

# HOUSE BILL 1488

P1  
HB 1129/25 – HGO

CONSTITUTIONAL AMENDMENT

6lr1827

---

By: **Delegates D. Jones, Bagnall, Cardin, Cullison, Fair, Feldmark, Guyton, Guzzone, Hill, Lehman, Martinez, McCaskill, Palakovich Carr, Phillips, Pruski, Ruff, Shetty, Solomon, Stewart, Taveras, Terrasa, Wilkins, Williams, and Wolek**

Introduced and read first time: February 13, 2026

Assigned to: Government, Labor, and Elections

---

## A BILL ENTITLED

1 AN ACT concerning

2 **Constitutional Language – Modernization**

3 FOR the purpose of altering terminology in the Maryland Constitution to be  
4 gender-neutral.

5 BY proposing an amendment to the Maryland Constitution  
6 Declaration of Rights  
7 Article 6, 13, 19, 21, 22, 24, 33, 36, 39, and 40

8 BY proposing an amendment to the Maryland Constitution  
9 Article I – Elective Franchise  
10 Section 5, 6, 9, and 10

11 BY proposing an amendment to the Maryland Constitution  
12 Article II – Executive Department  
13 Section 1, 1A, 1B, 3, 5, 9, 10, 10A, 11, 15, 16, 18, 19, 20, 21, 21A, 22, and 23

14 BY proposing an amendment to the Maryland Constitution  
15 Article III – Legislative Department  
16 Section 6, 10, 12, 13, 15, 17, 35, and 50

17 BY proposing an amendment to the Maryland Constitution  
18 Article IV – Judiciary Department  
19 Section 4, 5, 6, 7, 14B, 18B, 21, 24, 25, 41, 41C, 41D, 41F, 41H, 41–I, and 44

20 BY proposing an amendment to the Maryland Constitution  
21 Article V – Attorney-General and State’s Attorneys  
22 Section 1, 3, 7, 9, 10, 11, and 12

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 BY proposing an amendment to the Maryland Constitution  
2 Article VI – Treasury Department  
3 Section 1, 2, 3, 4, 5, and 6

4 BY proposing an amendment to the Maryland Constitution  
5 Article IX – Militia and Military Affairs  
6 Section 2

7 BY proposing an amendment to the Maryland Constitution  
8 Article XI – City of Baltimore  
9 Section 1, 4, and 5

10 BY proposing an amendment to the Maryland Constitution  
11 Article XI–A – Local Legislation  
12 Section 1 and 7

13 BY proposing an amendment to the Maryland Constitution  
14 Article XV – Miscellaneous  
15 Section 1 and 5

16 BY proposing an amendment to the Maryland Constitution  
17 Article XVI – The Referendum  
18 Section 4 and 5

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
20 (Three–fifths of all the members elected to each of the two Houses concurring), That it be  
21 proposed that the Maryland Constitution read as follows:

### 22 Declaration of Rights

23 Article 6.

24 That all persons invested with the Legislative or Executive powers of Government  
25 are the Trustees of the Public, and, as such, accountable for their conduct: Wherefore,  
26 whenever the ends of Government are perverted, and public liberty manifestly endangered,  
27 and all other means of redress are ineffectual, the People may, and of right ought, to reform  
28 the old, or establish a new Government; the doctrine of non–resistance against arbitrary  
29 power and oppression is absurd, slavish and destructive of the good and happiness of  
30 [mankind] **HUMANITY.**

31 Article 13.

32 That every [man] **PERSON** hath a right to petition the Legislature for the redress of  
33 grievances in a peaceable and orderly manner.

34 Article 19.

1 That every [man] **PERSON**, for any injury done to [him] **THEM** in [his] **THEIR**  
2 person or property, ought to have remedy by the course of the Law of the land, and ought  
3 to have justice and right, freely without sale, fully without any denial, and speedily without  
4 delay, according to the Law of the land.

5 Article 21.

6 That in all criminal prosecutions, every [man] **PERSON** hath a right to be informed  
7 of the accusation against [him] **THEM**; to have a copy of the Indictment, or charge, in due  
8 time (if required) to prepare for [his] **THEIR** defence; to be allowed counsel; to be confronted  
9 with the witnesses against [him] **THEM**; to have process for [his] witnesses; to examine the  
10 witnesses for and against [him] **THEM** on oath; and to a speedy trial by an impartial jury,  
11 without whose unanimous consent [he] **THAT PERSON** ought not to be found guilty.

12 Article 22.

13 That no [man] **PERSON** ought to be compelled to give evidence against [himself]  
14 **THEMSELF** in a criminal case.

15 Article 24.

16 That no [man] **PERSON** ought to be taken or imprisoned or disseized of [his] **THEIR**  
17 freehold, liberties or privileges, or outlawed, or exiled, or, in any manner, destroyed, or  
18 deprived of [his] **THEIR** life, liberty or property, but by the judgment of [his] **THEIR** peers,  
19 or by the Law of the land.

20 Article 33.

21 That the independency and uprightness of Judges are essential to the impartial  
22 administration of Justice, and a great security to the rights and liberties of the People:  
23 Wherefore, the Judges shall not be removed, except in the manner, and for the causes  
24 provided in this Constitution. No Judge shall hold any other office, civil or military, or  
25 political trust, or employment of any kind, whatsoever, under the Constitution or Laws of  
26 this State, or of the United States, or any of them; except that a Judge may be a member of  
27 a reserve component of the armed forces of the United States or a member of the militia of  
28 the United States or this State; or receive fees, or perquisites of any kind, for the discharge  
29 of [his] **THE JUDGE'S** official duties.

30 Article 36.

31 That as it is the duty of every [man] **PERSON** to worship God in such manner as [he]  
32 **THAT PERSON** thinks most acceptable to [Him] **GOD**, all persons are equally entitled to  
33 protection in their religious liberty; wherefore, no person ought by any law to be molested  
34 in [his] **THEIR** person or estate, on account of [his] **THEIR** religious persuasion, or  
35 profession, or for [his] **THEIR** religious practice, unless, under the color of religion, [he]

1 **THAT PERSON** shall disturb the good order, peace or safety of the State, or shall infringe  
2 the laws of morality, or injure others in their natural, civil or religious rights; nor ought  
3 any person to be compelled to frequent, or maintain, or contribute, unless on contract, to  
4 maintain, any place of worship, or any ministry; nor shall any person, otherwise competent,  
5 be deemed incompetent as a witness, or juror, on account of [his] **THEIR** religious belief,  
6 provided, [he] **THAT PERSON** believes in the existence of God, and that under [His] **GOD'S**  
7 dispensation such person will be held morally accountable for [his] **THEIR** acts, and be  
8 rewarded or punished therefor either in this world or in the world to come.

9 Nothing shall prohibit or require the making reference to belief in, reliance upon, or  
10 invoking the aid of God or a Supreme Being in any governmental or public document,  
11 proceeding, activity, ceremony, school, institution, or place.

12 Nothing in this article shall constitute an establishment of religion.

13 Article 39.

14 That the manner of administering an oath or affirmation to any person, ought to be  
15 such as those of the religious persuasion, profession, or denomination, of which [he] **THAT**  
16 **PERSON** is a member, generally esteem the most effectual confirmation by the attestation  
17 of the Divine Being.

18 Article 40.

19 That the liberty of the press ought to be inviolably preserved; that every citizen of  
20 the State ought to be allowed to speak, write and publish [his] **THEIR** sentiments on all  
21 subjects, being responsible for the abuse of that privilege.

## 22 **Article I – Elective Franchise**

23 5.

24 It shall be the duty of the General Assembly to pass Laws to punish, with fine and  
25 imprisonment, any person, who shall remove into any election district, or precinct of any  
26 ward of the City of Baltimore, not for the purpose of acquiring a bona fide residence therein,  
27 but for the purpose of voting at an approaching election, or, who shall vote in any election  
28 district, or ward, in which [he] **THAT PERSON** does not reside, (except in the case provided  
29 for in this Article,) or shall, at the same election, vote in more than one election district, or  
30 precinct, or shall vote, or offer to vote, in any name not [his] **THEIR** own, or in place of any  
31 other person of the same name, or shall vote in any county in which [he] **THAT PERSON**  
32 does not reside.

33 6.

