

SENATE BILL 595

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6lr0983
CF HB 140

By: **Senator Kagan**

Introduced and read first time: February 5, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **County Boards of Education and Baltimore City Board of School Commissioners**
3 **– Vacancy Procedures – Alterations**

4 FOR the purpose of requiring each county board of education and the Baltimore City Board
5 of School Commissioners to hold an election for a vacant elected board member
6 position that occurs before a certain date; requiring each county board and the
7 Baltimore City Board of School Commissioners to appoint a replacement for a vacant
8 elected board member position that occurs after a certain date or if there is no
9 qualified candidate for a certain election subject to certain requirements; requiring
10 each county board and the Baltimore City Board of School Commissioners to appoint
11 a replacement for a vacant appointed board member position within a certain time
12 period; and generally relating to vacancy procedures for county boards of education
13 and the Baltimore City Board of School Commissioners.

14 BY adding to
15 Article – Education
16 Section 3–106, 3–2A–04, and 3–13A–03
17 Annotated Code of Maryland
18 (2025 Replacement Volume and 2025 Supplement)

19 BY repealing and reenacting, without amendments,
20 Article – Education
21 Section 3–108.1(c) and (d)(1), 3–201(b), 3–2A–01(a), 3–301(a) and (b), 3–401(a),
22 3–4A–01(a), 3–5B–01(a), 3–601(b), 3–801(a), 3–1002(b), 3–10A–01(a),
23 3–1101(a), 3–1201(a), and 3–13A–01(a)(1)
24 Annotated Code of Maryland
25 (2025 Replacement Volume and 2025 Supplement)

26 BY repealing and reenacting, with amendments,
27 Article – Education

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Section 3-108.1(i), 3-201(a) and (e), 3-2B-03, 3-2B-04, 3-301(e), 3-3A-02, 3-401(d), 3-4A-01(d), 3-501, 3-5A-01, 3-5B-01(d), 3-601(a) and (e), 3-6A-01, 3-701, 3-801(e), 3-901(a) and (f), 3-1002(g), 3-10A-01(d), 3-1101(g), 3-1201(d), 3-12A-01, 3-1301, 3-13A-05 through 3-13A-08, and 3-1401

Annotated Code of Maryland
(2025 Replacement Volume and 2025 Supplement)

BY repealing

Article – Education

Section 3-2A-03(c), 3-2A-04, 3-2B-02(c), 3-13A-03, and 3-13A-04

Annotated Code of Maryland

(2025 Replacement Volume and 2025 Supplement)

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

Article – Education

3-106.

(A) (1) A VACANCY FOR AN ELECTED MEMBER OF A COUNTY BOARD OF EDUCATION SHALL BE FILLED IN ACCORDANCE WITH PARAGRAPHS (2) AND (3) OF THIS SUBSECTION.

(2) (I) IF A VACANCY OCCURS 55 DAYS OR MORE BEFORE THE CANDIDATE FILING DEADLINE FOR THE PRIMARY ELECTION THAT IS HELD IN THE SECOND YEAR OF THE VACATING MEMBER'S TERM, THE SUCCESSOR SHALL BE ELECTED AT THE NEXT GENERAL ELECTION.

(II) AN ELECTION HELD UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE CONDUCTED IN ACCORDANCE WITH TITLE 8, SUBTITLE 8 OF THE ELECTION LAW ARTICLE.

(3) (I) IF A VACANCY OCCURS 54 DAYS OR LESS BEFORE THE CANDIDATE FILING DEADLINE FOR THE PRIMARY ELECTION THAT IS HELD IN THE SECOND YEAR OF THE VACATING MEMBER'S TERM, IF NO CANDIDATE FILES A CERTIFICATE OF CANDIDACY FOR THE ELECTED MEMBER'S OFFICE, OR IF NO INDIVIDUAL OTHERWISE QUALIFIES TO HAVE THE INDIVIDUAL'S NAME PLACED ON THE BALLOT FOR AN ELECTION UNDER PARAGRAPH (2) OF THIS SUBSECTION, THE REMAINING MEMBERS OF THE COUNTY BOARD SHALL SELECT A QUALIFIED INDIVIDUAL TO FILL THE VACANCY FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS ELECTED AND QUALIFIES.

(II) TO SELECT AN INDIVIDUAL TO FILL A VACANCY DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, MEMBERS OF THE COUNTY BOARD SHALL:

1. ADVERTISE THE VACANCY DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH;

2. REVIEW RESUMES SUBMITTED FROM CANDIDATES FOR THE VACANCY;

3. CONDUCT LIVESTREAMED INTERVIEWS OF ALL CANDIDATES; AND

4. HOLD A PUBLIC VOTE TO SELECT A CANDIDATE TO FILL THE VACANCY.

(B) (1) A VACANCY FOR AN APPOINTED MEMBER OF A COUNTY BOARD OF EDUCATION SHALL BE FILLED FOR THE REMAINDER OF THAT TERM AND UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES USING THE METHOD THAT THE COUNTY BOARD USES TO APPOINT MEMBERS TO THE BOARD.

(2) A MEMBER APPOINTED UNDER THIS SUBSECTION SHALL BE APPOINTED NOT LATER THAN 60 DAYS AFTER THE DATE ON WHICH THE VACANCY OCCURS.

3–108.1.

(c) There is a Baltimore City Board of School Commissioners of the Baltimore City Public School System.

(d) (1) The board consists of:

(i) Except as provided in paragraph (2) of this subsection, nine voting members appointed by the Mayor from a list of qualified individuals submitted to the Mayor by the panel;

(ii) Two elected voting members; and

(iii) One voting student member elected as provided in subsection (m) of this section.

(i) (1) (i) The term of an appointed voting member is 3 years.

(ii) The term of an elected member is 4 years.

(2) The terms of the appointed voting members are staggered as required by the terms provided for the appointed members of the board on June 1, 1997.

(3) At the end of a term, a voting member continues to serve until a successor is elected or appointed and qualifies.

(4) A voting member who is appointed after a term has begun serves only for the remainder of the term and until a successor is elected or appointed and qualifies.

(5) A voting member may not serve more than two consecutive full terms.

(6) [(i) Except as provided in subparagraph (ii) of this paragraph, to the extent practicable, the Mayor shall fill any vacancy for an appointed or elected member on the board within 60 days of the date of the vacancy from a list of qualified individuals submitted to the Mayor by the panel.

(ii) If the Mayor elects not to appoint a member from a list submitted by the panel under subparagraph (i) of this paragraph, the Mayor shall reconvene the panel to submit additional names of qualified candidates] **A VACANCY OF AN APPOINTED OR ELECTED MEMBER OF THE BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106 OF THIS SUBTITLE.**

(7) The elected members of the board shall be elected:

(i) At the general election in November 2022 and every 4 years thereafter; and

(ii) In accordance with Title 8, Subtitle 8 of the Election Law Article. 3-201.

(a) (1) In this subtitle, “elected member” means a voting member elected under subsection (d) or (e) of this section or a member [appointed to an] **THAT FILLS A VACATED** elected position on the county board under subsection (e)(3) of this section.

(2) “Elected member” does not include the nonvoting student member selected under subsection (f) of this section.

(b) The Allegany County Board consists of:

(1) Five elected members; and

(2) One nonvoting student member, who is to advise the other members of the county board on the viewpoint of students who attend Allegany County public schools.

(e) (1) Each elected member serves for a term of 4 years beginning on January 2 after the member's election and until a successor is elected and qualifies. If January 2 is a legal holiday, the term begins on the first day after January 2 that is not a legal holiday.

(2) The terms of elected members are staggered as required by the terms of the members serving on the county board on July 1, 1978.

(3) [Except as provided in paragraph (4) of this subsection, the Allegany County Commissioners shall appoint a qualified individual to fill any vacancy in an elected member's position on the board for the remainder of that term and until a successor is elected and qualifies.

