

# HOUSE BILL 1428

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EMERGENCY BILL

6lr2945  
CF SB 508

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By: **Delegate Anderson**

Introduced and read first time: February 13, 2026

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Somerset County Board of Education – Alterations**

3 FOR the purpose of altering certain provisions of law with respect to the Somerset County  
4 Board of Education regarding student members, appointments to fill certain  
5 vacancies, annual compensation, and actions authorized during executive sessions;  
6 and generally relating to the Somerset County Board of Education.

7 BY repealing and reenacting, with amendments,  
8 Article – Education  
9 Section 3–1201, 3–1203, and 3–1204  
10 Annotated Code of Maryland  
11 (2025 Replacement Volume and 2025 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
13 That the Laws of Maryland read as follows:

14 **Article – Education**

15 3–1201.

16 (a) The Somerset County Board [shall be elected and] consists of [one]:

17 (1) **ONE** member elected from each commissioner district in the county;

18 **AND**

19 (2) **ONE NONVOTING STUDENT MEMBER FROM EACH PUBLIC HIGH**  
20 **SCHOOL IN THE COUNTY SELECTED IN ACCORDANCE WITH SUBSECTION (F) OF THIS**  
21 **SECTION.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) (1) A member from a commissioner district shall be a resident of that  
2 district.

3 (2) A candidate for the county board shall be a registered voter of the  
4 county.

5 (3) A member from a commissioner district who no longer resides in that  
6 district may not continue as a member of the county board.

7 (c) **[Members] EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS SECTION,**  
8 **MEMBERS** of the board shall be elected at a general election as required by subsection (d)  
9 of this section.

10 (d) (1) **[Subject] EXCEPT AS PROVIDED IN SUBSECTION (F) OF THIS**  
11 **SECTION, AND SUBJECT** to the provisions of paragraph (2) of this subsection, each member  
12 serves for a term of 4 years beginning on January 1 after the member's election and until a  
13 successor is elected and qualifies.

14 (2) (i) The terms of members are staggered as provided in this  
15 paragraph.

16 (ii) 1. The members elected at the 2004 election from  
17 commissioner districts 1, 3, and 5 shall serve an initial term of 2 years.

18 2. An election shall be conducted in 2006 and every 4 years  
19 thereafter.

20 (iii) 1. The members elected at the 2004 election from  
21 commissioner districts 2 and 4 shall serve an initial term of 4 years.

22 2. An election shall be conducted in 2008 and every 4 years  
23 thereafter.

24 (3) The **[Governor] COUNTY COMMISSIONERS OF SOMERSET COUNTY**  
25 shall appoint a qualified individual to fill any vacancy on the board for the remainder of  
26 the term and until a successor is elected and qualifies.

27 (e) (1) The State Board may remove a member of the county board for:

28 (i) Immorality;

29 (ii) Misconduct in office;

30 (iii) Incompetency; or

31 (iv) Willful neglect of duty.

1 (2) Before removing a member, the State Board shall send the member a  
2 copy of the charges against him and give him an opportunity within 10 days to request a  
3 hearing.

4 (3) If the member requests a hearing within the 10-day period:

5 (i) The State Board promptly shall hold a hearing, but a hearing  
6 may not be set within 10 days after the State Board sends the member a notice of the  
7 hearing; and

8 (ii) The member shall have an opportunity to be heard publicly  
9 before the State Board in his own defense, in person or by counsel.

10 (4) A member removed under this subsection has the right to a de novo  
11 review of the removal by the Circuit Court for Somerset County.

12 **(F) (1) A STUDENT MEMBER SHALL:**

13 **(I) BE A 12TH GRADE STUDENT IN THE SOMERSET COUNTY**  
14 **PUBLIC SCHOOL SYSTEM ELECTED BY THE HIGH SCHOOL STUDENTS OF THE PUBLIC**  
15 **SCHOOL THAT THE STUDENT ATTENDS, IN ACCORDANCE WITH PROCEDURES**  
16 **ESTABLISHED BY THE SCHOOL SYSTEM;**

17 **(II) SERVE FOR 1 YEAR BEGINNING ON JULY 1 AFTER THE**  
18 **ELECTION OF THE MEMBER;**

19 **(III) BE A NONVOTING MEMBER; AND**

20 **(IV) ADVISE THE COUNTY BOARD ON THE INTERESTS OF**  
21 **STUDENTS.**

22 **(2) UNLESS INVITED TO ATTEND BY AN AFFIRMATIVE VOTE OF A**  
23 **MAJORITY OF THE COUNTY BOARD, THE STUDENT MEMBERS MAY NOT ATTEND AN**  
24 **EXECUTIVE SESSION.**

25 3-1203.

26 (a) Annual compensation for the board is as follows:

27 (1) Chairman – [~~\$3,000~~] **\$6,000**; and

28 (2) Member – [~~\$2,700~~] **\$5,000**.

29 (b) The chairman and other **NONSTUDENT** members are entitled to:

1 (1) Reimbursement for expenses incurred in official duties performed  
2 outside Somerset County; and

3 (2) \$500 per member per year for expenses incurred in official duties  
4 performed within Somerset County.

5 3-1204.

6 (a) **[All] EXCEPT FOR THOSE ACTIONS AUTHORIZED BY SUBSECTION (C) OF**  
7 **THIS SECTION, ALL** final actions of the county board shall be taken at a public meeting.

8 **(B)** The board shall keep a formal record of each public meeting.

9 **[(b)** This section does not prohibit the board from meeting and deliberating in  
10 executive session provided that all action is taken at a public meeting.]

11 **(C) THE COUNTY BOARD MAY TAKE ACTIONS IN EXECUTIVE SESSION IN**  
12 **ACCORDANCE WITH § 3-305 OF THE GENERAL PROVISIONS ARTICLE.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That, in accordance with Article  
14 III, § 35 of the Maryland Constitution, this Act may not be construed to extend or apply to  
15 the salary or compensation of a member of the Somerset County Board of Education while  
16 serving in a term of office beginning before the effective date of this Act, but the provisions  
17 of this Act concerning the salary or compensation of the members of the Somerset County  
18 Board of Education shall take effect at the beginning of the next following term of office.  
19 This limitation does not apply to an individual appointed or elected after the effective date  
20 of this Act to fill out an unexpired term.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency  
22 measure, is necessary for the immediate preservation of the public health or safety, has  
23 been passed by a yea and nay vote supported by three-fifths of all the members elected to  
24 each of the two Houses of the General Assembly, and shall take effect from the date it is  
25 enacted.