

# SENATE BILL 541

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CONSTITUTIONAL AMENDMENT

6lr2496

CF HB 821

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By: Chair, Judicial Proceedings Committee (By Request – Maryland Judicial Conference)

Introduced and read first time: February 4, 2026

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Judiciary Department – Judicial Removal – Disqualification From Future**  
3 **Judicial Office**

4 FOR the purpose of providing that a justice or judge removed or retired from office on  
5 recommendation of the Commission on Judicial Disabilities is not eligible for future  
6 judicial office.

7 BY proposing an amendment to the Maryland Constitution  
8 Article IV – Judiciary Department  
9 Section 4B

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

13 **Article IV – Judiciary Department**

14 4B.

15 (a) (1) The Commission on Judicial Disabilities has the power to:

16 (i) Investigate complaints against any justice or judge of the  
17 Supreme Court of Maryland, any intermediate courts of appeal, the circuit courts, the  
18 District Court of Maryland, or the orphans' court; and

19 (ii) Conduct hearings concerning such complaints, administer oaths  
20 and affirmations, issue process to compel the attendance of witnesses and the production  
21 of evidence, and require persons to testify and produce evidence by granting them immunity  
22 from prosecution or from penalty or forfeiture.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) The Commission has the power to issue a reprimand and the power to recommend to the Supreme Court of Maryland the removal, censure, or other appropriate disciplining of a justice or judge or, in an appropriate case, retirement.

15 (b) (1) Upon any recommendation of the Commission, the Supreme Court of  
16 Maryland, after a hearing and upon a finding of misconduct while in office, or of persistent  
17 failure to perform the duties of the office, or of conduct prejudicial to the proper  
18 administration of justice, may remove the justice or judge from office or may censure or  
19 otherwise discipline the justice or judge, or the Supreme Court of Maryland, after hearing  
20 and upon a finding of disability which is or is likely to become permanent and which  
21 seriously interferes with the performance of the justice's or judge's duties, may retire the  
22 justice or judge from office.

(2) A justice or judge removed under this section, and the justice's or judge's surviving spouse, shall have the rights and privileges accruing from the justice's or judge's judicial service only to the extent prescribed by the order of removal.

(3) A justice or judge retired under this section shall have the rights and privileges prescribed by law for other retired justices or judges.

28 (4) A JUSTICE OR JUDGE REMOVED OR RETIRED UNDER THIS  
29 SECTION IS NOT ELIGIBLE FOR FUTURE JUDICIAL OFFICE.

32 (c) This section is alternative to, and cumulative with, the methods of retirement  
33 and removal provided in Sections 3 and 4 of this Article, and in Section 26 of Article III of  
34 this Constitution.

35 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
36 determines that the amendment to the Maryland Constitution proposed by Section 1 of this

1 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland  
2 Constitution concerning local approval of constitutional amendments do not apply.

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