(4) If a vacancy occurs before the date that is 10 days prior to the filing deadline for candidates for the primary election that is held in the second year of the term, the individual appointed under paragraph (3) of this subsection shall serve only until a successor is elected by the voters at the time of the next general election.

(5) Candidates for the vacated office may be nominated at a primary election in the same manner as for any other position on the county board.

(6) When more than one member of the board is to be elected at an election and the terms of the offices to be filled at the election vary, the elected candidate receiving the greater number of votes shall fill the office with the longer term.

(7) The candidate receiving the vacated position shall take office as soon as possible after the election, and shall continue to serve for the remainder of the vacated term and until a successor is elected and qualifies.

(8) Except as provided in this subsection, an election to fill a vacancy on the Allegany County Board of Education shall be governed by §§ 8–801 through 8–806 of the Election Law Article] **A VACANCY OF AN ELECTED MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3–106(A) OF THIS TITLE.**

[(9)] (4) The Allegany County Board of Supervisors of Elections may adopt regulations to implement this subsection.

3–2A–01.

(a) The Anne Arundel County Board of Education consists of:

(1) Seven nonpartisan elected members; and

(2) One student member.

3–2A–03.

1 [(c) In any election, if no candidate files a certificate of candidacy for the office or
2 if no individual otherwise qualifies to have the individual's name placed on the ballot, the
3 County Council of Anne Arundel County shall appoint a qualified individual to fill that
4 vacancy no later than 30 days after the general election.]

5 [3-2A-04.

6 The County Council of Anne Arundel County shall select a qualified individual to fill
7 any vacancy in the office of an elected member of the county board for the remainder of the
8 term and until a successor is elected and qualifies.]

9 **3-2A-04.**

10 **A VACANCY OF AN ELECTED MEMBER OF THE COUNTY BOARD SHALL BE**
11 **FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

12 3-2B-02.

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

18 3-2B-03.

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

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

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

26 (ii) [For a single vacancy on the county board, the Commission shall
27 hold public meetings in the following manner on the selection of a nominee before
28 recommending to the Governor the nominee for appointment to the county board:

29 1. For a vacancy in a councilmanic district, at least one public
30 meeting in that councilmanic district; or

31 2. For a vacancy for a member appointed at large, at least
32 one public meeting at the county board administrative offices.

(iii)] The Commission shall make publicly available on its website:

1. Live video streaming of each public meeting; and

2. A complete and unedited archived video recording of each public meeting for which live streaming was made available under item 1 of this subparagraph.

(4) Before the Commission begins interviewing candidates for appointment to the county board, the Commission shall publish the names of all the candidates on the Commission's website.

(5) (i) Except as provided in subparagraph (ii) of this paragraph, a meeting of the Commission shall be open to the public if it involves an action on a candidate for appointment to the county board.

(ii) 1. A meeting of the Commission that involves an interview of or a deliberation about a candidate for appointment to the county board shall be held without the public in attendance and the meeting shall be recorded.

2. The Commission shall provide a copy of a meeting recording for public inspection within 48 hours after receiving a request for the recording.

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

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

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

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

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

(i) The Teachers Association of Baltimore County;

(ii) The Baltimore County Chamber of Commerce;

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

(iv) Towson University;

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

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

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

(viii) The Baltimore County Student Councils;

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

(x) The Education Support Personnel of Baltimore County.

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

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

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

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

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

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

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

(f) (1) Subject to paragraph (2) of this subsection, the Commission may retain and reactivate the application of a candidate for a vacancy on the county board for up to 2 years from the date the Commission submitted the list of nominees to the Governor for the vacancy for which the applicant was initially considered.

(2) (i) The Commission may reactivate the application of a candidate under paragraph (1) of this subsection only with the consent of the applicant.

(ii) To reactivate an application under this subsection, the Commission shall:

1. Within 14 days after the date of the new vacancy, send a notice to the applicant requesting consent to reactivate the applicant's application; and

2. Within 14 days after the date the applicant received the notice under item 1 of this subparagraph, receive the consent of the applicant.】

1 [(g)] (E) (1) Absent an extraordinary circumstance, the Governor shall
2 appoint a member to the county board from the list provided by the Commission.

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

6 3-2B-04.

7 (a) Except for the student member, a member serves for a term of 4 years
8 beginning on the first Monday in December after the member's election or appointment and
9 until a successor is elected or appointed and qualifies.

10 (b) [(1) An individual who takes office to fill a vacancy for an elected or
11 appointed member serves for the remainder of the term for which the appointment was
12 made and until a successor is elected or appointed and qualifies.

13 (2) The Governor shall act within 30 days to make any appointment to the
14 county board] **A VACANCY OF AN APPOINTED OR ELECTED MEMBER OF THE COUNTY**
15 **BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106 OF THIS TITLE.**

16 3-301.

17 (a) The Calvert County Board consists of five voting members and one nonvoting
18 student member.

19 (b) The five voting members of the Calvert County Board shall be elected at a
20 general election as required by subsections (d) and (f) of this section.

21 (e) (1) Except for the student member, a member serves for a term of 4 years
22 beginning January 1 after the election of the member and until a successor is elected and
23 qualifies.

24 (2) [The County Commissioners shall appoint a new member to fill any
25 vacancy on the county board for the remainder of that term and until a successor is elected
26 and qualifies] **A VACANCY OF A VOTING MEMBER OF THE COUNTY BOARD SHALL BE**
27 **FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

28 (3) (i) Unless otherwise disqualified under this section, a member of the
29 county board is eligible for reelection.

30 (ii) An individual may not serve for more than three consecutive
31 terms.

32 3-3A-02.

(a) The Caroline County Board of Education consists of:

- (1) Three elected members;
- (2) Two appointed members; and
- (3) Two nonvoting student members.

(b) (1) One elected member shall be elected from each of the three board of education districts established in Caroline County.

(2) An elected member shall be:

- (i) A resident of the district from which the member is elected; and
- (ii) Elected only by the voters of that district.

(3) (i) 1. Two appointed members shall be appointed by the Governor, with the advice and consent of the Senate, from the county at-large.

2. Each appointed member shall be a resident of the county.

(ii) In appointing members to the county board, the Governor shall ensure, to the extent practicable, that the total makeup of the county board reflects gender, ethnic, and racial diversity.

(c) (1) The board of education districts shall:

- (i) Be established by the County Commissioners of Caroline County; and
- (ii) Be substantially equal in population and reapportioned on the basis of each decennial census of the United States.

(2) Reapportioned districts shall become effective for the term of office commencing after the first regular primary election held at least 15 months after the official report on population is received by the State from the Bureau of the Census.

(d) (1) As applicable for that board of education district, at the general election the ballot shall provide the voter with the choice to cast a vote "For" a candidate for election from that district.

(2) After the election results are certified, the State Board of Elections shall declare for each district whether a candidate has been elected.

(e) (1) An individual elected to the county board shall be at least 21 years old and a registered voter and resident of Caroline County for at least 3 years.

1 (2) A member may not continue as a member of the county board if the
2 member:

3 (i) No longer resides in the board of education district that the
4 member is designated to represent; or

5 (ii) Is not a registered voter of Caroline County.

6 (3) An individual employed by, or under the direction of, the county board
7 or the Caroline County Superintendent of Schools is not eligible to serve on the county
8 board.

9 (f) (1) A student member of the county board shall:

10 (i) Be a regularly enrolled eleventh or twelfth grade student of good
11 character and in good standing in a Caroline County public high school during the student's
12 term in office;

13 (ii) Be selected in the student's tenth or eleventh grade in accordance
14 with paragraph (3) of this subsection; and

15 (iii) 1. Serve for a term of 1 year; and

16 2. If the student is in the twelfth grade, continue to serve
17 after graduation and until a successor is selected and qualifies.