34 If any person shall give, or offer to give, directly or indirectly, any bribe, present or  
35 reward, or any promise, or any security, for the payment or delivery of money, or any other

1 thing, to induce any voter to refrain from casting [his] **THAT PERSON'S** vote, or to prevent  
 2 [him] **THAT PERSON** in any way from voting, or to procure a vote for any candidate or  
 3 person proposed, or voted for as the elector of President, and Vice President of the United  
 4 States, or Representative in Congress or for any office of profit or trust, created by the  
 5 Constitution or Laws of this State, or by the Ordinances, or Authority of the Mayor and  
 6 City Council of Baltimore, the person giving, or offering to give and the person receiving  
 7 the same, and any person who gives or causes to be given, an illegal vote, knowing it to be  
 8 such, at any election to be hereafter held in this State, shall, on conviction in a Court of  
 9 Law, in addition to the penalties now or hereafter to be imposed by law, be forever  
 10 disqualified to hold any office of profit or trust, or to vote at any election thereafter. But the  
 11 General Assembly may in its discretion remove the above penalty and all other penalties  
 12 upon the vote seller so as to place the penalties for the purchase of votes on the vote buyer  
 13 alone.

14 9.

15 Every person elected, or appointed, to any office of profit or trust, under this  
 16 Constitution, or under the Laws, made pursuant thereto, shall, before [he enters]  
 17 **ENTERING** upon the duties of such office, take and subscribe the following oath, or  
 18 affirmation: I, ....., do swear, (or affirm, as the case may be,) that I will support the  
 19 Constitution of the United States; and that I will be faithful and bear true allegiance to the  
 20 State of Maryland, and support the Constitution and Laws thereof; and that I will, to the  
 21 best of my skill and judgment, diligently and faithfully, without partiality or prejudice,  
 22 execute the office of ....., according to the Constitution and Laws of this State, (and, if  
 23 a Governor, Senator, Member of the House of Delegates, or Judge,) that I will not directly  
 24 or indirectly, receive the profits or any part of the profits of any other office during the term  
 25 of my acting as .....

26 10.

27 Any officer elected or appointed in pursuance of the provisions of this Constitution,  
 28 may qualify, either according to the existing provisions of law, in relation to officers under  
 29 the present Constitution, or before the Governor of the State, or before any Clerk of any  
 30 Court of Record in any part of the State; but in case an officer shall qualify out of the County  
 31 in which [he] **THAT OFFICER** resides, an official copy of [his] **THEIR** oath shall be filed and  
 32 recorded in the Clerk's office of the Circuit Court of the County in which [he] **THE OFFICER**  
 33 may reside, or in the Clerk's office of the Superior Court of the City of Baltimore, if [he]  
 34 **THE OFFICER** shall reside therein. All words or phrases, used in creating public offices and  
 35 positions under the Constitution and laws of this State, which denote the masculine gender  
 36 shall be construed to include the feminine gender, unless the contrary intention is  
 37 specifically expressed.

## 38 Article II – Executive Department

39 1.

1 The executive power of the State shall be vested in a Governor, whose term of office  
2 shall commence on the third Wednesday of January next ensuing [his] **THE GOVERNOR'S**  
3 election, and continue for four years, and until [his] **THE GOVERNOR'S** successor shall  
4 have qualified; and a person who has served two consecutive popular elective terms of office  
5 as Governor shall be ineligible to succeed [himself] **THEMSELF** as Governor for the term  
6 immediately following the second of said two consecutive popular elective terms.

7 1A.

8 There shall be a Lieutenant Governor, who shall have only the duties delegated to  
9 [him] **THE LIEUTENANT GOVERNOR** by the Governor and shall have such compensation  
10 as the General Assembly shall provide by law, except that beginning in the year 1978 the  
11 salary of the Lieutenant Governor shall be as provided under Section 21A of this Article.  
12 No person who is ineligible under this Constitution to be elected Governor shall be eligible  
13 to hold the office of Lieutenant Governor.

14 1B.

15 Each candidate who shall seek a nomination for Governor, under any method  
16 provided by law for such nomination, including primary elections, shall at the time of filing  
17 for said office designate a candidate for Lieutenant Governor, and the names of the said  
18 candidate for Governor and Lieutenant Governor shall be listed on the primary election  
19 ballot, or otherwise considered for nomination jointly with each other. No candidate for  
20 Governor may designate a candidate for Lieutenant Governor to contest for the said offices  
21 jointly with [him] **THE CANDIDATE FOR GOVERNOR** without the consent of the said  
22 candidate for Lieutenant Governor, and no candidate for Lieutenant Governor may  
23 designate a candidate for Governor, to contest jointly for said offices with [him] **THE**  
24 **CANDIDATE FOR LIEUTENANT GOVERNOR** without the consent of the said candidate for  
25 Governor, said consent to be in writing on a form provided for such purpose and filed at the  
26 time the said candidates shall file their certificates of candidacy, or other documents by  
27 which they seek nomination. In any election, including a primary election, candidates for  
28 Governor and Lieutenant Governor shall be listed jointly on the ballot, and a vote cast for  
29 the candidate for Governor shall also be cast for Lieutenant Governor jointly listed on the  
30 ballot with [him] **THE CANDIDATE FOR GOVERNOR**, and the election of Governor, or the  
31 nomination of a candidate for Governor, also shall constitute the election for the same term,  
32 or the nomination, of the Lieutenant Governor who was listed on the ballot or was being  
33 considered jointly with [him] **THE CANDIDATE FOR GOVERNOR**.

34 3.

35 The Speaker of the House of Delegates shall then open the said Returns, in the  
36 presence of both Houses; and the persons having the highest number of votes for these  
37 offices, and being constitutionally eligible, shall be the Governor and Lieutenant Governor,  
38 and shall qualify, in the manner herein prescribed, on the third Wednesday of January next  
39 ensuing [his] **THE GOVERNOR'S** election, or as soon thereafter as may be practicable.

1 5.

2 A person to be eligible for the office of Governor or Lieutenant Governor must have  
3 attained the age of thirty years, and must have been a resident and registered voter of the  
4 State for five years next immediately preceding [his] **THE CANDIDATE'S** election.

5 9.

6 [He] **THE GOVERNOR** shall take care that the Laws are faithfully executed.

7 10.

8 [He] **THE GOVERNOR** shall nominate, and, by and with the advice and consent of  
9 the Senate, appoint all civil and military officers of the State, whose appointment, or  
10 election, is not otherwise herein provided for, unless a different mode of appointment be  
11 prescribed by the Law creating the office.

12 10A.

13 (a) Except as provided in subsection (b) of this section, a Governor may not  
14 appoint a person to an office in the Executive Branch of State Government during:

15 (1) The period between a primary election in which the Governor is not  
16 renominated or is ineligible to succeed [himself] **THEMSELF AS GOVERNOR** and the  
17 inauguration of the next succeeding Governor; or

18 (2) If the Governor is nominated in the primary election but defeated in the  
19 general election, the period between the general election and the inauguration of the next  
20 succeeding Governor.

21 (b) In an emergency during the periods described in subsection (a) of this section,  
22 a Governor may appoint a person to an office in the Executive Branch that the Governor  
23 has the power to fill on a temporary basis upon filing a statement of emergency with the  
24 Secretary of State. Appointments made under this subsection are subject to the approval  
25 of the next succeeding Governor, who may remove the temporary officeholder and appoint  
26 a replacement.

27 11.

28 In case of any vacancy during the recess of the Senate, in any office which the  
29 Governor has power to fill, [he] **THE GOVERNOR** shall appoint some suitable person to  
30 said office, whose commission shall continue in force until the end of the next session of the  
31 Legislature, or until some other person is appointed to the same office, whichever shall first  
32 occur; and the nomination of the person thus appointed during the recess, or of some other  
33 person in [his] **THE PERSON'S** place, shall be made to the Senate on the first day of the  
34 next regular meeting of the Senate.

1 15.

2 The Governor may suspend or arrest any military officer of the State for disobedience  
3 of orders, or other military offense; and may remove [him] **THE MILITARY OFFICER** in  
4 pursuance of the sentence of a Court–Martial; and may remove for incompetency, or  
5 misconduct, all civil officers who received appointment from the Executive for a term of  
6 years.

7 16.

8 The Governor shall convene the Legislature, or the Senate alone, on extraordinary  
9 occasions; and whenever from the presence of an enemy, or from any other cause, the seat  
10 of Government shall become an unsafe place for the meeting of the Legislature, [he] **THE**  
11 **GOVERNOR** may direct their sessions to be held at some other convenient place.

12 18.

13 It shall be the duty of the Governor, semiannually (and oftener, if [he deem] **THE**  
14 **GOVERNOR DEEMS** it expedient) to examine under oath the Treasurer and Comptroller  
15 of the State on all matters pertaining to their respective offices; and inspect and review  
16 their Bank and other Account Books.

17 19.

18 [He] **THE GOVERNOR** shall, from time to time, inform the Legislature of the  
19 condition of the State and recommend to their consideration such measures as [he] **THE**  
20 **GOVERNOR** may judge necessary and expedient.

21 20.

