

HOUSE BILL 1265

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By: **Delegate Mangione**

Introduced and read first time: February 17, 2023

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Board of Education – Membership**

3 FOR the purpose of repealing the requirement that certain members of the Baltimore
4 County Board of Education be appointed; requiring certain members of the county
5 board to be elected from the county at large; repealing the Baltimore County School
6 Board Nominating Commission; and generally relating to the membership of the
7 Baltimore County Board of Education.

8 BY repealing and reenacting, with amendments,

9 Article – Education

10 Section 3–2B–01 and 3–2B–02

11 Annotated Code of Maryland

12 (2022 Replacement Volume)

13 BY repealing

14 Article – Education

15 Section 3–2B–03

16 Annotated Code of Maryland

17 (2022 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Education**

21 3–2B–01.

22 (a) The Baltimore County Board of Education consists of:

23 (1) **[Seven] 11** nonpartisan elected members; AND

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (2) [Four appointed members; and

2 (3) One] 1 student member.

3 (b) (1) Of the 11 elected [and appointed] members of the county board:

4 (i) [One] 1 member shall be elected from each of the seven
5 councilmanic districts in the county, established by the County Council of Baltimore
6 County, by the voters of that district; and

7 (ii) [Four] 4 members shall be [appointed by the Governor]
8 **ELECTED** from the county at large.

9 (2) [(i)] The [seven] 11 elected members shall be elected at a general
10 election in accordance with § 3–2B–02 of this subtitle.

11 [(ii)] The four appointed members shall be appointed by the Governor
12 from a list of nominees submitted by the Baltimore County School Board Nominating
13 Commission as provided in § 3–2B–03 of this subtitle:

14 1. On the expiration of the term of an incumbent appointed
15 member within 30 days after the general election; or

16 2. Within the 30–day period otherwise required under this
17 subtitle.]

18 (3) (i) [A] **AN ELECTED** member [from a school board district] **OF THE**
19 **COUNTY BOARD** shall be [at]:

20 1. **AT** least 21 years old[.];

21 2. **FOR A MEMBER ELECTED FROM A DISTRICT**, a resident
22 of that district for at least 2 years[.];

23 3. **FOR A MEMBER ELECTED FROM THE COUNTY AT**
24 **LARGE, A RESIDENT OF THE COUNTY FOR AT LEAST 2 YEARS**; and [a]

25 4. **A** registered voter of the county before the election.

26 (ii) 1. **ANY ELECTED MEMBER WHO NO LONGER RESIDES IN**
27 **BALTIMORE COUNTY MAY NOT CONTINUE AS A MEMBER OF THE COUNTY BOARD.**

1 **2. [A] AN ELECTED** member from a district who does not
2 maintain residency in that district may not continue as a member of the county board and
3 the office shall be deemed vacant.

4 (iii) If the boundary line of a district is changed, the term of an
5 incumbent member of the county board who no longer resides in the district because of the
6 change is not affected during this term.

7 (4) (i) A member may not be elected [or appointed] to serve on the
8 county board for more than three consecutive terms.

9 (ii) A member who has served three consecutive 4-year terms may
10 not be elected [or appointed] to the county board until at least 4 years have elapsed since
11 the end of the member's last term on the county board.

12 **[(5) During an election year:**

13 (i) The Governor may not appoint as a member of the county board
14 an individual who files a certificate of candidacy for election to the county board; and

15 (ii) An individual who files a certificate of candidacy for election to
16 the county board may not seek appointment to the county board by the Governor through
17 nomination by the Baltimore County School Board Nominating Commission.]

18 3-2B-02.

19 (a) At the general election for the elected members of the county board **FROM A**
20 **DISTRICT**, the ballot shall provide the voters of that [school board] **COUNCILMANIC**
21 district with the choice to cast a vote "For" a candidate for election from that district only.

22 (b) After the election results are certified, the State Board shall declare [for each
23 district] whether a candidate has been elected.

24 (c) In any election, if no candidate files a certificate of candidacy for the office or
25 if no individual otherwise qualifies to have the individual's name placed on the ballot, the
26 Governor shall appoint a member [from a list of nominees submitted by the Baltimore
27 County School Board Nominating Commission] to fill that vacancy no later than 30 days
28 after the general election.

29 [3-2B-03.

30 (a) (1) There is a Baltimore County School Board Nominating Commission.

31 (2) The purpose of the Commission is to select nominees to be
32 recommended to the Governor as qualified candidates for appointment to the Baltimore
33 County Board of Education.

1 (3) The Commission shall hold at least three public hearings, each in a
2 different councilmanic district, on the selection of nominees before recommending to the
3 Governor nominees for appointment to the county board.

4 (b) (1) The Commission consists of 19 members who shall be appointed in
5 accordance with this subsection.

6 (2) The Commission shall reflect the rich cultural, geographic, ethnic, and
7 racial diversity of Baltimore County.

8 (3) The Governor, in consultation with the County Executive of Baltimore
9 County, shall appoint eight members, one from each legislative district that lies in whole
10 or in part in Baltimore County.

11 (4) The County Executive of Baltimore County shall appoint one member
12 from the county at large.

13 (5) The following organizations each shall appoint one member:

14 (i) The Teachers Association of Baltimore County;

15 (ii) The Baltimore County Chamber of Commerce;

16 (iii) The PTA Council of Baltimore County, Inc.;

17 (iv) Towson University;

18 (v) The League of Women Voters of Baltimore County;

19 (vi) The Baltimore County Branch of the National Association for the
20 Advancement of Colored People;

21 (vii) The Baltimore County Public Schools' Special Education
22 Citizens' Advisory Committee;

23 (viii) The Baltimore County Student Councils;

24 (ix) The Council of Administrative and Supervisory Employees; and

25 (x) The Education Support Personnel of Baltimore County.

26 (c) (1) The County Executive of Baltimore County shall designate one of the
27 Commission's members as chair of the Commission.

28 (2) The term of the chair of the Commission is 4 years.

1 (3) The term of a member of the Commission is 4 years.

2 (d) The Baltimore County Public Schools shall provide staff for the Commission.

3 (e) Beginning October 1, 2018, for each nomination for a vacancy on the county
4 board, the Commission shall submit to the Governor a list of nominees that contains:

5 (1) At least two names for each vacancy; or

6 (2) If there are fewer than two applicants for a vacancy, the number of
7 names that is equal to the number of applicants for the vacancy.

8 (f) (1) Absent an extraordinary circumstance, the Governor shall appoint a
9 member to the county board from the list provided by the Commission.

10 (2) If the Governor elects not to appoint a member from a list submitted by
11 the Commission, the Governor shall return the list to the Commission and request that the
12 Commission submit the names of additional qualified candidates.]

13 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the four members
14 of the Baltimore County Board of Education appointed under § 3-2B-01 of the Education
15 Article, who are serving on December 1, 2024, shall terminate at the end of December 1,
16 2024, and the members elected from Baltimore County at large at the general election in
17 November 2024 shall succeed those appointed members and serve for a term of 4 years
18 beginning December 2, 2024, until a successor is elected and qualifies.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
20 1, 2023.