18 (2) Each high school in the county shall be represented by a student
19 member of the county board.

20 (3) (i) For nomination to the county board, the student body shall
21 submit to the principal of the high school a list of nominees that contains the names of
22 eligible students.

23 (ii) The principal of the high school shall select the student member
24 from the list of nominees submitted to the principal under subparagraph (i) of this
25 paragraph.

26 (4) If a vacancy in the position of student member occurs during the term
27 of a student member, the principal of the high school represented on the county board shall
28 select another student member using the method set forth under paragraph (3) of this
29 subsection.

30 (g) (1) Subject to paragraph (2) of this subsection, each elected member serves
31 for a term of 4 years beginning on the first Monday in December after the member's election
32 and until a successor is elected and qualifies.

(2) The initial terms of the elected members are staggered as follows:

(i) The two members elected to the county board at the general election in November 2012 who receive the highest number of votes cast from among the successful candidates at that election shall serve for a term of 4 years; and

(ii) The member elected to the county board at the general election in November 2012 who receives the least number of votes cast from among the successful candidates at that election shall serve for a term of 2 years.

(h) [(1) In the event of a vacancy of an elected member on the county board due to death, resignation, disqualification, or removal, the remaining voting members shall select a qualified individual to fill the vacancy for the remainder of the term of the vacating member and until a successor is elected and qualifies.

(2) An individual appointed to fill a vacancy for an elected member shall be a resident of the same board of education district as that of the vacating member.

(3) Before filling a vacancy for an elected member, the remaining voting members of the county board shall conduct an interview of each applicant at an open meeting.

(4) (i) The county board shall publish a list of the names of the applicants for a vacancy on the county board at least 2 weeks before the interview of the first applicant is scheduled to occur.

(ii) The county board shall cause public notice of the date, time, and location of the interview for each applicant to be published:

1. At least 2 weeks before the interview is scheduled to occur;
and

2. In the same manner as public notice of a regular meeting of the county board is published.

(5) The county board is not required to conduct discussions of the applicants or make the final selection of the elected member to fill the vacancy at an open meeting] **A VACANCY OF AN ELECTED MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

(i) (1) Subject to paragraph (2) of this subsection, each appointed member serves for a term of 4 years beginning on the first Monday in December 2012.

(2) The initial terms of the appointed members are staggered as follows:

(i) One appointed member shall serve for a term of 6 years; and

(ii) One appointed member shall serve for a term of 4 years.

(3) [In the event of a vacancy of an appointed member due to death, resignation, disqualification, or removal, the Governor shall appoint another individual to complete the term of the vacating appointed member] **A VACANCY OF AN APPOINTED MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(B) OF THIS TITLE.**

3-401.

(a) The Carroll County Board consists of:

(1) Five voting members;

(2) Subject to subsection (f) of this section, one nonvoting student representative; and

(3) The County Commissioners, who are nonvoting ex officio members.

(d) (1) Each voting member serves for a term of 4 years beginning the first Monday in December immediately following the voting member's election and until a successor is elected and qualifies. The terms of the voting members are staggered as required for the elections to the county board in subsection (c)(1) of this section.

(2) A voting member may not serve for more than two consecutive terms.

(3) [The Governor shall appoint a new voting member to fill any vacancy on the board for the remainder of that term and until a successor is elected and qualifies.

(4) A voting member of the county board as of October 1, 1993, and any voting member appointed to fill a vacancy in an unexpired term of such member, shall hold office during his term and until a successor is elected and qualifies] **A VACANCY OF A VOTING MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

3-4A-01.

(a) The Cecil County Board consists of six members as follows:

(1) One voting member elected from each of the five commissioner districts;
and

(2) One nonvoting student member.

(d) (1) Except as provided under subsection (e) of this section, each voting member serves for a term of 4 years beginning on the first Monday in December after the member's election and until a successor is elected and qualifies.

(2) A voting member may not serve for more than three terms.

(3) [The Governor shall appoint a new member to fill any vacancy on the county board for the remainder of that term and until a successor is elected and qualifies]
**A VACANCY OF A VOTING MEMBER OF THE COUNTY BOARD SHALL BE FILLED
ACCORDING TO § 3-106(A) OF THIS TITLE.**

3-501.

(a) (1) The Charles County Board consists of:

(i) Nine elected members; and

(ii) One student member.

(2) Of the nine elected members:

(i) Two members shall:

1. Be elected from each of the four county commissioner districts;

2. Be a resident of the county commissioner district from which the member is elected; and

3. Be elected only by the voters of that county commissioner district; and

(ii) One member shall be elected from the county at-large.

(b) (1) As applicable for that county commissioner district, at the general election the ballot shall provide the voter with the choice to cast a vote "For" a candidate for election from that county commissioner district.

(2) After the election results are certified, the State Board of Elections shall declare for each county commissioner district whether a candidate has been elected.

(c) (1) An individual elected to the county board shall be:

(i) At least 21 years old; and

(ii) A resident and registered voter of Charles County for at least 3 years.

1 (2) An elected member shall forfeit the office if the member:

2 (i) Fails to reside in the county commissioner district from which
3 the member was elected, unless this change is caused by a change in boundaries of the
4 district;

5 (ii) Fails to be a resident of the county; or

6 (iii) Fails to be a registered voter of the county.

7 (3) An individual employed by or under the direction of the county board
8 or the county superintendent is not eligible to serve on the county board.

9 (d) All elected members of the Charles County Board shall be elected at a general
10 election as required by subsection (e) of this section.

11 (e) (1) (i) Subject to paragraph (2) of this subsection, each elected member
12 serves for a term of 4 years beginning on the third Monday in December after the general
13 election and until a successor is elected and qualifies.

14 (ii) If the third Monday in December is a legal holiday, the term
15 begins on the first day after the third Monday in December that is not a legal holiday.

16 (2) The terms of members, beginning with members elected at the general
17 election in November 2022, are staggered as required by the terms provided for elected
18 members of the county board on July 1, 2021.

19 (3) An elected member may not serve for more than two consecutive terms.

20 (f) [(1) (i) Except as provided in subparagraph (ii) of this paragraph, within
21 90 days after a vacancy occurs on the county board, the elected members of the county board
22 shall select a qualified individual to fill the vacancy on the board for the remainder of that
23 term and until a successor is elected and qualifies.

24 (ii) The county board may choose not to fill a vacancy that occurs in
25 an election year for the seat that is vacant.

26 (2) An individual appointed to fill a vacancy of an elected member shall be
27 a resident of the same county commissioner district as that of the vacating member.

28 (3) (i) An interview of an applicant for a vacancy on the board shall be
29 conducted by the board at a meeting open to the public.

30 (ii) The board shall make publicly available through its website:

1 1. Live video streaming of each public meeting under this
2 paragraph; and

3 2. A complete video recording of each public meeting that is
4 livestreamed in accordance with this paragraph and the Open Meetings Act.

5 (4) (i) The board shall publish a list of the names of the applicants for
6 a vacancy on the board at least 2 weeks before the interview of the first applicant is
7 scheduled to occur.

8 (ii) Public notice of the date, time, and location of each interview
9 shall be published:

10 1. At least 2 weeks before the interview is scheduled to occur;
11 and

12 2. In the same manner as a public notice of a regular meeting
13 of the board is published.

14 (5) The board is not required to conduct discussions of the applicants or
15 make the final selection of the member to fill a vacancy of the elected member at a meeting
16 open to the public] **A VACANCY OF AN ELECTED MEMBER OF THE COUNTY BOARD**
17 **SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

18 (g) (1) With the approval of the Governor, the State Board may remove an
19 elected member of the county board for any of the following reasons:

20 (i) Immorality;

21 (ii) Misconduct in office;

22 (iii) Incompetency; or

23 (iv) Willful neglect of duty.