22 [He] **THE GOVERNOR** shall have power to grant reprieves and pardons, except in  
23 cases of impeachment, and in cases, in which [he] **THE GOVERNOR** is prohibited by other  
24 Articles of this Constitution; and to remit fines and forfeitures for offences against the  
25 State; but shall not remit the principal or interest of any debt due the State, except, in cases  
26 of fines and forfeitures; and before granting a nolle prosequi, or pardon, [he] **THE**  
27 **GOVERNOR** shall give notice, in one or more newspapers, of the application made for it,  
28 and of the day on, or after which, [his] **THE GOVERNOR'S** decision will be given; and in  
29 every case, in which [he] **THE GOVERNOR** exercises this power, [he] **THE GOVERNOR**  
30 shall report to either Branch of the Legislature, whenever required, the petitions,  
31 recommendations and reasons, which influenced [his] **THE GOVERNOR'S** decision.

32 21.

33 The Governor shall reside at the seat of government, and, from and after the fourth  
34 Wednesday in January 1967, shall receive for [his] **THE GOVERNOR'S** services an annual

1 salary of twenty-five thousand dollars, except that beginning in the year 1978 the salary  
2 of the Governor shall be as provided in Section 21A of this Article.

3 21A.

4 (a) The salaries of the Governor and Lieutenant Governor shall be as provided in  
5 this section.

6 (b) The Governor's Salary Commission is created. It consists of seven members:  
7 The State Treasurer; three appointed by the President of the Senate; and three appointed  
8 by the Speaker of the House of Delegates. Members of the General Assembly and officers  
9 and employees of the State or a political subdivision of the State are not eligible for  
10 appointment to the Commission. The members of the Commission shall elect a member to  
11 be [chairman] **CHAIR**, and the concurrence of at least five members is required for any  
12 formal Commission action. The terms of members shall be for 4 years, except that the  
13 persons first appointed to the Commission shall serve from June 1, 1977 until May 31,  
14 1980. The members of the Commission are eligible for reappointment. Members shall serve  
15 without compensation but shall be reimbursed for expenses incurred in carrying out  
16 responsibilities under this section.

17 (c) Within ten days after the commencement of the regular session of the General  
18 Assembly in 1978, and within ten days after the commencement of the regular session of  
19 the General Assembly each fourth year thereafter, the Commission shall make a written  
20 recommendation to the Governor, Lieutenant Governor, and other members of the General  
21 Assembly as to the salary of the Governor and Lieutenant Governor.

22 (d) The recommendation shall be introduced as a joint resolution in each House  
23 of the General Assembly not later than the fifteenth day of the session. The General  
24 Assembly may amend the joint resolution to decrease the recommended salaries, but may  
25 not amend the joint resolution to increase the recommended salaries. If the General  
26 Assembly fails to adopt a joint resolution in accordance with this section within 50 days  
27 after its introduction, the salaries recommended by the Commission shall apply. If the  
28 General Assembly amends the joint resolution in accordance with this section, the salaries  
29 specified in the joint resolution, as amended, shall apply. If the Commission recommends  
30 no salary change, a joint resolution shall not be introduced.

31 (e) The Commission may not recommend salaries lower than that received by the  
32 incumbent Governor at the time the recommendation is made; and the General Assembly  
33 may not amend the joint resolution to provide for salaries lower than that received by the  
34 incumbent Governor and Lieutenant Governor.

35 (f) A change in salary resulting from either Commission recommendation or  
36 amended joint resolution under this section shall take effect at the beginning of the next  
37 ensuing term of the Governor and Lieutenant Governor.

1 (g) Commission inaction or failure of the Commission to meet the requirements  
2 of this section with respect to proposing a change in salary for the Governor and Lieutenant  
3 Governor shall result in no change in salary.

4 22.

5 A Secretary of State shall be appointed by the Governor, by and with the advice and  
6 consent of the Senate, who shall continue in office, unless sooner removed by the Governor,  
7 till the end of the official term of the Governor from whom [he] **THE SECRETARY OF**  
8 **STATE** received [his] **THE SECRETARY OF STATE'S** appointment, and receive such  
9 annual salary as the General Assembly may from time to time by law prescribe.

10 23.

11 The Secretary of State shall carefully keep and preserve a Record of all official acts  
12 and proceedings, which may at all times be inspected by a committee of either Branch of  
13 the Legislature; and [he] **THE SECRETARY OF STATE** shall perform such other duties as  
14 may be prescribed by Law, or as may properly belong to [his] **THE SECRETARY OF**  
15 **STATE'S** office, together with all clerical duty belonging to the Executive Department.

### 16 **Article III – Legislative Department**

17 6.

18 A member of the General Assembly shall be elected by the registered voters of the  
19 legislative or delegate district from which [he] **THE PERSON** seeks election, to serve for a  
20 term of four years beginning on the second Wednesday of January following [his] **THE**  
21 **MEMBER'S** election.

22 10.

23 No member of Congress, or person holding any civil, or military office under the  
24 United States, shall be eligible as a Senator, or Delegate; and if any person shall after [his]  
25 **THE PERSON'S** election as Senator, or Delegate, be elected to Congress, or be appointed to  
26 any office, civil, or military, under the Government of the United States, [his] **THE**  
27 **SENATOR'S OR THE DELEGATE'S** acceptance thereof, shall vacate [his] **THE PERSON'S**  
28 seat; except that a Senator or Delegate may be a member of a reserve component of the  
29 armed forces of the United States or a member of the militia of the United States or this  
30 State.

31 12.

32 No Collector, Receiver, or Holder of public money shall be eligible as Senator or  
33 Delegate, or to any office of profit, or trust, under this State, until [he] **THAT PERSON** shall  
34 have accounted for, and paid into the Treasury all sums on the books thereof, charged to,  
35 and due by [him] **THAT PERSON**.

1 13.

2 (a) (1) In case of death, disqualification, resignation, refusal to act, expulsion,  
3 or removal from the county or city for which [he] **THE PERSON** shall have been elected, of  
4 any person who shall have been chosen as a Delegate or Senator, or in case of a tie between  
5 two or more such qualified persons, the Governor shall appoint a person to fill such vacancy  
6 from a person whose name shall be submitted to [him] **THE GOVERNOR** in writing, within  
7 thirty days after the occurrence of the vacancy, by the Central Committee of the political  
8 party, if any, with which the Delegate or Senator, so vacating, had been affiliated, at the  
9 time of the last election or appointment of the vacating Senator or Delegate, in the County  
10 or District from which [he or she] **THE DELEGATE OR SENATOR** was appointed or elected,  
11 provided that the appointee shall be of the same political party, if any, as was that of the  
12 Delegate or Senator, whose office is to be filled, at the time of the last election or  
13 appointment of the vacating Delegate or Senator, and it shall be the duty of the Governor  
14 to make said appointment within fifteen days after the submission thereof to [him] **THE**  
15 **GOVERNOR**.

16 (2) If a name is not submitted by the Central Committee within thirty days  
17 after the occurrence of the vacancy, the Governor within another period of fifteen days shall  
18 appoint a person, who shall be affiliated with the same political party, if any as was that of  
19 the Delegate or Senator, whose office is to be filled, at the time of the last election or  
20 appointment of the vacating Delegate or Senator, and who is otherwise properly qualified  
21 to hold the office of Delegate or Senator in the District or County.

22 (3) In the event there is no Central Committee in the County or District  
23 from which said vacancy is to be filled, the Governor shall within fifteen days after the  
24 occurrence of such vacancy appoint a person, from the same political party, if any, as that  
25 of the vacating Delegate or Senator, at the time of the last election or appointment of the  
26 vacating Senator or Delegate, who is otherwise properly qualified to hold the office of  
27 Delegate or Senator in such District or County.

28 (4) In every case when any person is so appointed by the Governor, [his]  
29 **THE PERSON'S** appointment shall be deemed to be for the unexpired term of the person  
30 whose office has become vacant.

31 (b) In addition, and in submitting a name to the Governor to fill a vacancy in a  
32 Legislative or Delegate district, as the case may be, in any of the twenty-three counties of  
33 Maryland, the Central Committee or committees shall follow these provisions:

34 (1) If the vacancy occurs in a district having the same boundaries as a  
35 county, the Central Committee of the county shall submit the name of a resident of the  
36 district.

1           (2) If the vacancy occurs in a district which has boundaries comprising a  
2 portion of one county, the Central Committee of that county shall submit the name of a  
3 resident of the district.

4           (3) If the vacancy occurs in a district which has boundaries comprising a  
5 portion or all of two or more counties, the Central Committee of each county involved shall  
6 have one vote for submitting the name of a resident of the district; and if there is a tie vote  
7 between or among the Central Committees, the list of names there proposed shall be  
8 submitted to the Governor, and [he] **THE GOVERNOR** shall make the appointment from  
9 the list.

