

HOUSE BILL 976

B1, P5
SB 848/09 – B&T

CONSTITUTIONAL AMENDMENT

2lr1159

By: **Delegates Kittleman, Arikan, Boteler, Krebs, and McComas**

Introduced and read first time: February 10, 2022

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Legislation – Spending Mandates – Three-Fifths Vote and Limited Duration**
3 **Requirement**

4 FOR the purpose of requiring that any bill that requires the Governor to make an
5 appropriation in the State budget may not become law without at least a three-fifths
6 supermajority in each House and may only remain effective for 4 years.

7 BY proposing an amendment to the Maryland Constitution
8 Article III – Legislative Department
9 Section 28

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
11 (Three-fifths of all the members elected to each of the two Houses concurring), That it be
12 proposed that the Maryland Constitution read as follows:

13 **Article III – Legislative Department**

14 28.

15 (A) [No] **SUBJECT TO SUBSECTION (B) OF THIS SECTION**, NO bill, nor single
16 group of bills placed on the “consent calendar,” shall become a Law unless it be passed in
17 each House by a majority of the whole number of members elected, and on its final passage,
18 the yeas and nays be recorded, and on final passage of the bills placed on the “consent
19 calendar” the yeas and nays on the entire group of bills be recorded. A resolution requiring
20 the action of both Houses shall be passed in the same manner.

21 (B) **A BILL REQUIRING THE GOVERNOR TO INCLUDE AN APPROPRIATION IN**
22 **THE STATE BUDGET MAY NOT BECOME A LAW UNLESS IT IS PASSED IN EACH HOUSE**
23 **BY A THREE-FIFTHS MAJORITY OF THE WHOLE NUMBER OF MEMBERS ELECTED,**
24 **AND MAY ONLY REMAIN IN EFFECT FOR FOUR YEARS OR LESS.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
2 determines that the amendment to the Maryland Constitution proposed in Section 1 of this
3 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland
4 Constitution concerning local approval of constitutional amendments do not apply.

5 SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the
6 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified
7 voters of the State at the next general election to be held in November 2022 for adoption or
8 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,
9 the vote on the proposed amendment to the Constitution shall be by ballot, and on each
10 ballot there shall be printed the words “For the Constitutional Amendment” and “Against
11 the Constitutional Amendment”, as now provided by law. Immediately after the election,
12 all returns shall be made to the Governor of the vote for and against the proposed
13 amendment, as directed by Article XIV of the Maryland Constitution, and further
14 proceedings had in accordance with Article XIV.