24 (2) Before removing an elected member, the State Board shall send the
25 elected member a copy of the charges pending and give the elected member an opportunity
26 within 10 days to request a hearing.

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

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

1 (ii) The elected member shall have an opportunity to be heard
2 publicly before the State Board in the elected member's own defense, in person or by
3 counsel.

4 (4) An elected member removed under this subsection has the right to a de
5 novo review of the removal by the Circuit Court for Charles County.

6 (h) (1) The student member of the Charles County Board shall be an 11th or
7 12th grade student in the Charles County Public School System.

8 (2) The student member, and an alternate, shall be selected by the Charles
9 County Association of Student Councils.

10 (3) The term of the student member shall be 1 year.

11 (4) (i) The student member shall be a voting member of the board.

12 (ii) The student member may vote on all matters before the board
13 except those relating to:

- 14 1. Hearings on appeals of special education placements;
- 15 2. Hearings held under §§ 4-205 and 7-305 of this article;
- 16 3. Personnel matters, including those under §§ 6-201 and
17 6-202 of this article;
- 18 4. Appointment, salary, and evaluation of the county
19 superintendent;
- 20 5. Collective bargaining decisions;
- 21 6. Capital and operating budgets; and
- 22 7. School closings, openings, and boundaries.

23 (5) Unless invited to attend by an affirmative vote of a majority of the
24 county board, the student member may not attend an executive session that relates to any
25 matter for which the student member may not vote.

26 (6) On a majority vote of the elected members, the county board may
27 determine, on a case-by-case basis, whether a matter under consideration is covered by
28 the exclusionary provisions listed in paragraph (4) of this subsection.

29 (7) The State Board may remove the student member from the county
30 board in the same manner as an elected member.

1 3-5A-01.

2 (a) The Dorchester County Board consists of:

3 (1) Five voting members, elected in accordance with subsection (b) of this
4 section; and

5 (2) One nonvoting student member from each public high school in the
6 county.

7 (b) (1) The elected members of the county board shall be elected at the general
8 election.

9 (2) One member shall be elected from each of the five councilmanic districts
10 only by the voters of that councilmanic district.

11 (c) (1) A member elected from a councilmanic district shall be a resident of the
12 district.

13 (2) A member elected or appointed from a councilmanic district who no
14 longer resides in the district may not continue as a member of the county board.

15 (d) (1) Each voting member serves for a term of 4 years beginning at noon on
16 the first Monday in December after the member's election and until a successor is elected
17 and qualifies.

18 (2) A voting member may not serve for more than three consecutive terms.

19 (e) The terms of the voting members are staggered as follows:

20 (1) One member elected from each of the councilmanic districts 1, 3, and 5
21 at the 2004 general election, and every 4 years thereafter; and

22 (2) One member elected from each of the councilmanic districts 2 and 4 at
23 the 2006 general election, and every 4 years thereafter.

24 (f) [(1) The County Council shall appoint a new member to fill any vacancy on
25 the county board for the remainder of that term and until a successor is elected and
26 qualifies.

27 (2) A resident of the district in which a vacancy exists may apply for
28 appointment by the County Council to fill the vacancy.

29 (3) The County Council shall adopt rules governing the procedure through
30 which an individual may apply to fill a vacancy on the county board] **A VACANCY OF A**
31 **VOTING MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH §**
32 **3-106(A) OF THIS TITLE.**

(g) (1) Each student member shall:

(i) Be a twelfth grade student in the Dorchester County public school system elected by the high school students of the public school that the student attends, in accordance with procedures established by the school system;

(ii) Serve for 1 year beginning on July 1 after the election of the member;

(iii) Be a nonvoting member; and

(iv) Advise the board on the interests of students.

(2) Unless invited to attend by an affirmative vote of a majority of the county board, the student members may not attend an executive session.

3-5B-01.

(a) The Frederick County Board consists of eight members as follows:

(1) Seven members elected from the county at large; and

(2) One nonvoting student member.

(d) (1) The terms of voting members are staggered as provided in subsection (c) of this section.

(2) [If there is a vacancy by an elected member of the county board occurring 30 days or less before the candidate registration deadline for the next primary election, the County Executive shall appoint, subject to confirmation of the County Council, a qualified individual to fill the vacancy on the county board for the remainder of that term and until a successor is elected in accordance with paragraph (4)(i) of this subsection and qualifies.

(3) If there is a vacancy by an elected member of the county board occurring more than 30 days before the candidate registration deadline for the next primary election following the vacating member's election:

(i) The County Executive shall appoint, subject to confirmation of the County Council, a qualified individual to temporarily fill the vacancy on the county board who shall serve until a qualified individual is elected in accordance with paragraph (4)(ii) of this subsection; and

(ii) The individual elected under item (i) of this paragraph shall serve for the remainder of that term until a successor is elected and qualifies.

(4) At a general election, vacancies shall be filled as follows:

(i) The candidates with the highest vote totals shall first fill any vacant positions for a full term of 4 years; and

(ii) After all vacant positions for a full term of 4 years are filled, the candidate with the next highest vote total shall fill the position for which a successor was appointed under paragraph (3) of this subsection and serve the remainder of that term.

(5) Candidates for a vacated office may be nominated at a primary election in the same manner as any other position on the county board] **A VACANCY OF A VOTING MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

3-601.

(a) (1) In this subtitle, "elected member" means a member of the county board elected under subsection (b)(1) or (2) of this section or [appointed to fill] **THAT FILLS** a vacancy under subsection (e)(3) of this section.

(2) "Elected member" does not include the student member selected under subsection (f) of this section.

(b) The Garrett County Board consists of:

(1) One elected member from each county commissioner district;

(2) Two elected members from the county at large; and

(3) One nonvoting student member.

(e) (1) Each elected member serves for a term of 4 years beginning on January 1 after the member's election and until a successor is elected and qualifies.

(2) The terms for elected members are staggered as required by the terms of the members serving on January 1, 1985.

(3) [The County Commissioners shall appoint a qualified individual to fill any vacancy in an elected member's position on the board for the remainder of the term and until a successor is elected and qualifies] **A VACANCY OF AN ELECTED MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

3-6A-01.

(a) (1) In this subtitle, “elected member” means a voting member elected under subsection (d) or (e) of this section or a member [appointed to an] **THAT FILLS A VACATED** elected position on the Harford County Board of Education under subsection [(f)(1)] **(F)** of this section.

(2) “Elected member” does not include a:

(i) County superintendent of schools serving as an ex officio member of the county board; or

(ii) Student member selected under subsection (g) of this section.

(b) The county board consists of:

(1) Six elected members;

(2) Three appointed members;

(3) The county superintendent of schools, who is an ex officio nonvoting member; and

(4) One student member.

(c) (1) (i) A member from a councilmanic district shall be a resident of that district.

(ii) A member from a councilmanic district who no longer resides in that district may not continue as a member of the county board.

(2) A member of the county board shall be a registered voter of the county for at least 3 years prior to the date of the beginning of the term of office of the member.

(d) (1) Of the nine voting members of the county board elected or appointed under this subsection:

(i) One member shall be elected from each of the six councilmanic districts only by the voters of that councilmanic district; and

(ii) Three members shall be appointed by the County Executive, subject to the advice and consent of the County Council, by a vote of at least five members of the County Council.

(2) The elected members shall be elected at a general election as required by subsection (e) of this section.

(3) (i) The appointed members shall be appointed, when appropriate, within 90 days of the general election.

(ii) In appointing members to the county board, the County Executive shall ensure, to the extent practicable, that the total makeup of the county board reflects the gender, ethnic, and racial diversity of the county.

(e) (1) An elected member serves for a term of 4 years beginning on the first Monday in December after the election of the member and until a successor is elected and qualifies.

(2) Except as provided in paragraph (3) of this subsection, an appointed member serves for a term of 4 years beginning July 1 after the appointment of the member and until a successor is appointed and qualifies.

