

HOUSE BILL 809

P1

4lr2703

By: ~~Delegate Vogel~~ Delegates Vogel, Alston, Bagnall, Bhandari, Chisholm, Cullison, Hill, Hutchinson, S. Johnson, Kaiser, Kerr, Kipke, R. Lewis, Lopez, Martinez, M. Morgan, Pena-Melnyk, Reilly, Rosenberg, Szeliga, Taveras, White Holland, and Woods

Introduced and read first time: January 31, 2024

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2024

CHAPTER _____

1 AN ACT concerning

2 **Members of Boards, Committees, Commissions, Task Forces, or Workgroups –**
3 **Removal or Suspension**

4 FOR the purpose of providing that a member of a certain board, committee, commission,
5 task force, or workgroup created by State law may be removed or suspended for
6 misconduct, incompetence, neglect of duties, or other good cause by the individual or
7 entity that appointed the member under certain circumstances; requiring certain
8 procedures to be followed before a certain member may be removed or suspended;
9 providing that this Act is not intended to limit certain rights of members; and
10 generally relating to the removal or suspension of members of boards, committees,
11 commissions, task forces, and workgroups.

12 BY adding to

13 Article – State Government
14 Section 10–1701 to be under the new subtitle “Subtitle 17. Miscellaneous”
15 Annotated Code of Maryland
16 (2021 Replacement Volume and 2023 Supplement)

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

19 **Article – State Government**

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.



SUBTITLE 17. MISCELLANEOUS.

10-1701.

(A) IN THIS SECTION, "MEMBER" MEANS AN INDIVIDUAL APPOINTED FOR A FIXED TERM TO A BOARD, COMMITTEE, COMMISSION, TASK FORCE, OR WORKGROUP CREATED BY STATE LAW.

(B) THIS SECTION DOES NOT APPLY TO THE REMOVAL OR SUSPENSION OF A MEMBER FROM:

(1) A STANDING COMMITTEE, AS DEFINED IN § 2-101 OF THIS ARTICLE; OR

(2) A COMMITTEE ESTABLISHED UNDER TITLE 2 OF THIS ARTICLE.

(C) EXCEPT AS OTHERWISE PROVIDED BY LAW, A MEMBER OF A BOARD, COMMITTEE, COMMISSION, TASK FORCE, OR WORKGROUP CREATED BY STATE LAW MAY BE REMOVED OR SUSPENDED FOR MISCONDUCT, INCOMPETENCE, NEGLECT OF DUTIES, OR OTHER GOOD CAUSE BY THE INDIVIDUAL OR ENTITY THAT APPOINTED THE MEMBER.

(D) ~~(1) AN~~ EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, AN INDIVIDUAL OR ENTITY THAT APPOINTED A MEMBER MAY REMOVE OR SUSPEND THE MEMBER IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION ONLY AFTER:

~~(1)~~ (I) CONSULTATION WITH THE CHAIR OF THE BOARD, COMMITTEE, COMMISSION, TASK FORCE, OR WORKGROUP; AND

~~(2)~~ (II) THE MEMBER HAS BEEN GIVEN NOTICE AND AN OPPORTUNITY TO BE HEARD REGARDING THE REASON FOR REMOVAL OR SUSPENSION.

(2) THE REQUIREMENTS OF PARAGRAPH (1)(I) OF THIS SUBSECTION DO NOT APPLY IF THE MEMBER BEING REMOVED OR SUSPENDED IS THE CHAIR OF THE BOARD, COMMITTEE, COMMISSION, TASK FORCE, OR WORKGROUP.

(E) NOTHING IN THIS SECTION IS INTENDED TO LIMIT THE RIGHTS OF A MEMBER TO EXPRESS THE MEMBER'S VIEWS ON MATTERS OF PUBLIC CONCERN TO THE FULLEST EXTENT PROTECTED FOR A PUBLIC OFFICIAL, AS DEFINED IN § 5-101 OF THE GENERAL PROVISIONS ARTICLE, BY THE U.S. CONSTITUTION OR BY THE MARYLAND CONSTITUTION.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2024.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.