

HOUSE BILL 391

F1, G1

5lr1335

By: **Delegates J. Long and Crosby**

Introduced and read first time: January 16, 2025

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **County Boards of Education – Elections for Members Representing Specific**
3 **Districts – Alterations**

4 FOR the purpose of requiring that certain members of certain county boards of education
5 representing certain districts be elected only by the voters of that district; and
6 generally relating to the election of members of county boards of education.

7 BY repealing and reenacting, without amendments,
8 Article – Education
9 Section 3–301(b), 3–4A–01(a) and (b), 3–601(b), 3–901(b), 3–10A–01(a), 3–1101(a),
10 and 3–1401(a)
11 Annotated Code of Maryland
12 (2022 Replacement Volume and 2024 Supplement)

13 BY repealing and reenacting, with amendments,
14 Article – Education
15 Section 3–301(d), 3–4A–01(c), 3–601(c) and (e), 3–901(f)(2), 3–10A–01(b) and (c),
16 3–1101(e), 3–1201(a) and (d), 3–12A–01(a) and (b), and 3–1401(d)
17 Annotated Code of Maryland
18 (2022 Replacement Volume and 2024 Supplement)

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

21 **Article – Education**

22 3–301.

23 (b) The five voting members of the Calvert County Board shall be elected at a
24 general election as required by subsections (d) and (f) of this section.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(d) (1) Of the five voting members of the county board:

[(1)] (I) One shall be elected from each of the three county commissioner districts, **ELECTED ONLY BY THE VOTERS OF THAT DISTRICT**; and

[(2)] (II) Two shall be elected from the county at large.

(2) (I) **AS APPLICABLE FOR THAT COUNTY COMMISSIONER DISTRICT, AT THE GENERAL ELECTION, THE BALLOT SHALL PROVIDE THE VOTER WITH THE CHOICE TO CAST A VOTE “FOR” A CANDIDATE FOR ELECTION FROM THAT DISTRICT.**

(II) **AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN ELECTED.**

3-4A-01.

(a) The Cecil County Board consists of six members as follows:

(1) One voting member elected from each of the five commissioner districts; and

(2) One nonvoting student member.

(b) The five voting members of the county board shall be elected at a general election as required by subsection (c) of this section.

(c) (1) A member from a county commissioner district shall be [a]:

(I) **A resident of the COUNTY COMMISSIONER district FROM WHICH THE MEMBER IS ELECTED; AND**

(II) **ELECTED ONLY BY THE VOTERS OF THAT COUNTY COMMISSIONER DISTRICT.**

(2) A member from a county commissioner district who no longer resides in the district may not continue as a member of the county board.

(3) A candidate elected to the county board shall be a registered voter and resident of Cecil County for at least 3 years.

(4) (I) **AS APPLICABLE FOR THAT COUNTY COMMISSIONER DISTRICT, AT THE GENERAL ELECTION, THE BALLOT SHALL PROVIDE THE VOTER**

1 WITH THE CHOICE TO CAST A VOTE “FOR” A CANDIDATE FOR ELECTION FROM THAT
2 DISTRICT.

3 (II) AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE
4 BOARD OF ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A
5 CANDIDATE HAS BEEN ELECTED.

6 3–601.

7 (b) The Garrett County Board consists of:

8 (1) One elected member from each county commissioner district;

9 (2) Two elected members from the county at large; and

10 (3) One nonvoting student member.

11 (c) (1) A [candidate] MEMBER from a county commissioner district shall be
12 [a]:

13 (I) A resident of [that] THE COUNTY COMMISSIONER district
14 FROM WHICH THE MEMBER IS ELECTED; AND

15 (II) ELECTED ONLY BY THE VOTERS OF THAT COUNTY
16 COMMISSIONER DISTRICT.

17 (2) The member from the county at large shall be a resident of the county.

18 (3) A candidate for the county board shall be a registered voter of the
19 county.

20 (4) (i) A member from a county commissioner district who no longer
21 resides in that district may not continue as a member of the county board.