(3) The members appointed under subsection (d)(1)(ii) of this section within 90 days of the general election in 2022 shall serve for a term of 2 years and until a successor is appointed and qualifies.

(4) (i) Unless otherwise disqualified under this section, a member of the county board is eligible for reelection or reappointment.

(ii) A voting elected member or an appointed member may not serve for more than two consecutive terms as a voting member.

(5) The Harford County Board of Elections may adopt regulations to implement this subsection.

(f) [(1) The Harford County Council shall appoint a qualified individual to fill any vacancy of an elected member on the county board for the remainder of the term and until a successor is elected and qualifies.

(2) (i) The County Executive shall appoint a qualified individual to fill any vacancy of an appointed member of the county board for the remainder of the term and until a successor is appointed and qualifies.

(ii) An appointment made in accordance with this paragraph is subject to the advice and consent of the County Council by a vote of at least five members of the County Council] **A VACANCY OF AN APPOINTED OR ELECTED MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106 OF THIS TITLE.**

(g) (1) The student member of the county board shall be elected by the high school students of the county in accordance with procedures established by the Harford County public school system.

(2) The student member shall:

(i) Be an eleventh or twelfth grade student, in good standing, and regularly enrolled in the Harford County public school system;

(ii) Be a student government association representative at the student's high school;

(iii) Serve for 1 year beginning on July 1 after the election of the member;

(iv) Except as otherwise provided in paragraph (3) of this subsection, be a voting member; and

(v) Advise the county board on the thoughts and feelings of students in the Harford County public schools.

(3) (i) Except as otherwise provided in subparagraph (iii) of this paragraph, the student member of the county board has the same rights and privileges as a member appointed or elected under subsection (d) of this section.

(ii) Unless invited to attend by an affirmative vote of a majority of the county board, the student member may not attend an executive session of the county board addressing a matter on which a student member is prohibited from voting on under subparagraph (iii) of this paragraph.

(iii) The student member shall vote on and participate in all matters except those relating to:

1. Geographical attendance areas under § 4-109 of this article;

2. Acquisition and disposition of real property and matters pertaining to school construction under § 4-115 of this article;

3. Employment of architects under § 4-117 of this article;

4. Donations under § 4-118 of this article;

5. Condemnation under § 4-119 of this article;

6. Consolidation of schools and transportation of students under § 4-120 of this article;

7. Appointment and salary of a county superintendent under §§ 4-201 and 4-202 of this article;

8. Employee discipline and other appeals under § 4-205(c) of this article;

9. Budgetary matters under Title 5 of this article;

10. Appointment and promotion of staff under § 6–201 of this article;

11. Discipline of certificated staff under § 6–202 of this article;

12. Collective bargaining for certificated employees under Title 6, Subtitle 4 of this article;

13. Collective bargaining for noncertificated employees under Title 6, Subtitle 5 of this article;

14. Student suspension and expulsion under § 7–305 of this article; and

15. School calendar and curriculum.

3-701.

(a) (1) The Howard County Board consists of:

(i) Seven elected members; and

(ii) One student member.

(2) The seven elected members shall be elected as follows:

(i) One member from each of the five councilmanic districts in the county, elected by the voters of that district; and

(ii) Two members at large, elected by the voters of the county.

(b) (1) A candidate who becomes an elected member of the county board shall be a resident and registered voter of Howard County.

(2) (i) Any elected member who no longer resides in Howard County may not continue as a member of the board.

(ii) Any member elected from a councilmanic district who no longer resides in that district may not continue as a member of the board.

(3) If the boundary line of a Howard County Council District is changed, the term of an incumbent member of the county board who no longer resides in that councilmanic district because of the change is not affected during this term.

(c) The seven elected members of the Howard County Board shall be elected:

1 (1) Beginning in 2020, at the general election every 2 years as required by
2 subsection (d) of this section; and

3 (2) As specified in subsection (a) of this section.

4 (d) (1) (i) The terms of the elected members are staggered as provided in
5 this subsection.

6 (ii) Each term of office begins on the first Monday in December after
7 the election of a member and until a successor is elected and qualifies.

8 (2) (i) 1. The term of office of each member elected from a
9 councilmanic district, beginning at the 2020 election, is 4 years.

10 2. The term of office of each member elected at large,
11 beginning at the 2022 election, is 4 years.

12 (ii) The successors to the offices elected at the 2020 and 2022
13 elections, respectively, shall serve for a term of 4 years.

14 (3) [Except as provided in paragraph (4) of this subsection and subject to
15 the confirmation of the County Council, the County Executive of Howard County shall
16 appoint a qualified individual to fill any vacancy for an elected member on the county board
17 for the remainder of that term and until a successor is appointed and qualifies.

18 (4) If a vacancy for an elected member occurs before the date that is 1 year
19 following the date of the member's election, the individual appointed under paragraph (3)
20 of this subsection shall serve only until a successor is elected by the voters at the next
21 general election.

22 (5) Candidates for the vacated office may be nominated at a primary
23 election in the same manner as for any other position on the county board.

24 (6) The candidate receiving the vacated position shall take office on the
25 first Monday in December after the election and shall continue to serve for the remainder
26 of the vacated term and until a successor is elected and qualifies.

27 (7) Except as provided in this subsection, an election to fill a vacancy on
28 the Howard County Board of Education shall be governed by §§ 8–801 through 8–806 of the
29 Election Law Article] **A VACANCY OF AN ELECTED MEMBER OF THE COUNTY BOARD**
30 **SHALL BE FILLED IN ACCORDANCE WITH § 3–106(A) OF THIS TITLE.**

31 [(e) When making an appointment to the county board, the County Executive of
32 Howard County shall endeavor to ensure that the county board reflects the race, gender,
33 and ethnic diversity of the population of Howard County.]

1 ~~[(f)]~~ **(E)** (1) The student member shall be a bona fide resident of Howard
2 County and a regularly enrolled junior or senior year student from a Howard County public
3 high school.

4 (2) The student member shall serve for a term of 1 year beginning on July
5 1 after the member's election, subject to confirmation of the election results by the county
6 board.

7 (3) The nomination and election process for the student member:

8 (i) Shall be approved by the Howard County Board of Education;

9 (ii) Shall include a provision that provides for the replacement of one
10 or both of the final candidates if one or both of them are unable, ineligible, or disqualified
11 to proceed in the election; and

12 (iii) Shall allow for any student in grades 6 through 11 enrolled in a
13 Howard County public school to vote directly for one of the two student member candidates.

14 (4) The student member candidate who receives the second highest
15 number of votes in the direct election:

16 (i) Shall become the alternate student member; and

17 (ii) Shall serve if the student member who is elected is unable,
18 ineligible, or disqualified to complete the student member's term of office.

19 (5) Except as provided in paragraphs (6) and (7) of this subsection, the
20 student member has the same rights and privileges as an elected member.

21 (6) Unless invited to attend by the affirmative vote of a majority of the
22 county board, the student member may not attend a closed session addressing a matter on
23 which a student member is prohibited from voting under paragraph (7) of this subsection.

24 (7) The student member shall vote on all matters except those relating to:

25 (i) Geographical attendance areas under § 4–109 of this article;

26 (ii) Acquisition and disposition of real property and matters
27 pertaining to school construction under § 4–115 of this article;

28 (iii) Employment of architects under § 4–117 of this article;

29 (iv) Donations under § 4–118 of this article;

30 (v) Condemnation under § 4–119 of this article;

(vi) Consolidation of schools and transportation of students under § 4–120 of this article;

(vii) Appointment and salary of a county superintendent under §§ 4–201 and 4–202 of this article;

(viii) Employee discipline and other appeals under § 4–205(c) of this article;

(ix) Budgetary matters under Title 5 of this article;

(x) Appointment and promotion of staff under § 6–201 of this article;

(xi) Discipline of certificated staff under § 6–202 of this article;

(xii) Collective bargaining for certificated employees under Title 6, Subtitle 4 of this article;

(xiii) Collective bargaining for noncertificated employees under Title 6, Subtitle 5 of this article; and

(xiv) Student suspension and expulsion under § 7–305 of this article.

