

(5) CANDIDATES FOR A VACATED OFFICE MAY BE NOMINATED AT A PRIMARY ELECTION IN THE SAME MANNER AS ANY OTHER POSITION ON THE COUNTY BOARD.

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

Approved by the Governor, May 16, 2022.