22 (ii) A member at large who no longer resides in the county may not
23 continue as a member of the county board.

24 (e) (1) Each elected member serves for a term of 4 years beginning on January
25 1 after the member’s election and until a successor is elected and qualifies.

26 (2) The terms for elected members are staggered as required by the terms
27 of the members serving on January 1, 1985.

28 (3) The County Commissioners shall appoint a qualified individual to fill
29 any vacancy in an elected member’s position on the board for the remainder of the term
30 and until a successor is elected and qualifies.

(4) (I) AS APPLICABLE FOR THAT COUNTY COMMISSIONER DISTRICT, AT THE GENERAL ELECTION, THE BALLOT SHALL PROVIDE THE VOTER WITH THE CHOICE TO CAST A VOTE “FOR” A CANDIDATE FOR ELECTION FROM THAT DISTRICT.

(II) AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN ELECTED.

3–901.

(b) The Montgomery County Board consists of:

(1) 5 elected members, each of whom resides in a different board of education district;

(2) 2 elected members who may reside anywhere in the county; and

(3) 1 student member.

(f) (2) (I) [Elected] THE SEVEN ELECTED members of the county board shall be ELECTED AS FOLLOWS:

1. ONE MEMBER FROM EACH OF THE FIVE BOARD OF EDUCATION DISTRICTS IN THE COUNTY, ELECTED BY THE VOTERS OF THAT BOARD OF EDUCATION DISTRICT; AND

2. TWO MEMBERS AT LARGE, elected by the voters of the entire county.

(II) 1. AS APPLICABLE FOR THAT BOARD OF EDUCATION DISTRICT, AT THE GENERAL ELECTION, THE BALLOT SHALL PROVIDE THE VOTER WITH THE CHOICE TO CAST A VOTE “FOR” A CANDIDATE FOR ELECTION FROM THAT DISTRICT.

2. AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN ELECTED.

3–10A–01.

(a) The Queen Anne’s County Board consists of:

(1) Five voting, nonpartisan, elected members; and

(2) One nonvoting student representative from each public high school in the county.

(b) The five voting, nonpartisan, elected members shall be elected [by the voters of the entire county] at a general election in accordance with subsection (c) of this section
AS FOLLOWS:

(1) ONE MEMBER FROM EACH OF THE FOUR COUNTY COMMISSIONER DISTRICTS, ELECTED ONLY BY THE VOTERS OF THAT COUNTY COMMISSIONER DISTRICT; AND

(2) ONE MEMBER AT LARGE, ELECTED BY THE VOTERS OF THE ENTIRE COUNTY.

(c) (1) (i) One voting member shall reside in and be elected from each of the four county commissioner districts; and

(ii) One member shall reside in the county and be elected from the county at large.

(2) (i) A member from a county commissioner district who no longer resides in the district may not continue as a member of the county board.

(ii) A member at large who no longer resides in the county may not continue as a member of the county board.

(3) A candidate elected to the county board shall be a registered voter and resident of Queen Anne's County for at least 3 years.

(4) (I) AS APPLICABLE FOR THAT COUNTY COMMISSIONER DISTRICT, AT THE GENERAL ELECTION, THE BALLOT SHALL PROVIDE THE VOTER WITH THE CHOICE TO CAST A VOTE "FOR" A CANDIDATE FOR ELECTION FROM THAT DISTRICT.

(II) AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN ELECTED.

3-1101.

(a) The St. Mary's Board consists of:

(1) Five voting members; and

(2) One student member.

(e) (1) The St. Mary's County Board consists of five voting members who shall be elected as follows:

(i) One member shall be elected from the county at large; and

(ii) One member shall be elected from each of the four commissioner districts, **ELECTED ONLY BY THE VOTERS OF THAT COMMISSIONER DISTRICT.**

(2) Voting members of the county board shall be elected[:

(i) At] **AT** a general election as required by this section[; and

(ii) On a general countywide ticket].