10 15.

11           (1) The General Assembly may continue its session so long as in its judgment the  
12 public interest may require, for a period not longer than ninety days in each year. The  
13 ninety days shall be consecutive unless otherwise provided by law. The General Assembly  
14 may extend its session beyond ninety days, but not exceeding an additional thirty days, by  
15 resolution concurred in by a three-fifths vote of the membership in each House. When the  
16 General Assembly is convened by Proclamation of the Governor, the session shall not  
17 continue longer than thirty days, but no additional compensation other than mileage and  
18 other allowances provided by law shall be paid members of the General Assembly for special  
19 session.

20           (2) Any compensation and allowances paid to members of the General Assembly  
21 shall be as established by a commission known as the General Assembly Compensation  
22 Commission. The Commission shall consist of nine members, five of whom shall be  
23 appointed by the Governor, two of whom shall be appointed by the President of the Senate,  
24 and two of whom shall be appointed by the Speaker of the House of Delegates. Members of  
25 the General Assembly and officers and employees of the Government of the State of  
26 Maryland or of any county, city, or other governmental unit of the State shall not be eligible  
27 for appointment to the Commission. Members of the Commission shall be appointed for  
28 terms of four years commencing on June 1 of each gubernatorial election year. Members of  
29 the Commission are eligible for re-appointment. Any member of the Commission may be  
30 removed by the Governor prior to the expiration of [his] **THE MEMBER'S** term for official  
31 misconduct, incompetence, or neglect of duty. The members shall serve without  
32 compensation but shall be reimbursed for expenses incurred in carrying out their  
33 responsibilities under this section. Decisions of the Commission must be concurred in by at  
34 least five members.

35           (3) Within 15 days after the beginning of the regular session of the General  
36 Assembly in 1974 and within 15 days after the beginning of the regular session in each  
37 fourth year thereafter, the Commission by formal resolution shall submit its  
38 determinations for compensation and allowances to the General Assembly. The General  
39 Assembly may reduce or reject, but shall not increase any item in the resolution. The  
40 resolution, with any reductions that shall have been concurred in by joint resolution of the  
41 General Assembly, shall take effect and have the force of law as of the beginning of the  
42 term of office of the next General Assembly. Rates of compensation and pensions shall be

1 uniform for all members of the General Assembly, except that the officers of the Senate and  
2 the House of Delegates may receive higher compensation as determined by the General  
3 Assembly Compensation Commission. The provisions of the Compensation Commission  
4 resolution shall continue in force until superseded by any succeeding resolution.

5 (4) In no event shall the compensation and allowances be less than they were  
6 prior to the establishment of the Compensation Commission.

7 17.

8 No Senator or Delegate, after qualifying as such, notwithstanding [he] **THE**  
9 **SENATOR OR DELEGATE** may thereafter resign, shall during the whole period of time, for  
10 which [he] **THE SENATOR OR DELEGATE** was elected, be eligible to any office, which shall  
11 have been created, or the salary, or profits of which shall have been increased, during such  
12 term.

13 35.

14 Extra compensation may not be granted or allowed by the General Assembly to any  
15 public Officer, Agent, Servant or Contractor, after the service has been rendered, or the  
16 contract entered into; nor may the salary or compensation of any public officer be increased  
17 or diminished during [his] **THE PUBLIC OFFICER'S** term of office except those whose full  
18 term of office is fixed by law in excess of 4 years. However, after January 1, 1956, for  
19 services rendered after that date, the salary or compensation of any appointed public officer  
20 of the Mayor and City Council of Baltimore may be increased or diminished at any time  
21 during [his] **THE PUBLIC OFFICER'S** term of office; except that as to officers in the  
22 Classified City Service, when the salary of any appointed public officer of the Mayor and  
23 City Council of Baltimore however, increased or decreased, it may not again be increased  
24 or decreased, as the case may be, during the term of such public officer.

25 50.

26 It shall be the duty of the General Assembly, at its first session, held after the  
27 adoption of this Constitution, to provide by Law for the punishment, by fine, or  
28 imprisonment in the Penitentiary, or both, in the discretion of the Court, of any person,  
29 who shall bribe, or attempt to bribe, any Executive, or Judicial officer of the State of  
30 Maryland, or any member, or officer of the General Assembly of the State of Maryland, or  
31 of any Municipal corporation in the State of Maryland, or any Executive officer of such  
32 corporation, in order to influence [him] **THE MEMBER OR OFFICER** in the performance of  
33 any of [his] **THE MEMBER'S OR OFFICER'S** official duties; and, also, to provide by Law for  
34 the punishment, by fine, or imprisonment in the Penitentiary, or both, in the discretion of  
35 the Court, of any of said officers, or members, who shall demand, or receive any bribe, fee,  
36 reward, or testimonial, for the performance of [his] **THE MEMBER'S OR OFFICER'S** official  
37 duties, or for neglecting, or failing to perform the same; and, also, to provide by Law for  
38 compelling any person, so bribing, or attempting to bribe, or so demanding, or receiving a  
39 bribe, fee, reward, or testimonial, to testify against any person, or persons, who may have

1 committed any of said offenses; provided, that any person, so compelled to testify, shall be  
2 exempted from trial and punishment for the offence, of which [he] **THE PERSON** may have  
3 been guilty; and any person, convicted of such offense, shall, as part of the punishment  
4 thereof, be forever disfranchised and disqualified from holding any office of trust, or profit,  
5 in this State.

#### 6 **Article IV – Judiciary Department**

7 4.

8 Any Judge shall be removed from office by the Governor, on conviction in a Court of  
9 Law, of incompetency, of wilful neglect of duty, misbehavior in office, or any other crime, or  
10 on impeachment, according to this Constitution, or the Laws of the State; or on the address  
11 of the General Assembly, two-thirds of each House concurring in such address, and the  
12 accused having been notified of the charges against [him] **THE JUDGE**, and having had  
13 opportunity of making [his] **THEIR** defence.

14 5.

15 Upon every occurrence or recurrence of a vacancy through death, resignation,  
16 removal, disqualification by reason of age or otherwise, or expiration of the term of fifteen  
17 years of any judge of a circuit court, or creation of the office of any such judge, or in any  
18 other way, the Governor shall appoint a person duly qualified to fill said office, who shall  
19 hold the same until the election and qualification of [his] **THE JUDGE'S** successor. [His]  
20 **THE JUDGE'S** successor shall be elected at the first biennial general election for  
21 Representatives in Congress after the expiration of the term of fifteen years (if the vacancy  
22 occurred in that way) or the first such general election after one year after the occurrence  
23 of the vacancy in any other way than through expiration of such term. Except in case of  
24 reappointment of a judge upon expiration of [his] **THE JUDGE'S** term of fifteen years, no  
25 person shall be appointed who will become disqualified by reason of age and thereby unable  
26 to continue to hold office until the prescribed time when [his] **THE JUDGE'S** successor  
27 would have been elected.

28 6.

29 All Judges shall, by virtue of their offices, be Conservators of the Peace throughout  
30 the State; and no fees, or perquisites, commission, or reward of any kind shall be allowed  
31 to any Judge in this State, besides [his] **THE JUDGE'S** annual salary, for the discharge of  
32 any Judicial duty.

33 7.

34 No Judge shall sit in any case wherein [he] **THE JUDGE** may be interested, or where  
35 either of the parties may be connected with [him] **THE JUDGE**, by affinity or consanguinity,  
36 within such degrees as now are, or may hereafter be prescribed by Law, or where [he] **THE**  
37 **JUDGE** shall have been of counsel in the case.

1 14B.

2 No member of the General Assembly at which the addition of Section 14A was  
3 proposed, if otherwise qualified, shall be ineligible for appointment or election as a judge of  
4 any intermediate court of appeal, established by law by the General Assembly pursuant to  
5 said Section 14A, by reason of [his] **THE PERSON'S** membership in such General Assembly.

6 18B.

7 (a) For the purpose of implementing the amendments to this article, dealing with  
8 the selection and tenure of appellate court judges, the following provisions shall govern.

9 (b) Each judge of an appellate court who is in office for an elected term on the  
10 effective date of these amendments, unless [he] **THE JUDGE** dies, resigns, retires, or is  
11 otherwise lawfully removed, shall continue in office until the general election next after the  
12 end of [his] **THE JUDGE'S** elected term, or until [his] **THE JUDGE'S** seventieth birthday,  
13 whichever first occurs. [His] **THE JUDGE'S** continuance in office is then subject to the  
14 provisions of section 5A(c) and (d) of this article, applicable to judges of that court, but in  
15 no event shall any judge continue in office after [his] **THEIR** seventieth birthday.

