

SENATE BILL 414

F3
SB 150/21 – EHE

2lr0545

By: **Senator Sydnor**

Introduced and read first time: January 26, 2022

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 23, 2022

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Board of Education – Membership and Election of Officers**

3 FOR the purpose of altering the number of members serving on the Baltimore County
4 Board of Education; requiring the Baltimore County Executive to appoint a member
5 of the county board from a certain list of nominees within a certain period of time;
6 altering the processes of the Baltimore County School Board Nominating
7 Commission to require the Commission to forward a list of nominees to an appointing
8 official; altering the quorum requirements for election of the chair and vice chair of
9 the county board; and generally relating to the membership and election of officers
10 for the Baltimore County Board of Education.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 3–2B–01, 3–2B–03, 3–2B–04, and 3–2B–09(a)
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2021 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 3–2B–01.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(1) Seven nonpartisan elected members;

(2) ~~[Four]~~ **FIVE** appointed members; and

(3) One student member.

(b) (1) Of the ~~[11]~~ **12** elected and appointed members of the county board:

(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; **AND**

(III) ONE MEMBER SHALL BE APPOINTED BY THE COUNTY EXECUTIVE OF BALTIMORE COUNTY.

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

(ii) The ~~[four]~~ **FIVE** 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] **AN** individual who files a certificate of candidacy for election to the county board **MAY NOT BE APPOINTED AS A MEMBER OF 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-03.

(a) (1) There is a Baltimore County School Board Nominating Commission.

(2) The purpose of the Commission is to select nominees to be recommended to the Governor **AND THE COUNTY EXECUTIVE OF BALTIMORE COUNTY** as qualified candidates for appointment to the Baltimore County Board of Education.

(3) The Commission shall hold at least three public hearings, each in a different councilmanic district, on the selection of nominees before recommending to the Governor nominees for appointment to the county board.

(b) (1) The Commission consists of 19 members who shall be appointed in accordance with this subsection.

(2) The Commission shall reflect the rich cultural, geographic, ethnic, and racial diversity of Baltimore County.

(3) The Governor, in consultation with the County Executive of Baltimore County, shall appoint eight members, one from each legislative district that lies in whole or in part in Baltimore County.

(4) The County Executive of Baltimore County shall appoint one member from the county at large.

(5) The following organizations each shall appoint one member:

(i) The Teachers Association of Baltimore County;

(ii) The Baltimore County Chamber of Commerce;

(iii) The PTA Council of Baltimore County, Inc.;

(iv) Towson University;

(v) The League of Women Voters of Baltimore County;

(vi) The Baltimore County Branch of the National Association for the Advancement of Colored People;

(vii) The Baltimore County Public Schools' Special Education Citizens' Advisory Committee;

(viii) The Baltimore County Student Councils;

(ix) The Council of Administrative and Supervisory Employees; and

(x) The Education Support Personnel of Baltimore County.

(c) (1) The County Executive for Baltimore County shall designate one of the Commission's members as chair of the Commission.

(2) The term of the chair of the Commission is 4 years.

(3) The term of a member of the Commission is 4 years.

(d) The Baltimore County Public Schools shall provide staff for the Commission.

(e) [Beginning October 1, 2018, for] **FOR** each nomination for a vacancy on the county board, the Commission shall submit to the [Governor] **APPOINTING OFFICIAL** a list of nominees that contains:

(1) At least two names for each vacancy; or

(2) If there are fewer than two applicants for a vacancy, the number of names that is equal to the number of applicants for the vacancy.

(f) (1) Absent an extraordinary circumstance, the [Governor] **APPOINTING OFFICIAL** shall appoint a member to the county board from the list provided by the Commission.

(2) If the [Governor] **APPOINTING OFFICIAL** elects not to appoint a member from a list submitted by the Commission, the [Governor] **APPOINTING OFFICIAL** shall return the list to the Commission and request that the Commission submit the names of additional qualified candidates.

(a) 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.

(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 [Governor] **APPOINTING OFFICIAL** shall act within 30 days to make any appointment to the county board.

3-2B-09.

(a) At the first meeting of the county board in December of each year, the county board shall, **BY A MAJORITY VOTE OF THE VOTING MEMBERS CURRENTLY SERVING**, elect a chair and vice chair from among the members.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.