(3) Members of the county board elected in the 1996 general election from Commissioner Districts One and Three shall serve for an initial term of 2 years. An election shall be conducted in 1998 and every 4 years thereafter.

(4) Members of the county board elected in the 1996 general election from Commissioner Election Districts Two and Four and from the county at large shall serve for an initial term of 4 years. An election shall be conducted in 2000 and every 4 years thereafter.

(5) **(I) AS APPLICABLE FOR THAT COMMISSIONER DISTRICT, AT THE GENERAL ELECTION, THE BALLOT SHALL PROVIDE THE VOTER WITH THE CHOICE TO CAST A VOTE "FOR" A CANDIDATE FOR ELECTION FROM THAT DISTRICT.**

(II) AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN ELECTED.

(6) Except as specified in this section, elections shall be conducted in accordance with Title 8, Subtitle 8 of the Election Law Article.

3-1201.

(a) The Somerset County Board shall be elected and consists of one member [elected] from each commissioner district in the county, **ELECTED ONLY BY VOTERS OF THAT COMMISSIONER DISTRICT.**

(d) (1) Subject to the provisions of paragraph (2) of this subsection, each member serves for a term of 4 years beginning on January 1 after the member's election and until a successor is elected and qualifies.

(2) (i) The terms of members are staggered as provided in this paragraph.

(ii) 1. The members elected at the 2004 election from commissioner districts 1, 3, and 5 shall serve an initial term of 2 years.

2. An election shall be conducted in 2006 and every 4 years thereafter.

(iii) 1. The members elected at the 2004 election from commissioner districts 2 and 4 shall serve an initial term of 4 years.

2. An election shall be conducted in 2008 and every 4 years thereafter.

(3) The Governor shall appoint a qualified individual to fill any vacancy on the board for the remainder of the term and until a successor is elected and qualifies.

(4) (I) AS APPLICABLE FOR THAT COMMISSIONER DISTRICT, AT THE GENERAL ELECTION, THE BALLOT SHALL PROVIDE THE VOTER WITH THE CHOICE TO CAST A VOTE “FOR” A CANDIDATE FOR ELECTION FROM THAT DISTRICT.

(II) AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN ELECTED.

3-12A-01.

(a) The Talbot County Board consists of:

(1) Seven voting members, one member elected from each of the seven election districts for the county board established in accordance with this subtitle, **ELECTED ONLY BY THE VOTERS OF THAT ELECTION DISTRICT;** and

(2) Two nonvoting student members from the public high schools in the county.

(b) **(1)** The elected members of the county board shall be elected:

[(1)] (I) At the general election; and

[(2)] (II) In accordance with Title 8, Subtitle 8 of the Election Law Article.

(2) (I) AS APPLICABLE FOR THAT ELECTION DISTRICT FOR THE COUNTY BOARD, AT THE GENERAL ELECTION, THE BALLOT SHALL PROVIDE THE

VOTER WITH THE CHOICE TO CAST A VOTE “FOR” A CANDIDATE FOR ELECTION FROM THAT DISTRICT.

(II) AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN ELECTED.

3–1401.

(a) The Worcester County Board consists of seven voting members and one nonvoting student member from each public high school in the county.

(d) (1) Of the seven voting members of the county board, one shall be elected from each of the seven county commissioner districts, ELECTED ONLY BY THE VOTERS OF THAT COUNTY COMMISSIONER DISTRICT.

(2) (I) AS APPLICABLE FOR THAT COUNTY COMMISSIONER DISTRICT, AT THE GENERAL ELECTION, THE BALLOT SHALL PROVIDE THE VOTER WITH THE CHOICE TO CAST A VOTE “FOR” A CANDIDATE FOR ELECTION FROM THAT DISTRICT.

(II) AFTER THE ELECTION RESULTS ARE CERTIFIED, THE STATE BOARD OF ELECTIONS SHALL DECLARE FOR EACH DISTRICT WHETHER A CANDIDATE HAS BEEN ELECTED.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.