

SENATE BILL 933

D1

CONSTITUTIONAL AMENDMENT

6lr0674

By: Chair, Judicial Proceedings Committee

Introduced and read first time: February 6, 2026

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Judiciary Department – Commission on Judicial Disabilities – Temporary**
3 **Appointment**

4 FOR the purpose of withdrawing and repealing a certain proposed Constitutional
5 amendment relating to temporary appointments to the Commission on Judicial
6 Disabilities; allowing the chair of the Commission to appoint a former member to
7 temporarily fill a certain vacancy on the Commission; and allowing the Governor, on
8 certain request of the chair, to appoint a temporary substitute member or extend the
9 term of an existing member of the Commission.

10 BY withdrawing, recalling, and repealing
11 Chapters 848 and 849 of the Acts of the General Assembly of 2025

12 BY proposing an amendment to the Maryland Constitution
13 Article IV – Judiciary Department
14 Section 4A and 4B

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
16 (Three-fifths of all the members elected to each of the two Houses concurring), That
17 Chapters 848 and 849 of the Acts of the General Assembly of 2025 be and they are hereby
18 withdrawn and recalled for appropriate legislative action.

19 SECTION 2. AND BE IT FURTHER ENACTED, That Chapters 848 and 849 of the
20 Acts of the General Assembly of 2025 be and they are hereby repealed.

21 SECTION 3. AND BE IT FURTHER ENACTED BY THE GENERAL ASSEMBLY
22 OF MARYLAND, (Three-fifths of all the members elected to each of the two Houses
23 concurring), That it be proposed that the Maryland Constitution read as follows:

24 **Article IV – Judiciary Department**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 4A.

2 (a) There is a Commission on Judicial Disabilities composed of eleven persons
3 appointed by the Governor of Maryland, by and with the advice and consent of the Senate.

4 (b) The members of the Commission shall be citizens and residents of this State.

5 (c) (1) Three members of the Commission shall be appointed from among the
6 judges of the State, with one member representing the appellate courts, one member
7 representing the Circuit Courts, and one member representing the District Court.

8 (2) Three members shall be appointed from among those persons who are
9 admitted to practice law in the State, who have been so engaged for at least seven years,
10 and who are not judges of any court.

11 (3) Five members shall represent the public, who may not be active or
12 retired judges, who are not admitted to practice law in this State, and who may not have a
13 financial relationship with or receive compensation from a judge or a person admitted to
14 practice law in this State.

15 (4) The composition of the Commission should reflect the race, gender, and
16 geographic diversity of the population of the State.

17 (d) **[The] SUBJECT TO THE PROVISIONS OF §4B(A)(5) OF THIS ARTICLE, THE**
18 term of office of each member is four years commencing on January 1 following the
19 expiration of the member's predecessor's term. A member may not serve more than two
20 four-year terms, or for more than a total of ten years if appointed to fill a vacancy.

21 (e) A member's membership automatically terminates:

22 (1) When any member of the Commission appointed from among judges in
23 the State ceases to be a judge;

24 (2) When any member appointed from among those admitted to practice
25 law becomes a judge;

26 (3) When any member representing the public becomes a judge or is
27 admitted to the practice of law in this State or has a financial relationship with or receives
28 compensation from a judge or a person admitted to practice law in this State; or

29 (4) When any member ceases to be a resident of the State.

30 (f) Any vacancies on the Commission shall be filled for the unexpired term by the
31 Governor in the same manner as for making of appointments to the Commission and
32 subject to the same qualifications which were applicable to the person causing the vacancy.

(g) A member of the Commission may not receive any compensation for the member's services as such but shall be allowed any expenses necessarily incurred in the performance of the member's duties as such member.

4 4B.

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

20 (4) No justice or judge shall participate as a member of the Commission in
21 any proceedings involving that justice's or judge's own conduct, and the Governor shall
22 appoint another justice or judge as a substitute member of the Commission for those
23 proceedings.

24 (5) (I) IN THE EVENT OF A MEMBER'S RECUSAL OR
25 DISQUALIFICATION OR THE EXPIRATION OF A MEMBER'S TERM WITHOUT A
26 REPLACEMENT, THE COMMISSION CHAIR MAY:

(III) ANY TEMPORARY SUBSTITUTE MEMBER:

(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.

25 (4) No justice of the Supreme Court of Maryland shall sit in judgment in
26 any hearing involving that justice's own conduct.

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

30 SECTION 4. AND BE IT FURTHER ENACTED, That the General Assembly
31 determines that the amendment to the Maryland Constitution proposed by Section 3 of this
32 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland
33 Constitution concerning local approval of constitutional amendments do not apply.

34 SECTION 5. AND BE IT FURTHER ENACTED, That the amendment to the
35 Maryland Constitution proposed by Section 3 of this Act shall be submitted to the qualified

1 voters of the State at the next general election to be held in November 2026 for adoption or
2 rejection in accordance with Article XIV of the Maryland Constitution. At that general
3 election, the vote on the proposed amendment to the Constitution shall be by ballot, and on
4 each ballot there shall be printed the words "For the Constitutional Amendment" and
5 "Against the Constitutional Amendment", as now provided by law. Immediately after the
6 election, all returns shall be made to the Governor of the vote for and against the proposed
7 amendment, as directed by Article XIV of the Maryland Constitution, and further
8 proceedings had in accordance with Article XIV.