16 (c) Each judge of a court specified in subsection (b) who is in office on the effective  
17 date of these amendments, but who has not been elected to that office by the voters, shall,  
18 within fifteen days after the effective date of these amendments, be reappointed to that  
19 office. [His] **THE JUDGE'S** continuance in office is then subject to the provisions of section  
20 5A(c) and (d) of this article, applicable to judges of that court, but in no event shall any  
21 judge continue in office after [his] **THEIR** seventieth birthday.

22 21.

23 (a) Subject to the provisions of subsection (b) the General Assembly shall  
24 determine by law the number of judges of the circuit court in each county and circuit. These  
25 judges shall be selected in accordance with Sections 3 and 5 of this Article.

26 (b) There shall be at least four circuit court judges resident in each circuit, and at  
27 least one circuit court judge shall be resident in each county. There shall be at least two  
28 such judges resident in Anne Arundel County, at least three resident in Baltimore County,  
29 at least four resident in Prince George's County, and at least five resident in Montgomery  
30 County.

31 (c) The senior judge in length of service in each circuit shall be the chief judge of  
32 the circuit. The other judges shall be associate judges.

33 (d) Except as otherwise provided by law, one judge shall constitute a quorum for  
34 the transaction of any business.

1 (e) The terms of the circuit courts shall be determined by law.

2 (f) A person is not ineligible for appointment or election as a judge because [he]  
3 **THAT PERSON** was a member of the General Assembly at a time when the number or  
4 salary of judges were increased or decreased.

5 24.

6 The salary of each Chief Judge and of each Associate Judge of the Circuit Court shall  
7 not be diminished during [his] **THE JUDGE'S** continuance in office.

8 25.

9 There shall be a Clerk of the Circuit Court for each County and Baltimore City, who  
10 shall be elected by a plurality of the qualified voters of said County or City, and shall hold  
11 [his] **THEIR** office for four years from the time of [his] **THEIR** election, and until [his] A  
12 successor is elected and qualified, and be re-eligible, subject to be removed for wilful neglect  
13 of duty or other misdemeanor in office, on conviction in a Court of Law. In case of a vacancy  
14 in the office of Clerk of a Circuit Court, the Judges of that Court may fill the vacancy until  
15 the general election for Delegates to the General Assembly, to be held next thereafter, when  
16 a successor shall be elected for the term of four years.

17 41.

18 There shall be a Register of Wills in each county of the State, and the City of  
19 Baltimore, to be elected by the legal and qualified voters of said counties and city,  
20 respectively, who shall hold [his] office for four years from the time of [his] **THAT**  
21 **PERSON'S** election and until [his] A successor is elected and qualified; [he] **THE**  
22 **REGISTER** shall be re-eligible, and subject at all times to removal for willful neglect of  
23 duty, or misdemeanor in office in the same manner that the Clerks of the Courts are  
24 removable. In the event of any vacancy in the office of the Register of Wills, said vacancy  
25 shall be filled by the Judges of the Orphans' Court, in which such vacancy occurs, until the  
26 next general election for Delegates to the General Assembly when a Register shall be  
27 elected to serve for four years thereafter.

28 41C.

29 Each District Court judge shall devote full time to [his] **THEIR** judicial duties, shall  
30 have the qualifications prescribed by Section 2 of this Article, and shall be a resident of the  
31 district in which [he] **THE JUDGE** holds office. The number of judges for any district may  
32 be increased or decreased by the General Assembly from time to time, subject to the  
33 requirements of Section 41B of this Article, and any vacancy so created shall be filled as  
34 provided in Section 41D of this Article.

35 41D.

1 The Governor, by and with the advice and consent of the Senate, shall appoint each  
2 judge of the District Court whenever for any reason a vacancy shall exist in the office. All  
3 hearings, deliberations, and debate on the confirmation of appointees of the Governor shall  
4 be public, and no hearings, deliberations or debate thereon shall be conducted by the Senate  
5 or any committee or subcommittee thereof in secret or executive session. Confirmation by  
6 the Senate shall be made upon a majority vote of all members of the Senate. A judge  
7 appointed by the Governor may take office upon qualification and before confirmation by  
8 the Senate, but shall cease to hold office at the close of the regular annual session of the  
9 General Assembly next following [his] **THE JUDGE'S** appointment or during which [he]  
10 **THAT JUDGE** shall have been appointed by the Governor, if the Senate shall not have  
11 confirmed [his] **THAT JUDGE'S** appointment before then. Each judge appointed by the  
12 Governor and confirmed by the Senate shall hold the office for a term of ten years or until  
13 [he] **THAT JUDGE** shall have attained the age of seventy years whichever may first occur.  
14 If the ten year term of a judge shall expire before that judge shall have attained the age of  
15 seventy years, that judge shall be reappointed by the Governor, with the Senate's consent,  
16 for another ten year term or until [he] **THAT JUDGE** shall have attained the age of seventy  
17 years, whichever may first occur. To the extent inconsistent herewith, the provisions of  
18 Sections 3 and 5 of this Article shall not apply to judges of the District Court.

19 41F.

20 The Chief Judge of the District Court shall appoint, to serve at [his] **THE CHIEF**  
21 **JUDGE'S** pleasure, a Chief Clerk of that Court. [He] **THE CHIEF JUDGE OF THE**  
22 **DISTRICT COURT** shall also appoint, to serve at [his] **THE CHIEF JUDGE'S** pleasure, and  
23 upon the recommendation of the administrative judge of the district, a chief administrative  
24 clerk for each district. The chief clerk shall perform such duties in the administration of  
25 the District Court as may be assigned [him] **TO THE CHIEF CLERK** by the chief judge or  
26 as may be prescribed by rule or by law. Each chief administrative clerk shall perform such  
27 duties in the administration of the District Court as may be assigned [him] **TO THE CHIEF**  
28 **ADMINISTRATIVE CLERK** by the administrative judge of [his] **THE** district or as may be  
29 prescribed by rule or by law. There shall be in each County a clerk of the District Court  
30 whose appointment, term, and compensation shall be prescribed by law. The Chief Judge  
31 of the District Court, upon recommendation of the respective administrative judges, shall  
32 appoint such deputy clerks, constables, and other officers of the District Court as may be  
33 necessary. It shall be the duty of the General Assembly to prescribe by law a fixed  
34 compensation for all such officers.

35 41H.

36 The salary of a judge of the District Court shall not be reduced during [his] **THE**  
37 **JUDGE'S** continuance in office.

38 41-I.

39 For the purpose of implementing the amendments to Articles IV, XV and XVII of this  
40 Constitution, establishing the District Court, the following provisions shall govern.

1 (a) The provisions of Section 41D of this Article shall govern initial  
2 vacancies in the office of judge of the District Court. Each full-time judge of the People's  
3 Court of Baltimore City, the Municipal Court of Baltimore City, and of the People's Courts  
4 of Anne Arundel, Montgomery, Prince George's, Wicomico Counties and Baltimore County  
5 who is in office on the effective date of these amendments shall continue in office as a judge  
6 of the District Court in [his] **THAT JUDGE'S** district and county of residence (or in  
7 Baltimore City) for the remainder of the term for which [he] **THAT JUDGE** was elected or  
8 appointed, and if [his] **THAT JUDGE'S** term expires prior to January 1, 1971, such judge  
9 shall be re-appointed by the Governor, if the Senate consents, in accordance with the  
10 provisions of Section 41D of this Article, subject to the Provisions of the Constitution  
11 respecting age, removal and retirement; provided that the term of any such judge of a  
12 People's Court who would be ineligible for appointment as a judge of the District Court  
13 under this Article shall expire on the effective date of these amendments. Thereafter,  
14 retention of any judge who is retained in office pursuant to the preceding provisions of this  
15 subsection shall be pursuant to Section 41D of this Article. No People's Court judge, judge  
16 of the Housing Court of Baltimore County, or Justice of the Peace shall be appointed or  
17 elected or exercise any power or jurisdiction.

18 (b) Each full-time clerk of a justice of the peace designated as trial magistrate of  
19 a People's Court, of the Municipal Court of Baltimore City, and the chief constable of the  
20 People's Court of Baltimore City who is in office on the day before the first Monday in July,  
21 1970, shall become a deputy clerk of the District Court on the first Monday in July 1970.  
22 The taking effect of the foregoing amendments shall not of itself affect the tenure, term,  
23 status, retirement, or compensation of any person then holding public office, position, or  
24 employment in this State, except as provided in the amendments.

25 (c) All statutory references to justices of the peace designated as trial  
26 magistrates, to People's Courts, to the Municipal Court of Baltimore City or to the Housing  
27 Court of Baltimore County, shall be deemed to refer to the District Court in the appropriate  
28 district, county or Baltimore City, to the extent not inconsistent with this Constitution.