(8) The student member may not receive compensation but, after submitting expense vouchers, shall be reimbursed for out-of-pocket expenses incurred in connection with official duties, in accordance with the procedures and regulations established by the county board.

[(g)] (F) Passage of a motion by the county board requires the affirmative vote of:

(1) Five members if the student member is authorized to vote; or

(2) Four members if the student member is not authorized to vote.

[(h)] (G) (1) The State Board may remove a member of the county board for:

(i) Immorality;

(ii) Misconduct in office;

(iii) Incompetency; or

(iv) Willful neglect of duty.

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

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

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

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

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

3-801.

(a) The Kent County Board consists of:

(1) Five voting members; and

(2) One nonvoting student member.

(e) (1) (i) Each voting member serves for a term of 4 years beginning on January 1 after his election and until a successor is elected and qualifies.

(ii) The terms of members are staggered and elections shall be held as provided in subsection (c) of this section.

(2) [Any vacancy on the county board of a voting member shall be filled by a qualified individual appointed by the County Commissioners of Kent County to serve until a successor is elected and qualifies at the general election next following the creation of the vacancy and for which the deadline for the filing of candidates has not expired] **A VACANCY OF A VOTING MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

(3) An individual may serve for more than 2 consecutive terms.

3-901.

(a) (1) In this subtitle the following words have the meanings indicated.

(2) "Board of education district" means a geographic area of Montgomery County in which an elected member of the Montgomery County Board of Education must be a legal resident. The geographic area of each district is described in subsection (f) of this

1 section. Each district shall be substantially equal in population, and the districts shall be
2 reapportioned on the basis of each decennial census of the United States.

3 (3) "Elected member" means 1 of the 7 elected and voting members of the
4 Montgomery County Board or a member [appointed to fill] **THAT FILLS** a vacancy of 1 of
5 these 7 members.

6 (f) (1) Each elected member serves for a term of 4 years beginning on
7 December 1 after the member's election and until a successor is elected and qualifies. The
8 terms of elected members are staggered as required by the terms of the members serving
9 on the county board as of July 1, 1978, so that 4 members are elected in gubernatorial
10 election years and 3 members are elected in presidential election years.

11 (2) Elected members of the county board shall be elected by the voters of
12 the entire county.

13 (3) (i) Of the 3 members elected in 1992 and every 4 years thereafter, 1
14 shall reside in Board of Education District 2 and 1 shall reside in Board of Education
15 District 4. The third member may reside in any part of the county.

16 (ii) Of the 4 members elected in 1990 and every 4 years thereafter, 1
17 shall reside in Board of Education District 1, 1 shall reside in Board of Education District
18 3, and 1 shall reside in Board of Education District 5. The fourth member may reside in
19 any part of the county.

20 (iii) The descriptions of board of education districts in this subsection
21 refer to the geographical boundaries of the election districts and the precincts:

22 1. As reviewed and certified by the Montgomery County
23 Board of Elections or its designees, before the precinct boundaries were reported to the U.S.
24 Bureau of the Census as part of the 2020 Census Redistricting Data Program; and

25 2. As those precinct lines are specifically shown on the P.L.
26 94–171 census block maps provided by the U.S. Bureau of the Census and as reviewed and
27 corrected by the Division of Capital Planning and Real Estate of the Montgomery County
28 Public Schools.

29 (iv) Board of Education District 1 consists of:

- 30 1. Election district 1;
- 31 2. Election district 2, precincts 1 and 3 through 11;
- 32 3. Election district 3;
- 33 4. Election district 6, precinct 11;

5. Election district 9, precincts 1, 4, 5, 7, 8, 9, 11, 12, 15, 18, 20, 21, 22, 25, 28, 29, 30, 32, 34, 37, and 39;

6. Election district 11; and

7. Election district 12.

(v) Board of Education District 2 consists of:

1. Election district 2, precinct 2;

2. Election district 4, precincts 2, 3, 5, 6, 7, 11, 14, 16, 19, 20, 21, 23, 24, 25, 27, 29, 30, 35, 37, 38, 40, 42, and 43;

3. Election district 6, precincts 1 through 10 and 13 through 16; and

4. Election district 9, precincts 2, 3, 6, 10, 13, 14, 16, 24, 26, 27, 31, 33, 35, 36, 38, 40, and 41.

(vi) Board of Education District 3 consists of:

1. Election district 4, precincts 4, 8, 10, 12, 13, 15, 17, 18, 28, 31, 32, and 33;

2. Election district 7;

3. Election district 10;

4. Election district 13, precincts 3, 16, 34, 38, 39, and 65; and

5. That part of election district 13, precinct 40 that is generally the southern part of precinct 40 from the precinct boundary at the intersection of Summit Avenue and the CSX railroad tracks, northwest along the CSX railroad tracks to the end of Plyers Mill Road, north to the boundary of Rock Creek Park, then east along the boundary of Rock Creek Park to the precinct boundary.

(vii) Board of Education District 4 consists of:

1. Election district 4, precinct 26;

2. Election district 13, precincts 1, 2, 4 through 8, 10, 11, 13, 14, 15, 18 through 25, 27 through 33, 35, 36, 37, 42, 43, 44, 47, 50, 53, 55 through 59, 63, 67, and 68; and

3. Election district 13, precinct 40, excluding that part of precinct 40 that is generally the southern part of precinct 40 from the precinct boundary at

the intersection of Summit Avenue and the CSX railroad tracks, northwest along the CSX railroad tracks to the end of Plyers Mill Road, north to the boundary of Rock Creek Park, then east along the boundary of Rock Creek Park to the precinct boundary.

(viii) Board of Education District 5 consists of:

1. Election district 4, precincts 1, 9, 34, 36, and 41;
2. Election district 5;
3. Election district 8; and
4. Election district 13, precincts 45, 46, 49, 51, 52, 54, 60, 61, 64, 69, 70, and 71.

(4) (i) The student member serves for a term of 1 year beginning on July 1 after the election.

(ii) The student member shall be replaced for the remainder of the term by the alternate student member if the student member:

1. Resigns or otherwise is unable to complete the term; or
2. Is removed under the provisions of subsection (g) of this section.

(iii) The elected members of the county board shall select a student to complete the remainder of the term if the student member is replaced as provided in subparagraph (ii) of this paragraph and the alternate member:

1. Resigns or otherwise is unable to complete the term; or
2. Is removed under the provisions of subsection (g) of this section.

(5) [The remaining members of the county board shall select a qualified individual to fill any vacancy on the elected board for the remainder of that term and until a successor is elected and qualifies] **A VACANCY OF AN ELECTED MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3–106(A) OF THIS TITLE.**

(6) (i) Subject to subparagraph (ii) of this paragraph, an elected county board member shall forfeit the office if the member fails to reside in the board of education district from which the member was elected.

(ii) If the failure to continue to reside in the district is caused by an alteration in the board of education district boundaries because of reapportionment, the member may complete the term for which the member was elected.

(iii) In the event of a vacancy caused by a member who is required to reside in a particular board of education district, the person [appointed to fill] **THAT FILLS** the vacancy shall reside in the same district at the time of appointment and while filling out the unexpired term.

3–1002.

(b) The Prince George’s County Board consists of 10 members as follows:

(1) Nine elected members, each of whom resides in a different school board district; and

(2) One student member selected under subsection (f)(2) of this section.

(g) (1) An elected member serves for a term of 4 years beginning on the first Monday in December after the member’s election and until the member’s successor is elected and qualifies.

