

SUSAN K. McCOMAS
Legislative District 34B
Harford County

DEPUTY MINORITY WHIP

Judiciary Committee

Subcommittees

Civil

Criminal

Public Safety

Joint Committees

Administrative, Executive,
and Legislative Review

Legislative Policy

Past President

Women Legislators of Maryland



Annapolis Office
The Maryland House of Delegates
6 Bladen Street, Room 411
Annapolis, Maryland 21401
410-841-3272
800-492-7122 Ext. 3272
Susan.McComas@house.maryland.gov

THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

TESTIMONY IN SUPPORT OF HB1403 – Initiative Process

Maryland House Bill HB1403 proposes a constitutional amendment, if approved by the voters of the next general election, authorizing the people of the State to submit to the voters at the polls by petition any proposed bill to add to, repeal or amend the public general laws or the Maryland Constitution that was not approved at a regular or special session of the General Assembly. This is what is referred to as the Initiative Process.

The first state to adopt the initiative process was South Dakota in 1898. To date, twenty-four states, the District of Columbia and the Virgin Islands have an initiative process incorporated into their constitutions. No two states have the same requirements for qualifying initiatives for the ballot. HB1403, as proposed, has a stringent set of requirements for the initiative to make it to the ballot:

1. The proposed initiative must be submitted to the Secretary of State, and if any summary of the proposal is included with the petition, the summary must be approved for accuracy by the Attorney General.
2. Upon approval by the Attorney General, the petition to move the initiative forward must be signed by registered voters of the State of Maryland. The number of signatures must be equal to or greater than at least 10% of the votes cast in the last election for Governor. No more than 50% of those signatures may be from Baltimore City or any other single county.
3. The petition must be filed within 180 days after the last action on the bill by the General Assembly.

4. The Secretary of State must certify that the petition contains the necessary number of validated signatures.
5. If certified by the Secretary of State at least 90 days before a general election, the proposal is submitted to the voters at that election, otherwise the proposal is submitted to the voters at the next general election.
6. The Governor must declare a proposal to be effective if at least 50% of the votes were cast in favor to change the public general law or, if the proposal were to amend the Maryland Constitution, at least two-thirds of the votes were cast in favor of the initiative. Thirty days after the Governor's declaration, the initiative becomes effective.
7. There are two types of initiatives: Direct and Indirect. This is a direct method process as proposed initiatives that meet all the requirements set forth here, go directly to the ballot. In an indirect process, proposed initiatives are submitted to the legislature.

The General Assembly must determine the form of the petition, the manner of validating the authenticity of the petitions and any other administrative procedures which do not conflict with the constitutional amendment's requirements.

Any initiative that becomes law or amends the Maryland Constitution may not be amended or repealed within the two years after it becomes effective UNLESS the change is approved by two thirds vote of both houses of the Maryland General Assembly. Constitutional Amendments that affect only one county or the City of Baltimore must receive a majority of votes from voters statewide AND in the affected jurisdictions.

Let us move forward by giving a voice to the people of Maryland in the 21st century.

Please return a favorable report for HB1403, formerly HB1288 – 2024.

Thank you, Madame Chair and Committee Members.

Susan K. McComas