

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 597
Ways and Means

(St. Mary's County Delegation)

St. Mary's County - County Commissioners Election Method - Straw Ballot

This bill requires the St. Mary’s County Board of Elections, in consultation with the State Board of Elections, to prepare and include on the ballot for the November 2024 general election a specified question to determine if the voters of the county favor a change in the selection method of members of the St. Mary’s County Board of County Commissioners. The question must be proposed, presented, tallied, and reported in general accordance with State election law. The vote is only advisory. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: None.

Local Effect: The St. Mary’s County Board of Elections can implement the bill’s requirements with existing resources.

Small Business Effect: None.

Analysis

Bill Summary: The question to be prepared and included on the ballot is:

“Do you favor changing the method of selection of four of the five members of the St. Mary’s County Board of County Commissioners from the current method of being elected at large by the voters of St. Mary’s County, with one member residing in each of the four election districts, to a new method where each of the four members are elected by only the voters of the district in which the member

resides and the fifth member is elected at large and may reside in any district of the County?”

Current Law: Maryland counties operate under three forms of government: commission, charter home rule, and code home rule. To date, only 6 counties continue to operate under the commission, or nonhome rule, form of government, while 11 counties operate under charter home rule, and 6 counties operate under code home rule. **Exhibit 1** shows the form of government for each Maryland county.

Exhibit 1
Form of County Government

<u>Charter</u>	<u>Commission</u>	<u>Code</u>
Anne Arundel	Calvert	Allegany
Baltimore	Carroll	Caroline
Cecil	Garrett	Charles
Dorchester	St. Mary's	Kent
Frederick	Somerset	Queen Anne's
Harford	Washington	Worcester
Howard		
Montgomery		
Prince George's		
Talbot		
Wicomico		

Source: Department of Legislative Services

The 12 counties operating under commission and code home rule forms of government elect county commissioners. State law requires the number of county commissioners in a county to be set by the public local laws of each county. The public local laws of each county also determine whether commissioners are elected by voters from within a district or by voters of the entire county.

Election of County Commissioners in St. Mary's County

In St. Mary's County, there are five county commissioners who are elected countywide. Of these individuals, four represent a particular commissioner district and one represents the entire county and holds the position of board president. Individuals representing a particular commissioner district must reside within that district; the board president may reside anywhere within the county.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): St. Mary's County; Maryland State Board of Elections; Department of Legislative Services

Fiscal Note History: First Reader - February 19, 2023
km/hlb

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