

HOUSE BILL 1252

F1

5lr1189

By: **Delegates A. Johnson, S. Johnson, and McCaskill**

Introduced and read first time: February 7, 2025

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **County Boards of Education – Appointed Members in Leadership Positions –**
3 **Prohibition**

4 FOR the purpose of prohibiting certain appointed members of a county board of education
5 from serving in certain leadership positions on the county board; requiring the State
6 Department of Education to send a certain notice to a county board if the county
7 board violates a certain prohibition; specifying certain penalties that may be imposed
8 on county boards and appointed members for the continued violation of a certain
9 prohibition; and generally relating to leadership positions on county boards of
10 education.

11 BY adding to
12 Article – Education
13 Section 3–106
14 Annotated Code of Maryland
15 (2022 Replacement Volume and 2024 Supplement)

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

18 **Article – Education**

19 **3–106.**

20 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
21 **INDICATED.**

22 **(2) (I) “APPOINTED MEMBER” MEANS AN INDIVIDUAL SERVING ON**
23 **A COUNTY BOARD WHO IS APPOINTED TO THE POSITION BY A GOVERNMENT**
24 **OFFICIAL OR GOVERNMENTAL BODY.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(II) "APPOINTED MEMBER" DOES NOT INCLUDE A MEMBER SERVING ON A COUNTY BOARD WHO IS APPOINTED TO FILL A VACANCY FOR AN ELECTED POSITION ON THE COUNTY BOARD.

(3) "LEADERSHIP POSITION" MEANS A PRESIDENT, VICE PRESIDENT, CHAIR, OR VICE CHAIR OF A COUNTY BOARD.

(B) (1) AN APPOINTED MEMBER MAY NOT SERVE IN A LEADERSHIP POSITION ON A COUNTY BOARD.

(2) AN APPOINTED MEMBER SERVING IN A LEADERSHIP POSITION ON JULY 1, 2025, SHALL VACATE THE LEADERSHIP POSITION ON OR BEFORE AUGUST 1, 2025.

(C) (1) IF A COUNTY BOARD VIOLATES THIS SECTION, THE DEPARTMENT SHALL NOTIFY THE COUNTY BOARD IN WRITING AND REQUIRE IMMEDIATE CORRECTIVE ACTION.

(2) (I) WITHIN 30 DAYS AFTER THE DATE ON WHICH A COUNTY BOARD RECEIVES THE NOTIFICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE COUNTY BOARD SHALL REMOVE THE APPOINTED MEMBER FROM THE LEADERSHIP POSITION.

(II) IF A COUNTY BOARD DOES NOT COMPLY WITH THE REQUIREMENTS OF SUBPARAGRAPH (I) OF THIS PARAGRAPH:

1. THE DEPARTMENT SHALL SUSPEND ANY FUNDING TO THE COUNTY BOARD FOR ADMINISTRATIVE FUNCTIONS UNTIL THE VIOLATION IS REMEDIED; AND

2. THE COUNTY BOARD SHALL POST NOTICE OF THE VIOLATION ON THE COUNTY BOARD'S WEBSITE.

(3) IF A COUNTY BOARD DOES NOT COMPLY WITH THE REQUIREMENTS OF THIS SECTION WITHIN 60 DAYS AFTER THE DATE ON WHICH THE COUNTY BOARD RECEIVES THE NOTIFICATION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE DEPARTMENT MAY:

(I) WITHHOLD ADDITIONAL FUNDING TO THE COUNTY BOARD FOR ADMINISTRATIVE FUNCTIONS; AND

1 **(II) REFER THE MATTER TO THE ATTORNEY GENERAL FOR**
2 **ENFORCEMENT.**

3 **(4) (I) THE DEPARTMENT MAY IMPOSE A CIVIL PENALTY ON AN**
4 **APPOINTED MEMBER WHO KNOWINGLY AND WILLFULLY CONTINUES TO SERVE IN A**
5 **LEADERSHIP POSITION IN VIOLATION OF THIS SECTION.**

6 **(II) A CIVIL PENALTY IMPOSED UNDER SUBPARAGRAPH (I) OF**
7 **THIS PARAGRAPH:**

8 **1. MAY NOT EXCEED \$2,500; AND**

9 **2. SHALL BE PAYABLE TO THE DEPARTMENT.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
11 1, 2025.