(2) Unless otherwise disqualified under this section, an elected member of the county board is eligible for reelection.

(3) The student member serves for a term of 1 year beginning at the end of a school year.

(4) [(i) Subject to subparagraph (ii) of this paragraph, if a seat held by an elected member of the county board becomes vacant, the County Executive shall:

1. Appoint a qualified individual to fill the seat for the remainder of the term; and

2. Transmit the name of the appointee to the clerk of the County Council.

(ii) If the County Council does not disapprove an appointment under subparagraph (i) of this paragraph by a two-thirds vote of all members of the County Council within 45 days after the transmittal of the name of the appointee, the appointment shall be considered approved] **A VACANCY OF AN ELECTED MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3–106(A) OF THIS TITLE.**

3–10A–01.

(a) The Queen Anne’s County Board consists of:

(1) Five voting, nonpartisan, elected members; and

(2) One nonvoting student representative from each public high school in the county.

(d) (1) Subject to paragraph (2) of this subsection, each elected voting member serves for a term of 4 years beginning on the first Monday in December after the member's election and until a successor is elected and qualifies.

(2) The initial terms of the elected voting members are staggered as follows:

(i) The three members elected to the county board at the general election in November 2008 who receive the highest number of votes cast from among the successful candidates at that election shall serve for a term of 6 years; and

(ii) The two members elected to the county board at the general election in November 2008 who receive the least number of votes cast from among the successful candidates at that election shall serve for a term of 4 years.

(3) [(i) In case of a vacancy on the county board, the Governor shall appoint a qualified person to serve on the county board until a successor is elected and qualifies.

(ii) If the vacancy occurs before the filing deadline for candidates for the primary election that is held in the second year of the term, the individual appointed under subparagraph (i) of this paragraph shall serve until a successor is elected at the next general election and qualifies.

(iii) If the vacancy occurs after the filing deadline for candidates for the primary election that is held in the second year of the term, the individual appointed under subparagraph (i) of this paragraph shall serve for the remainder of the term of the vacating member and until a successor is elected at the next general election and qualifies]

A VACANCY OF A VOTING MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.

3-1101.

(a) The St. Mary's Board consists of:

(1) Five voting members; and

(2) One student member.

(g) (1) Except as specified in this section, an elected member shall serve for a term of 4 years. The term of each member shall commence on the first Monday in December after the member's election and shall continue until a successor is elected and qualifies.

(2) The term of the student member shall commence on the first Monday in July and continue for 1 year.

(3) [If a vacancy occurs on the county board, the St. Mary's Board of County Commissioners shall appoint a qualified individual to serve for the remainder of that term and until a successor is elected and qualifies] **A VACANCY OF A VOTING MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**
3-1201.

(a) The Somerset County Board shall be elected and consists of one member elected from each commissioner district in the county.

(d) (1) Subject to the provisions of paragraph (2) of this subsection, each member serves for a term of 4 years beginning on January 1 after the member's election and until a successor is elected and qualifies.

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

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

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

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

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

(3) [The Governor shall appoint a qualified individual to fill any vacancy on the board for the remainder of the term and until a successor is elected and qualifies] **A VACANCY OF A MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

3-12A-01.

(a) The Talbot County Board consists of:

(1) Seven voting members, one member elected from each of the seven election districts for the county board established in accordance with this subtitle; and

(2) Two nonvoting student members from the public high schools in the county.

(b) The elected members of the county board shall be elected:

(1) At the general election; and

(2) In accordance with Title 8, Subtitle 8 of the Election Law Article.

(c) (1) A member elected from a district shall be a resident of the district.

(2) A member elected or appointed from a district who no longer resides in the district may not continue as a member of the county board.

(d) (1) The boundaries for the election districts for the county board shall be established promptly following each decennial census.

(2) Whenever election district boundaries are to be redrawn, no later than December 1 of the year prior to the year in which redistricting is to take effect, the County Council shall appoint a commission on redistricting to include:

(i) Four individuals nominated by each political party that polled at least 15 percent of the total vote cast at the immediately preceding general election; and

(ii) One additional individual.

(3) An individual who holds elective office is not eligible to be appointed to the commission on redistricting.

(4) (i) By November 15 of the year preceding the year in which redistricting is to take effect, the redistricting commission shall prepare and make available a plan of election districts.

(ii) The election districts shall be reasonably compact, contiguous, and substantially equal in population and, in accordance with legal principles established by law, shall ensure that one or more of the election districts encompasses residents in which a majority of the voting age population consists of racial minorities.

(iii) No less than 15 calendar days and no more than 45 calendar days after the redistricting commission submits its plan, the County Council shall hold a public hearing on the plan.

(iv) The redistricting plan submitted by the redistricting commission becomes law 90 days after it is submitted to the County Council unless the County Council enacts a different redistricting plan before that date.

(e) (1) Each voting member serves for a term of 4 years beginning on December 1 after the member's election and until a successor is elected and qualifies.

(2) A voting member may not serve for more than three consecutive terms.

(f) The terms of the voting members are staggered as follows:

(1) One member elected from each of districts 1, 3, 4, and 7 at the 2006 general election, and every 4 years thereafter; and

(2) One member elected from each of districts 2, 5, and 6 at the 2008 general election, and every 4 years thereafter.

(g) [(1) The Governor shall appoint a new member to fill any vacancy on the county board until a successor is elected and qualifies at the next congressional election.

(2) A resident of the district in which a vacancy exists may apply for appointment by the Governor to fill the vacancy] **A VACANCY OF A VOTING MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

(h) The student members shall be appointed and serve on the county board in accordance with § 3-12A-06 of this subtitle.

3-1301.

(a) The Washington County Board consists of seven members.

(b) All seven members of the Washington County Board shall be elected from Washington County at large at a general election every 4 years beginning in 1978.

(c) (1) Each member serves for a term of 4 years beginning on the first Tuesday in December after the member's election and until a successor is elected and qualifies.

(2) The terms of members are staggered as required by the terms of the members serving on the county board as of July 1, 1986.

(3) At the end of a term, a member continues to serve until a successor is elected and qualifies.

(4) [In accordance with subsection (f) of this section, the County Commissioners shall appoint a qualified individual to fill any vacancy on the county board for the remainder of that term and until a successor is elected and qualifies] **A VACANCY OF A MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

(d) (1) Immediately preceding the date the member takes office, each member of the county board shall be:

1 (i) A resident of Washington County for at least 6 months; and

2 (ii) A resident of the State for at least 12 months.

3 (2) (i) During the term of a member of the county board, the member
4 shall maintain a primary residence in Washington County.

5 (ii) A member of the county board who no longer maintains a
6 primary residence in Washington County may not continue as a member of the county
7 board.

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

9 (i) Immorality;

10 (ii) Misconduct in office;

11 (iii) Incompetency; or

12 (iv) Willful neglect of duty.

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

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

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

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

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

24 [(f) (1) In this subsection, "Washington County Delegation" means the
25 Senators and Delegates in the General Assembly of Maryland who are elected to represent
26 Washington County or any portion of Washington County.

27 (2) There is a Washington County School Board Nominating Commission.

28 (3) The Commission shall consist of the following six voting members:

(i) One member appointed by the Senate members of the Washington County Delegation;

(ii) One member appointed by the Delegate members of the Washington County Delegation;

(iii) One member appointed by the county board; and

(iv) The following three members appointed by the County Commissioners:

1. One member representing the Washington County business community;

2. One member representing the Washington County Citizens Advisory Council; and

3. One member representing the Washington County educational community.

(4) (i) The Chairman of the Commission shall be a member of the public appointed by the County Commissioners.

(ii) The Chairman may not be a member of either the county board or the Washington County Delegation.

(iii) The Chairman is a nonvoting member of the Commission who shall vote only when there is a tie vote among the voting members of the Commission.

(5) The County Commissioners shall provide the staff for the Commission.

