

SENATE BILL 140

G1, P5
SB 366/23 – EEE

(PRE-FILED)

4lr0770
CF 4lr0767

By: **Senator Lam**

Requested: September 28, 2023

Introduced and read first time: January 10, 2024

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly Vacancy – Political Party Central Committees – Procedures**

3 FOR the purpose of establishing requirements for the filling of a vacancy in the office of
4 Senator or Delegate in the General Assembly by a central committee of a political
5 party under the Maryland Constitution relating to applications, public notice, public
6 meetings, and voting; and generally relating to the procedures of a central committee
7 of a political party for filling a vacancy in the General Assembly.

8 BY adding to

9 Article – Election Law

10 Section 4–206

11 Annotated Code of Maryland

12 (2022 Replacement Volume and 2023 Supplement)

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

15 **Article – Election Law**

16 **4–206.**

17 **(A) THIS SECTION APPLIES ONLY TO THE PROCESS OF FILLING A VACANCY**
18 **IN THE OFFICE OF SENATOR OR DELEGATE IN THE GENERAL ASSEMBLY UNDER**
19 **ARTICLE III, § 13 OF THE MARYLAND CONSTITUTION.**

20 **(B) (1) THE APPLICATION PERIOD TO APPLY TO A CENTRAL COMMITTEE**
21 **TO FILL A VACANCY SHALL BE:**

22 **(I) OPEN FOR AT LEAST 7 DAYS; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(II) ADVERTISED BY THE CENTRAL COMMITTEE FILLING THE VACANCY BY A PUBLIC NOTICE THAT INCLUDES:

1. THE CENTRAL COMMITTEE'S INTENT TO MEET TO FILL THE VACANCY;

2. THE TIME AND PLACE OF ANY MEETINGS TO BE HELD TO DISCUSS OR VOTE ON THE FILLING OF THE VACANCY;

3. THE PROCESS FOR FILLING THE VACANCY; AND

4. THE MANNER IN WHICH INDIVIDUALS MAY APPLY TO FILL THE VACANCY.

(2) THE NOTICE REQUIRED UNDER PARAGRAPH (1)(II) OF THIS SUBSECTION SHALL BE TRANSLATED INTO A LANGUAGE OTHER THAN ENGLISH IF THE LOCAL BOARD FOR THE COUNTY IN WHICH THE CENTRAL COMMITTEE IS LOCATED IS REQUIRED TO TRANSLATE ELECTION MATERIALS INTO THAT LANGUAGE UNDER § 203 OF THE FEDERAL VOTING RIGHTS ACT.

(C) ALL APPLICATIONS SUBMITTED TO A CENTRAL COMMITTEE TO FILL A VACANCY SHALL:

(1) BE POSTED ONLINE PROMPTLY AFTER RECEIPT BY THE COUNTY CENTRAL COMMITTEE OR THE STATE CENTRAL COMMITTEE OF THE POLITICAL PARTY; AND

(2) REMAIN POSTED ONLINE UNTIL AT LEAST 30 DAYS AFTER THE CENTRAL COMMITTEE VOTES ON AN INDIVIDUAL TO FILL THE VACANCY.

(D) THE CENTRAL COMMITTEE SHALL HOLD A PUBLIC MEETING TO INTERVIEW THE INDIVIDUALS WHO APPLIED TO FILL THE VACANCY.

(E) A MEETING HELD BY A CENTRAL COMMITTEE TO DISCUSS OR VOTE ON FILLING A VACANCY SHALL BE:

(1) OPEN TO THE PUBLIC; AND

(2) ANNOUNCED AT LEAST 3 DAYS BEFORE THE MEETING.

(F) (1) THE VOTE BY A CENTRAL COMMITTEE TO CHOOSE AN INDIVIDUAL TO FILL A VACANCY SHALL BE:

1 **(I) BY ROLL CALL VOTE OR BY SIGNED BALLOTS; AND**

2 **(II) IN A MEETING OPEN TO THE PUBLIC.**

3 **(2) A MEMBER OF THE CENTRAL COMMITTEE WHO HAS APPLIED TO**
4 **FILL THE VACANCY SHALL RECUSE THEMSELVES FROM VOTING ON THE INDIVIDUAL**
5 **TO FILL THE VACANCY.**

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2024.