29 (d) No member of the General Assembly at which these amendments were  
30 proposed, or at which the number of or salary of any such judges may have been increased  
31 or decreased by the General Assembly from time to time, if otherwise qualified, is ineligible  
32 for appointment or election as a judge of the District Court by reason of [his] **THAT**  
33 **PERSON'S** membership in the General Assembly.

34 44.

35 There shall be elected in each county and in Baltimore City one person, resident in  
36 said county or City, above the age of twenty-five years, and for at least five years preceding  
37 [his] **THAT PERSON'S** election a citizen of the State, to the office of Sheriff. [He] **THE**  
38 **SHERIFF** shall hold office for four years, until [his] **A** successor is duly elected and  
39 qualified, give such bond, exercise such powers and perform such duties as now are or may  
40 hereafter be fixed by law.

1 In case of vacancy by death, resignation, refusal to serve, or neglect to qualify or give  
2 bond, or by disqualification or removal from the County or City, the Governor shall appoint  
3 a person to be Sheriff for the remainder of the official term.

4 The Sheriff in each county and in Baltimore City shall receive such salary or  
5 compensation and such expenses necessary to the conduct of [his] **THE** office as may be  
6 fixed by law. All fees collected by the Sheriff shall be accounted for and paid to the Treasury  
7 of the several counties and of Baltimore City, respectively.

## 8 **Article V – Attorney–General and State’s Attorneys**

9 1.

10 There shall be an [Attorney–General] **ATTORNEY GENERAL** elected by the  
11 qualified voters of the State, on general ticket, on the Tuesday next after the first Monday  
12 in the month of November, nineteen hundred and fifty–eight, and on the same day, in every  
13 fourth year thereafter, who shall hold [his] **THE** office **OF ATTORNEY GENERAL** for four  
14 years from the time of [his] **THE ATTORNEY GENERAL’S** election and qualification, and  
15 until [his] **THE ATTORNEY GENERAL’S** successor is elected and qualified, and shall be  
16 re–eligible thereto, and shall be subject to removal for incompetency, willful neglect of duty  
17 or misdemeanor in office, on conviction in a Court of Law.

18 3.

19 (a) The Attorney General shall:

20 (1) Prosecute and defend on the part of the State all cases pending in the  
21 appellate courts of the State, in the Supreme Court of the United States or the inferior  
22 Federal Courts, by or against the State, or in which the State may be interested, except  
23 those criminal appeals otherwise prescribed by the General Assembly.

24 (2) Investigate, commence, and prosecute or defend any civil or criminal  
25 suit or action or category of such suits or actions in any of the Federal Courts or in any  
26 Court of this State, or before administrative agencies and quasi legislative bodies, on the  
27 part of the State or in which the State may be interested, which the General Assembly by  
28 law or joint resolution, or the Governor, shall have directed or shall direct to be  
29 investigated, commenced and prosecuted or defended.

30 (3) When required by the General Assembly by law or joint resolution, or  
31 by the Governor, aid any State’s Attorney or other authorized prosecuting officer in  
32 investigating, commencing, and prosecuting any criminal suit or action or category of such  
33 suits or actions brought by the State in any Court of this State.

1           (4) Give [his] **THE ATTORNEY GENERAL'S** opinion in writing whenever  
2 required by the General Assembly or either branch thereof, the Governor, the Comptroller,  
3 the Treasurer or any State's Attorney on any legal matter or subject.

4           (b) The Attorney General shall have and perform any other duties and possess  
5 any other powers, and appoint the number of deputies or assistants, as the General  
6 Assembly from time to time may prescribe by law.

7           (c) The Attorney General shall receive for [his] **THE ATTORNEY GENERAL'S**  
8 services the annual salary as the General Assembly from time to time may prescribe by  
9 law, but [he] **THE ATTORNEY GENERAL** may not receive any fees, perquisites or rewards  
10 whatever, in addition to [his] **THE ATTORNEY GENERAL'S** salary, for the performance of  
11 any official duty.

12           (d) The Governor may not employ any additional counsel, in any case whatever,  
13 unless authorized by the General Assembly.

14 7.

15           There shall be an Attorney for the State in each county and the City of Baltimore, to  
16 be styled "The State's Attorney", who shall be elected by the voters thereof, respectively,  
17 and shall hold [his] **THAT** office for four years from the first Monday in January next  
18 ensuing [his] **THAT PERSON'S** election, and until [his] A successor shall be elected and  
19 qualified; and shall be re-eligible thereto, and be subject to removal therefrom, for  
20 incompetency, willful neglect of duty, or misdemeanor in office, on conviction in a Court of  
21 Law, or by a vote of two-thirds of the Senate, on the recommendation of the  
22 [~~Attorney-General~~] **ATTORNEY GENERAL**.

23 9.

24           The State's Attorney shall perform such duties and receive such salary as shall be  
25 prescribed by the General Assembly. If any State's Attorney shall receive any other fee or  
26 reward than such as is or may be allowed by law, [he] **THE STATE'S ATTORNEY** shall, on  
27 conviction thereof, be removed from office; provided, that the State's Attorney for Baltimore  
28 City shall have the power to appoint a Deputy and such other Assistants as the Supreme  
29 Bench of Baltimore City may authorize or approve and until otherwise provided by the  
30 General Assembly, the said State's Attorney, Deputy and Assistants shall receive the  
31 following annual salaries: State's Attorney, seven thousand five hundred dollars; Deputy  
32 State's Attorney, five thousand dollars; Assistant State's Attorneys, four thousand dollars  
33 each; said salaries, or such salaries as the General Assembly may subsequently provide  
34 and such expenses for conducting the office of the State's Attorney as the Supreme Bench  
35 of Baltimore City may authorize or approve shall be paid by the Mayor and City Council of  
36 Baltimore to the extent that the total of them exceeds the fees of [his] **THE** office, or as the  
37 General Assembly shall otherwise provide, and the Mayor and City Council of Baltimore  
38 shall not be liable for appearance fees to the State's Attorney.

1 10.

2 No person shall be eligible to the office of State's Attorney, who has not been  
3 admitted to practice Law in this State, and who has not resided, for at least two years, in  
4 the county, or city, in which [he] **THAT PERSON** may be elected.

5 11.

6 In case of a vacancy in the office of State's Attorney, or of [his] **THE STATE'S**  
7 **ATTORNEY'S** removal from the county or city in which [he] **THE STATE'S ATTORNEY**  
8 shall have been elected, or on [his] **THE STATE'S ATTORNEY'S** conviction as herein  
9 specified, the Judge or Judges resident in the county or, if there be no resident Judge, the  
10 Judge or Judges having jurisdiction in the Circuit Court of the county in which the vacancy  
11 occurs, or by the Supreme Bench of Baltimore City for a vacancy occurring in Baltimore  
12 City, shall appoint a person to fill the vacancy for the residue of the term.

13 12.

14 The State's Attorney in each county, and the City of Baltimore, shall have authority  
15 to collect, and give receipt, in the name of the State, for such sums of money as may be  
16 collected by [him] **THE STATE'S ATTORNEY**, and forthwith make return of and pay over  
17 the same to the proper accounting officer. And the State's Attorney of each county, and the  
18 City of Baltimore, before [he] **THE STATE'S ATTORNEY** shall enter on the discharge of  
19 [his] **THAT PERSON'S** duties, and from time to time thereafter, shall give such corporate  
20 surety bond as may hereafter be prescribed by Act of the General Assembly.

## 21 **Article VI – Treasury Department**

22 1.

23 (a) There shall be a Treasury Department, consisting of a Comptroller chosen by  
24 the qualified electors of the State, who shall receive such salary as may be fixed by law; and  
25 a Treasurer, to be appointed on joint ballot by the two Houses of the Legislature at each  
26 regular session in which begins the term of the Governor, who shall receive such salary as  
27 may be fixed by law.

28 (b) The terms of office of the Comptroller and Treasurer shall be for four years,  
29 and until their successors shall qualify; and neither of the officers shall be allowed, or  
30 receive any fees, commissions or perquisites of any kind in addition to [his salary] **THEIR**  
31 **SALARIES** for the performance of any duty or services whatsoever.

32 (c) (1) In case of a vacancy in the office of the Comptroller by death or  
33 otherwise, the Governor, by and with the advice and consent of the Senate, shall fill such  
34 vacancy by appointment as provided in this subsection.

1           (2)     The Governor shall appoint one of three individuals whose names are  
2 submitted to the Governor in writing, within 30 days after the occurrence of the vacancy,  
3 by the State Central Committee of the political party, if any, with which the vacating  
4 Comptroller had been affiliated at the time of the Comptroller's last election or  
5 appointment.