(6) The Commission shall:

(i) Advertise the vacancy and provide the procedures for filling the vacancy in at least one medium accessible to the general public, which includes:

1. A newspaper of general circulation in the region; or

2. An electronic posting on the local school system website;

and

(ii) Before selecting any nominees, hold at least one public hearing.

(7) Within 30 days of the vacancy occurring, the Commission shall submit the names of no more than three nominees to the County Commissioners for their consideration.

(8) Within 15 days after receiving the names of the nominees provided by the Commission under paragraph (7) of this subsection, the County Commissioners shall select an individual to fill the vacancy on the county board.]

3-13A-01.

(a) (1) The Wicomico County Board consists of:

(i) Seven nonpartisan elected voting members; and

(ii) At least one student member.

[3-13A-03.

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

(2) The purpose of the Commission is to select nominees to recommend to the Wicomico County Council as qualified candidates for appointment to fill a vacancy of an elected member on the Wicomico County Board.

(3) Within 60 days of a vacancy on the county board, the Commission shall:

(i) Develop and publicize criteria for choosing nominees to fill the vacancy;

(ii) Make public the names of the candidates that apply for appointment to fill a vacancy on the county board;

(iii) Hold at least two public hearings on the applicants for appointment; and

(iv) Make public and submit to the County Council the names of two nominees for any vacancy.

(4) (i) Within 60 days after the County Council receives the names of the nominees from the Commission, the County Council shall hold a public hearing regarding the nominees.

(ii) After the hearing, if the County Council deems at least one of the nominees acceptable, the County Council shall vote on the nominees and fill the vacancy.

(iii) If the County Council deems both nominees unacceptable, the County Council shall return the names to the Commission and request that the Commission submit the names of at least two additional qualified nominees from which the County Council shall select an individual to fill the vacancy.

(5) (i) The Commission consists of 14 members.

(ii) The members of the Commission shall be appointed from the names submitted by the following organizations, entities, or communities of interest:

1. One member from the Wicomico County Branch of the National Association for the Advancement of Colored People;

2. One member from the Wicomico County Education Association;

3. One member from the Wicomico County area chambers of commerce, selected by the chambers by consensus;

4. One member from the Wicomico County Educational Support Professionals Association;

5. One member from the Wicomico County Council of PTAs;

6. One member from each of the eight incorporated municipalities in Wicomico County; and

7. One member who is a parent of a child with special needs in the Wicomico County Public School System and who is affiliated with an advocacy group for children with special needs in the county.

(6) To the extent practicable, the Commission shall reflect the gender, ethnic, and racial makeup of the county.

(7) The County Executive of Wicomico County shall appoint the members of the Commission, with the advice and consent of the County Council, from the names submitted by the organizations, entities, or communities of interest listed under paragraph (5) of this subsection.

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

(9) The Commission shall select a chair and vice chair from among the members.

(b) The Wicomico County Public School System shall provide staff for the Commission.]

[3-13A-04.

(a) Except as provided in subsection (b) of this section, the Wicomico County Council shall appoint an individual to fill a vacancy of an elected member on the county board in accordance with § 3-13A-03 of this subtitle.

(b) (1) If a vacancy for an elected member occurs before the date that is 30 days before the date for filing a certificate of candidacy for the primary election in the presidential election year, the individual appointed under subsection (a) of this section shall serve only until a successor is elected by the voters at the next general election.

(2) Candidates for the vacated office may be nominated at a primary election in the same manner as for any other position on the county board.]

3-13A-03.

A VACANCY OF AN ELECTED MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.

[3-13A-05.] 3-13A-04.

(a) The State Board may remove an elected or appointed member of the county board for any of the following reasons:

(1) Immorality;

(2) Misconduct in office;

(3) Incompetency;

(4) Willful neglect of duty; or

(5) Failure to attend, without good cause, at least 75% of the scheduled meetings of the county board in any 1 calendar year.

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

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

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

(2) The member shall have an opportunity to be heard publicly before the State Board in the member's own defense in person or by counsel.

(d) A member removed under this section has the right to a de novo review of the removal by the Circuit Court for Wicomico County.

[3-13A-06.] 3-13A-05.

At the first meeting of the county board in December of each year, the county board shall elect a chair and vice chair from among the elected members.

[3-13A-07.] 3-13A-06.

(a) A student member of the county board shall be selected in accordance with procedures established by the county board.

(b) (1) Each student member shall:

(i) Be an 11th or 12th grade student in good standing and regularly enrolled in the Wicomico County public school system;

(ii) Serve for 1 year beginning July 1 after the selection of the member;

(iii) Be a nonvoting member; and

(iv) Advise the county board on the thoughts and feelings of students in the Wicomico County public schools.

(2) Unless invited to attend by an affirmative vote of a majority of the elected members of the county board, a student member may not attend a closed session of the county board.

[3-13A-08.] 3-13A-07.

(a) (1) The chair of the county board is entitled to receive annually as compensation the greater of:

(i) \$4,000; or

(ii) A salary set by the Wicomico County Council.

(2) The vice chair of the county board and the other elected members of the county board are entitled to receive annually as compensation the greater of:

(i) \$3,700; or

(ii) A salary set by the Wicomico County Council.

(b) After submitting vouchers under the rules and regulations adopted by the county board, the elected members are entitled to receive reimbursement for travel and other expenses as provided in the county board's budget.

1 (c) (1) On the submission of expense vouchers, a student member is entitled
2 to reimbursement for travel and other expenses incurred in the performance of official
3 duties for the county board.

4 (2) A student member may be granted a scholarship as authorized by the
5 county board.

6 (3) A student member is not entitled to any compensation or payment other
7 than that specified under paragraphs (1) and (2) of this subsection for the student member's
8 work as a student member of the county board.

9 3-1401.

10 (a) The Worcester County Board consists of seven voting members and one
11 nonvoting student member from each public high school in the county.

12 (b) (1) The seven voting members of the Worcester County Board shall be
13 elected at a general election.

14 (2) Members of the Worcester County Board shall be elected in accordance
15 with Title 8, Subtitle 8 of the Election Law Article.

16 (c) (1) A member from a county commissioner district shall be a resident of the
17 district.

18 (2) A member from a county commissioner district who no longer resides in
19 the district may not continue as a member of the county board.

20 (3) Notwithstanding § 3-114(g) of this title or any other law, a school bus
21 contractor is eligible to serve as a member of the county board.

22 (d) Of the seven voting members of the county board, one shall be elected from
23 each of the seven county commissioner districts.

24 (e) A member serves for a term of 4 years beginning on the January 1 after the
25 member's election and until a successor is elected and qualifies.

26 (f) (1) One member shall be elected from each of the county commissioner
27 districts 1, 4, 6, and 7 at the November 2002 general election.

28 (2) One member shall be elected from each of the county commissioner
29 districts 2, 3, and 5 at the November 2004 general election.

30 (g) [(1) The county commissioners shall appoint a new member to fill any
31 vacancy on the county board for the remainder of that term and until a successor is elected
32 and qualifies.

(2) A resident of the district in which a vacancy exists may apply to the county commissioners to fill the vacancy.

(3) The county commissioners shall adopt rules for the application procedure to fill a vacancy on the county board] **A VACANCY OF A VOTING MEMBER OF THE COUNTY BOARD SHALL BE FILLED IN ACCORDANCE WITH § 3-106(A) OF THIS TITLE.**

(h) (1) Each student member shall:

(i) Be a 12th grade student in the Worcester County public school system elected by the high school students of the public school which the student attends, in accordance with procedures established by the school system;

(ii) Serve for 1 year beginning on July 1 after the election of the member;

(iii) Be a nonvoting member; and

(iv) Advise the board on the interests of students.

(2) Unless invited to attend by an affirmative vote of a majority of the county board, the student members may not attend an executive session.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2026.