

HOUSE BILL 240

F3

2lr0674

By: **Montgomery County Delegation**

Introduced and read first time: January 13, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Board of Education – Membership**

3 **MC 16–22**

4 FOR the purpose of altering the number of elected members of the Montgomery County
5 Board of Education who may reside anywhere in the county; and generally relating
6 to the membership of the Montgomery County Board of Education.

7 BY repealing and reenacting, with amendments,

8 Article – Education

9 Section 3–901(a), (b), and (f)(1) and (3)(i) and (ii)

10 Annotated Code of Maryland

11 (2018 Replacement Volume and 2021 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Education

14 Section 3–901(c), (d), and (f)(2)

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2021 Supplement)

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

19 **Article – Education**

20 3–901.

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

22 (2) “Board of Education District” means a geographic area of Montgomery
23 County in which an elected member of the Montgomery County Board of Education must

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



be a legal resident. The geographic area of each district is described in subsection (f) of this section. Each district shall be substantially equal in population, and the districts shall be reapportioned on the basis of each decennial census of the United States.

(3) "Elected member" means 1 of the [7] 8 elected and voting members of the Montgomery County Board or a member appointed to fill a vacancy of 1 of these [7] 8 members.

(b) The Montgomery County Board consists of:

(1) 5 elected members, each of whom resides in a different board of education district;

(2) [2] 3 elected members who may reside anywhere in the county; and

(3) 1 student member.

(c) An elected member of the county board shall be a registered voter of Montgomery County.

(d) Members of the Montgomery County Board shall be elected at the general election every 2 years as required by subsection (f) of this section.

(f) (1) (I) Each elected 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.

(II) The terms of elected members are staggered [as required by the terms of the members serving on the county board as of July 1, 1978] so that 4 members are elected in gubernatorial election years and [3], BEGINNING AT THE 2024 GENERAL ELECTION, 4 members are elected in presidential election years.

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

(3) (i) Of the 4 members elected [in 1992] IN A GUBERNATORIAL ELECTION YEAR and every 4 years thereafter[.]:

1. 1 shall reside in Board of Education District 2 and 1 shall reside in Board of Education District 4[. The third member]; AND

2. BEGINNING AT THE 2024 GENERAL ELECTION, 2 MEMBERS may reside in any part of the county.

(ii) Of the 4 members elected in [1990] A PRESIDENTIAL ELECTION YEAR and every 4 years thereafter[.]:

1 **1.** 1 shall reside in Board of Education District 1, 1 shall
2 reside in Board of Education District 3, and 1 shall reside in Board of Education District
3 5[. The fourth]; AND

4 **2.** 1 member may reside in any part of the county.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
6 1, 2022.