6           (3)     Each individual whose name is submitted to the Governor must have  
7 been a registered voter affiliated with the political party of the vacating Comptroller on the  
8 date immediately preceding the date on which the vacancy occurred.

9           (4)     The Governor shall make the appointment within 15 days after names  
10 are submitted by the State Central Committee of the appropriate political party.

11           (5)     If names are not submitted by the State Central Committee of the  
12 appropriate political party within 30 days after the occurrence of the vacancy, the Governor  
13 shall appoint within another period of 15 days any qualified individual who was a  
14 registered voter affiliated with the political party of the vacating Comptroller on the date  
15 immediately preceding the date on which the vacancy occurred.

16           (6)     If the vacating Comptroller was not affiliated with a political party at  
17 the time of the Comptroller's last election or appointment, the Governor shall appoint any  
18 qualified individual within 15 days after the occurrence of the vacancy.

19           (7)     Except as provided in paragraph (8) of this subsection, an individual  
20 appointed under this subsection shall serve until a successor is elected under paragraph (9)  
21 of this subsection to fill the remainder of the term.

22           (8)     An individual appointed under this subsection shall serve for the  
23 remainder of the term if the vacancy occurs after the date that is 21 days before the deadline  
24 for filing certificates of candidacy for the regular statewide election that is held in the  
25 second year of the term.

26           (9)     If the vacancy occurs on or before the date that is 21 days before the  
27 deadline for filing certificates of candidacy for the regular statewide election that is held in  
28 the second year of the term, the Governor shall issue a proclamation immediately after the  
29 occurrence of the vacancy declaring that a special primary election and a special general  
30 election shall be held at the same time as the regular statewide primary election and  
31 regular statewide general election that are held in the second year of the term.

32           (d)     In case of a vacancy in the office of the Treasurer by death or otherwise, the  
33 Deputy Treasurer shall act as Treasurer until the next regular or extraordinary session of  
34 the Legislature following the creation of the vacancy, whereupon the Legislature shall  
35 choose a successor to serve for the duration of the unexpired term of office.

36           (e)     The Comptroller and the Treasurer shall keep their offices at the seat of  
37 government, and shall take such oaths and enter into such bonds for the faithful discharge  
38 of their duties as are now or may hereafter be prescribed by law.

1 2.

2 The Comptroller shall have the general superintendence of the fiscal affairs of the  
3 State; [he] **THE COMPTROLLER** shall digest and prepare plans for the improvement and  
4 management of the revenue, and for the support of the public credit; prepare and report  
5 estimates of the revenue and expenditures of the State; superintend and enforce the prompt  
6 collection of all taxes and revenue; adjust and settle, on terms prescribed by law, with  
7 delinquent collectors and receivers of taxes and State revenue; preserve all public accounts;  
8 and decide on the forms of keeping and stating accounts. [He] **THE COMPTROLLER**, or  
9 such of [his] **THE COMPTROLLER'S** deputies as may be authorized to do so by the  
10 Legislature, shall grant, under regulations prescribed by Law, all warrants for money to be  
11 paid out of the Treasury, in pursuance of appropriations by law, and countersign all checks  
12 drawn by the Treasurer upon any bank or banks in which the moneys of the State, may,  
13 from time to time, be deposited. [He] **THE COMPTROLLER** shall prescribe the formalities  
14 of the transfer of stock, or other evidence of the State debt, and countersign the same,  
15 without which such evidence shall not be valid; [he] **THE COMPTROLLER** shall make to  
16 the General Assembly full reports of all [his] **THE COMPTROLLER'S** proceedings, and of  
17 the state of the Treasury Department within ten days after the commencement of each  
18 session; and perform such other duties as shall be prescribed by law.

19 3.

20 The Treasurer shall receive the moneys of the State, and, until otherwise prescribed  
21 by law, deposit them, as soon as received, to the credit of the State, in such bank or banks  
22 as [he] **THE TREASURER** may, from time to time, with the approval of the Governor, select  
23 (the said bank or banks giving security, satisfactory to the Governor, for the safekeeping  
24 and forthcoming, when required of said deposits), and [he] **THE TREASURER** or such of  
25 [his] **THE TREASURER'S** deputies as may be authorized to do so by the Legislature shall  
26 disburse the same for the purposes of the State according to law, upon warrants drawn by  
27 the Comptroller, or [his] **THE COMPTROLLER'S** duly authorized deputy, and on checks  
28 countersigned by the Comptroller, or [his] **THE COMPTROLLER'S** duly authorized deputy.  
29 The Legislature may prescribe, by law, for the Treasurer to disburse the moneys of the  
30 State by a system other than by the use of checks. The Treasurer or such of [his] **THE**  
31 **TREASURER'S** deputies as may be authorized to do so by the Legislature shall take receipts  
32 for all moneys paid from the Treasury Department; and receipt for moneys received by  
33 [him] **THE TREASURER** shall be endorsed upon warrants signed, by the Comptroller, or  
34 such deputy as may be authorized to do so by law, without which warrants, so signed, no  
35 acknowledgment of money received into the Treasury shall be valid; and upon warrants  
36 issued by the Comptroller, or [his] **THE COMPTROLLER'S** duly authorized deputy, the  
37 Treasurer shall make arrangements for the payment of the interest of the public debt, and  
38 for the purchase thereof, on account of the sinking fund. Every bond, certificate, or other  
39 evidence of the debt of the State shall be signed by the Treasurer, Chief Deputy Treasurer,  
40 or a Deputy Treasurer, and countersigned by the Comptroller, Chief Deputy Comptroller,  
41 or a Deputy Comptroller; and no new certificate or other evidence intended to replace  
42 another shall be issued until the old one shall be delivered to the Treasurer, and authority

1 executed in due form for the transfer of the same filed in [his] **THE TREASURER'S** office,  
2 and the transfer accordingly made on the books thereof, and the certificate or other  
3 evidence cancelled; but the Legislature may make provisions for the loss of certificates, or  
4 other evidences of the debt; and may prescribe, by law, the manner in which the Treasurer  
5 shall receive and keep the moneys of the State.

6 4.

7 The Treasurer shall render [his] **THE TREASURER'S** Accounts, quarterly, to the  
8 Comptroller; and shall publish, monthly, in such newspapers as the Governor may direct,  
9 an abstract thereof, showing the amount of cash on hand, and the place, or places of deposit  
10 thereof; and on the third day of each regular session of the legislature, he shall submit to  
11 the Senate and House of Delegates fair and accurate copies of all Accounts by [him] **THE**  
12 **TREASURER**, from time to time, rendered and settled with the Comptroller. [He] **THE**  
13 **TREASURER** shall, at all times, submit to the Comptroller the inspection of the money in  
14 [his] **THE TREASURER'S** hands, and perform all other duties that shall be prescribed by  
15 Law.

16 5.

17 The Comptroller shall qualify, and enter on the duties of [his] **THE**  
18 **COMPTROLLER'S** office, on the third Monday of January next succeeding the time of [his]  
19 **THE COMPTROLLER'S** Election, or as soon thereafter as practicable. And the Treasurer  
20 shall qualify within one month after [his] **THE TREASURER'S** appointment by the  
21 Legislature.

22 6.

23 Whenever during the recess of the Legislature charges shall be preferred to the  
24 Governor against the Comptroller or Treasurer, for incompetency, malfeasance in office,  
25 willful neglect of duty, or misappropriation of the funds of the State, it shall be the duty of  
26 the Governor forthwith to notify the party so charged, and fix a day for a hearing of said  
27 charges; and if, in the case of the Comptroller, from the evidence taken, under oath, on said  
28 hearing before the Governor, the said allegations shall be sustained, it shall be the duty of  
29 the Governor to remove the Comptroller and appoint another in [his] **THE**  
30 **COMPTROLLER'S** place, who shall hold the office for the unexpired term of the Comptroller  
31 so removed. However, if, in the case of the Treasurer, from the evidence taken under oath  
32 in the hearing before the Governor, the allegations are sustained, it is the duty of the  
33 Governor to remove the Treasurer, and the deputy treasurer shall act as Treasurer until  
34 the next regular or extraordinary session of the Legislature following the appointment,  
35 whereupon a successor shall be chosen by the Legislature who shall serve for the unexpired  
36 term of the Treasurer so removed.

37 **Article IX – Militia and Military Affairs**

38 2.



1 1.

