

HOUSE BILL 210

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3lr1494

By: ~~Delegate Ebersole~~ Baltimore County Delegation

Introduced and read first time: January 20, 2023

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 9, 2023

CHAPTER _____

1 AN ACT concerning

2 **Baltimore County – Board of Education – Member Elections and Appointments**

3 FOR the purpose of requiring the members of the Baltimore County Board of Education to
4 be elected or appointed to the Board in certain years; providing for the termination
5 of the terms of certain appointed members of the Board and the appointment of
6 certain members of the Board in a certain year; and generally relating to the
7 Baltimore County Board of Education and member elections and appointments.

8 BY repealing and reenacting, with amendments,
9 Article – Education
10 Section 3–2B–01
11 Annotated Code of Maryland
12 (2022 Replacement Volume)

13 BY repealing and reenacting, without amendments,
14 Article – Education
15 Section 3–2B–04
16 Annotated Code of Maryland
17 (2022 Replacement Volume)

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

20 **Article – Education**

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.



3–2B–01.

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

(1) Seven nonpartisan elected members;

(2) Four appointed members; and

(3) One student member.

(b) (1) Of the 11 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.

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

(ii) The four appointed members shall be appointed by the Governor **IN PRESIDENTIAL ELECTION YEARS** 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) 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 shall act within 30 days to make any appointment to the county board.

SECTION 2. AND BE IT FURTHER ENACTED, That:

(a) The terms of the four appointed members of the Baltimore County Board of Education whose terms are scheduled to expire on December 1, 2026, shall terminate at the end of December 1, 2024.

(b) The Governor shall appoint four members to the Board in accordance with § 3-2B-01 of the Education Article in 2024, and the four appointed members shall serve for a term of 4 years beginning December 2, 2024, until a successor is appointed and qualifies.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2023.