

HOUSE BILL 476

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By: **Delegates Ebersole and Forbes**

Introduced and read first time: January 21, 2022

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Baltimore County – Board of Education – Member Appointments and Terms and**
3 **Election of Officers**

4 FOR the purpose of altering the process for appointing certain members of the Baltimore
5 County Board of Education; altering the term of elected and appointed members and
6 the process for electing officers of the county board; and generally relating to the
7 Baltimore County Board of Education.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 3–2B–01, 3–2B–04, and 3–2B–09(a)
11 Annotated Code of Maryland
12 (2018 Replacement Volume and 2021 Supplement)

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

15 **Article – Education**

16 3–2B–01.

17 (a) The Baltimore County Board of Education consists of:

18 (1) Seven nonpartisan elected members;

19 (2) Four appointed members; and

20 (3) One student member.

21 (b) (1) Of the 11 elected and appointed members of the county board:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(i) One member shall be elected from each of the seven councilmanic districts in the county, established by the County Council of Baltimore County, by the voters of that district; and

(ii) Four members shall be appointed by the Governor from the county at large.

(2) (i) The seven elected members shall be elected at a general election in accordance with § 3–2B–02 of this subtitle.

(ii) **[The] SUBJECT TO § 3–2B–04(A)(2) OF THIS SUBTITLE, THE** four appointed members shall be appointed by the Governor from a list of nominees submitted by the Baltimore County School Board Nominating Commission as provided in § 3–2B–03 of this subtitle:

1. On the expiration of the term of an incumbent appointed member within 30 days after the general election; or

2. Within the 30–day period otherwise required under this subtitle.

(3) (i) A member from a school board district shall be at least 21 years old, a resident of that district for at least 2 years, and a registered voter of the county before the election.

(ii) A member from a district who does not maintain residency in that district may not continue as a member of the county board and the office shall be deemed vacant.

(iii) If the boundary line of a district is changed, the term of an incumbent member of the county board who no longer resides in the district because of the change is not affected during this term.

(4) (i) A member may not be elected or appointed to serve on the county board for more than three consecutive terms.

(ii) A member who has served three consecutive 4–year terms may not be elected or appointed to the county board until at least 4 years have elapsed since the end of the member’s last term on the county board.

(5) During an election year:

(i) The Governor may not appoint as a member of the county board an individual who files a certificate of candidacy for election to the county board; and

(ii) An individual who files a certificate of candidacy for election to the county board may not seek appointment to the county board by the Governor through nomination by the Baltimore County School Board Nominating Commission.

3-2B-04.

(a) (1) Except for the student member, a member serves for a term of 4 years [beginning on the first Monday in December after the member's election or appointment and] until a successor is elected or appointed and qualifies.

(2) (I) THE GOVERNOR SHALL APPOINT FOUR MEMBERS TO THE COUNTY BOARD ON A DAY THAT IS AFTER THE DATE OF THE GUBERNATORIAL INAUGURATION AND BEFORE FEBRUARY 1 THAT SAME YEAR.

(II) A MEMBER APPOINTED IN ACCORDANCE WITH SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BEGIN THEIR TERM ON THE DATE OF THE MEMBER'S APPOINTMENT BY THE GOVERNOR.

(III) A MEMBER ELECTED TO THE COUNTY BOARD SHALL BEGIN THEIR TERM ON THE DATE THAT MEMBERS ARE APPOINTED IN ACCORDANCE WITH THIS PARAGRAPH.

(b) (1) An individual who takes office to fill a vacancy for an elected or appointed member serves for the remainder of the term for which the appointment was made and until a successor is elected or appointed and qualifies.

(2) [The] SUBJECT TO SUBSECTION (A)(2) OF THIS SECTION, THE Governor shall act within 30 days to make any appointment to the county board.

3-2B-09.

(a) (1) [At] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AT the first meeting of the county board in December of each year, the county board shall elect a chair and vice chair from among the members.

(2) IN A GUBERNATORIAL ELECTION YEAR, THE COUNTY BOARD SHALL ELECT A CHAIR AND VICE CHAIR FROM AMONG THE MEMBERS AT THE FIRST MEETING OF THE COUNTY BOARD AFTER THE NEW TERM OF THE MEMBERS HAS BEGUN.

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