

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 525 (Delegates B. Barnes and Korman)
Ways and Means

**Montgomery County Council and Prince George's County Council - Candidate
Residency Requirements**

This emergency bill establishes that – in a year in which members of the Montgomery County Council and the Prince George’s County Council are elected *and* a county council redistricting plan takes effect – a candidate for either county council who seeks to represent a district is (1) required to reside in the county council district the candidate seeks to represent at the time of the primary election and at the time of the general election and (2) is not required to reside in the county council district the candidate seeks to represent before the primary election.

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: The bill does not directly affect local government finances.

Small Business Effect: None.

Analysis

Current Law: Under State election law, an individual may become a candidate for a public office only if the individual satisfies the qualifications for that office established by law. A candidate for public office must be a registered voter at an address that satisfies any residence requirement for the office that is imposed by law.

Under the Charter of Montgomery County, the county council is composed of nine members, four of whom are nominated and elected by the voters of the entire county,

and five of whom must, at the time of nomination and election and throughout the members' term of office, each reside in a different council district and be nominated and elected by the voters of those districts.

Under State election law, candidates of the two principal political parties are nominated at primary elections.

Under the Charter for Prince George's County, the county council is composed of 11 members, two of whom are nominated and elected by the voters of the entire county, and nine of whom must, at the time of their election, each reside in a different council district and be nominated and elected by the voters of those districts. In addition, an at-large council member must be a qualified voter of the county for at least one year immediately preceding their primary election, and council members representing one of the nine council districts must have been a qualified voter of their respective council district for at least one year immediately preceding their primary election.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): State Board of Elections; Prince George's County; Department of Legislative Services

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