2 On demand of the Mayor of Baltimore and City Council of the City of Baltimore, or  
3 on petition bearing the signatures of not less than 20% of the registered voters of said City  
4 or any County (Provided, however, that in any case 10,000 signatures shall be sufficient to  
5 complete a petition), the Board of Election Supervisors of said City or County shall provide  
6 at the next general or congressional election, occurring after such demand or the filing of  
7 such petition, for the election of a charter board of eleven registered voters of said City or  
8 five registered voters in any such Counties. Nominations for members for said charter  
9 board may be made not less than forty days prior to said election by the Mayor of Baltimore  
10 and City Council of the City of Baltimore or the County Commissioners of such County, or  
11 not less than twenty days prior to said election by petition bearing the signatures written  
12 in their own handwriting (and not by their mark) of not less than 5% of the registered voters  
13 of the said City of Baltimore or said County; provided, that in any case Two thousand  
14 signatures of registered voters shall be sufficient to complete any such nominating petition,  
15 and if not more than eleven registered voters of the City of Baltimore or not more than five  
16 registered voters in any such County are so nominated their names shall not be printed on  
17 the ballot, but said eleven registered voters in the City of Baltimore or five in such County  
18 shall constitute said charter board from and after the date of said election. At said election  
19 the ballot shall contain the names of said nominees in alphabetical order without any  
20 indication of the source of their nomination, and shall also be so arranged as to permit the  
21 voter to vote for or against the creation of said charter board, but the vote cast against said  
22 creation shall not be held to bar the voter from expressing [his] **THEIR** choice among the  
23 nominees for said board, and if the majority of the votes cast for and against the creation  
24 of said charter board shall be against said creation the election of the members of said  
25 charter board shall be void; but if such majority shall be in favor of the creation of said  
26 charter board, then and in that event the eleven nominees of the City of Baltimore or five  
27 nominees in the County receiving the largest number of votes shall constitute the charter  
28 board, and said charter board, or a majority thereof, shall prepare within 18 months from  
29 the date of said election a charter or form of government for said city or such county and  
30 present the same to the Mayor of Baltimore or President of the Board of County  
31 Commissioners of such county, who shall publish the same in at least two newspapers of  
32 general circulation published in the City of Baltimore or County within thirty days after it  
33 shall be reported to [him] **THE MAYOR OF BALTIMORE OR PRESIDENT OF THE BOARD**  
34 **OF COUNTY COMMISSIONERS**. Such charter shall be submitted to the voters of said City  
35 or County at the next general or Congressional election after the report of said charter to  
36 said Mayor of Baltimore or President of the Board of County Commissioners; and if a  
37 majority of the votes cast for and against the adoption of said charter shall be in favor of  
38 such adoption, the said charter from and after the thirtieth day from the date of such  
39 election shall become the law of said City or County, subject only to the Constitution and  
40 Public General Laws of this State, and any public local laws inconsistent with the  
41 provisions of said charter and any former charter of the City of Baltimore or County shall  
42 be thereby repealed.

43 7.

1 The word "Petition" as used in this Article means one or more sheets written or  
2 printed, or partly written and partly printed. There shall be attached to each paper of  
3 signatures filed with a petition an affidavit of the person procuring those signatures that  
4 the signatures were affixed in [his] **THAT PERSON'S** presence and that, based upon the  
5 person's best knowledge and belief, every signature on the paper is genuine and bona fide  
6 and that the signers are registered voters at the address set opposite or below their names.  
7 The General Assembly shall prescribe by law the form of the petition, the manner for  
8 verifying its authenticity, and other administrative procedures which facilitate the petition  
9 process and which are not in conflict with this Article. The false signing of any name, or the  
10 signing of any fictitious name to said petition shall be forgery, and the making of any false  
11 affidavit in connection with said petition shall be perjury.

## 12 Article XV – Miscellaneous

13 1.

14 Every person holding any office created by, or existing under the Constitution, or  
15 Laws of the State, or holding any appointment under any Court of this State, whose pay,  
16 or compensation is derived from fees, or moneys coming into [his] **THE OFFICER'S** hands  
17 for the discharge of [his] **THEIR** official duties, or, in any way, growing out of, or connected  
18 with [his] **THEIR** office, shall keep a book in which shall be entered every sum, or sums of  
19 money, received by [him] **THE OFFICER**, or on [his] **THE OFFICER'S** account, as a payment  
20 or compensation for [his] **THE OFFICER'S** performance of official duties, a copy of which  
21 entries in said book, verified by the oath of the officer, by whom it is directed to be kept,  
22 shall be returned yearly to the Comptroller of the State for [his] **THE COMPTROLLER'S**  
23 inspection, and that of the General Assembly of the State, to which the Comptroller shall,  
24 at each regular session thereof, make a report showing what officers have complied with  
25 this section; and each of the said officers, when the amount received by [him] **THE OFFICER**  
26 for the year shall exceed the sum which [he] **THE OFFICER** is by Law entitled to retain, as  
27 [his] **THE OFFICER'S** salary or compensation for the discharge of [his] **THEIR** duties, and  
28 for the expenses of [his] **THEIR** office, shall yearly pay over to the Treasurer of the State  
29 the amount of such excess, subject to such disposition thereof as the General Assembly may  
30 direct; if any of such officers shall fail to comply with the requisitions of this section for the  
31 period of thirty days after the expiration of each and every year of [his] **THEIR** office, such  
32 officer shall be deemed to have vacated [his] **THEIR** office, and the Governor shall declare  
33 the same vacant, and the vacancy therein shall be filled as in the case of vacancy for any  
34 other cause, and such officer shall be subject to suit by the State for the amount that ought  
35 to be paid into the Treasury.

36 5.

37 Except as the Constitution provides otherwise for any office, the General Assembly  
38 may provide by law for a person to act in place of any elected or appointed officer of the  
39 State who is unavailable to perform the duties of [his] **THEIR** office because [he] **THE**  
40 **OFFICER** has become unable, or is or will be absent.

**Article XVI – The Referendum**1  
2 4.

3 A petition may consist of several papers, but each paper shall contain the full text,  
4 or an accurate summary approved by the Attorney General, of the Act or part of Act  
5 petitioned. There shall be attached to each paper of signatures filed with a petition an  
6 affidavit of the person procuring those signatures that the signatures were affixed in [his]  
7 **THE PERSON’S** presence and that, based upon the person’s best knowledge and belief,  
8 every signature on the paper is genuine and bona fide and that the signers are registered  
9 voters at the address set opposite or below their names. The General Assembly shall  
10 prescribe by law the form of the petition, the manner for verifying its authenticity, and  
11 other administrative procedures which facilitate the petition process and which are not in  
12 conflict with this Article.

13 5.

14 (a) The General Assembly shall provide for furnishing the voters of the State the  
15 text of all measures to be voted upon by the people; provided, that until otherwise provided  
16 by law the same shall be published in the manner prescribed by Article XIV of the  
17 Constitution for the publication of proposed Constitutional Amendments.

18 (b) All laws referred under the provisions of this Article shall be submitted  
19 separately on the ballots to the voters of the people, but if containing more than two  
20 hundred words, the full text shall not be printed on the official ballots, but the Secretary of  
21 State shall prepare and submit a ballot title of each such measure in such form as to present  
22 the purpose of said measure concisely and intelligently. The ballot title may be distinct  
23 from the legislative title, but in any case the legislative title shall be sufficient. Upon each  
24 of the ballots, following the ballot title or text, as the case may be, of each such measure,  
25 there shall be printed the words “For the referred law” and “Against the referred law,” as  
26 the case may be. The votes cast for and against any such referred law shall be returned to  
27 the Governor in the manner prescribed with respect to proposed amendments to the  
28 Constitution under Article XIV of this Constitution, and the Governor shall proclaim the  
29 result of the election, and, if it shall appear that the majority of the votes cast on any such  
30 measure were cast in favor thereof, the Governor shall by [his] proclamation declare the  
31 same having received a majority of the votes to have been adopted by the people of  
32 Maryland as a part of the laws of the State, to take effect thirty days after such election,  
33 and in like manner and with like effect the Governor shall proclaim the result of the local  
34 election as to any Public Local Law which shall have been submitted to the voters of any  
35 County or of the City of Baltimore.

36 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
37 determines that the amendment to the Maryland Constitution proposed by Section 1 of this  
38 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland  
39 Constitution concerning local approval of constitutional amendments do not apply.

1           SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the  
2 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified  
3 voters of the State at the next general election to be held in November 2026 for adoption or  
4 rejection in accordance with Article XIV of the Maryland Constitution. At that general  
5 election, the vote on the proposed amendment to the Constitution shall be by ballot, and on  
6 each ballot there shall be printed the words “For the Constitutional Amendment” and  
7 “Against the Constitutional Amendment”, as now provided by law. Immediately after the  
8 election, all returns shall be made to the Governor of the vote for and against the proposed  
9 amendment, as directed by Article XIV of the Maryland Constitution, and further  
10 proceedings held in accordance with Article XIV.