

SENATE BILL 574

F3
SB 1131/24 – SRU

5lr0794

By: **Howard County Senators**

Introduced and read first time: January 23, 2025

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable

Senate action: Adopted

Read second time: February 24, 2025

CHAPTER _____

1 AN ACT concerning

2 **Howard County Board of Education – Board Member Terms and Compensation**
3 **Commission**

4 **Ho. Co. 2–25**

5 FOR the purpose of altering the terms of the members of the Howard County Board of
6 Education; establishing the Howard County Board of Education Compensation
7 Commission; and generally relating to the terms of members of the Howard County
8 Board of Education and to the Howard County Board of Education Compensation
9 Commission.

10 BY renumbering

11 Article – Local Government
12 Section 28–1A–01 through 28–1A–07 and the subtitle “Subtitle 1A. Montgomery
13 County Board of Education Compensation Commission”
14 to be Section 28–1B–01 through 28–1B–07, respectively, and the subtitle “Subtitle
15 1B. Montgomery County Board of Education Compensation Commission”
16 Annotated Code of Maryland
17 (2013 Volume and 2024 Supplement)

18 BY repealing and reenacting, without amendments,

19 Article – Education
20 Section 3–701(a), (c), and (d)(1)
21 Annotated Code of Maryland
22 (2022 Replacement Volume and 2024 Supplement)

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.



BY repealing and reenacting, with amendments,
Article – Education
Section 3–701(d)(2) and 3–703
Annotated Code of Maryland
(2022 Replacement Volume and 2024 Supplement)

BY adding to
Article – Local Government
Section 28–1A–01 through 28–1A–08 to be under the new subtitle “Subtitle 1A.
Howard County Board of Education Compensation Commission”
Annotated Code of Maryland
(2013 Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That Section(s) 28–1A–01 through 28–1A–07 and the subtitle “Subtitle 1A. Montgomery
County Board of Education Compensation Commission” of Article – Local Government of
the Annotated Code of Maryland be renumbered to be Section(s) 28–1B–01 through
28–1B–07, respectively, and the subtitle “Subtitle 1B. Montgomery County Board of
Education Compensation Commission”.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
as follows:

Article – Education

3–701.

(a) (1) The Howard County Board consists of:

(i) Seven elected members; and

(ii) One student member.

(2) The seven elected members shall be elected as follows:

(i) One member from each of the five councilmanic districts in the
county, elected by the voters of that district; and

(ii) Two members at large, elected by the voters of the county.

(c) The seven elected members of the Howard County Board shall be elected:

(1) Beginning in 2020, at the general election every 2 years as required by
subsection (d) of this section; and

(2) As specified in subsection (a) of this section.

(d) (1) (i) The terms of the elected members are staggered as provided in this subsection.

(ii) Each term of office begins on the first Monday in December after the election of a member and until a successor is elected and qualifies.

(2) (i) 1. The [term] **TERMS** of office of [each member elected from a councilmanic district, beginning at the 2020 election, is 4 years] **THE MEMBERS ELECTED FROM A COUNCILMANIC DISTRICT AT THE 2028 ELECTION ARE:**

A. FOR THE TWO ELECTED MEMBERS WHO RECEIVE THE HIGHEST PERCENTAGE OF VOTES, 6 YEARS; AND

B. FOR THE THREE ELECTED MEMBERS WHO RECEIVE THE LOWEST PERCENTAGE OF VOTES, 4 YEARS.

2. The [term] **TERMS** of office of [each member] **THE TWO MEMBERS** elected at large[, beginning] at the [2022] **2026** election[, is 4 years] **ARE:**

A. FOR THE INDIVIDUAL WHO RECEIVES THE HIGHEST NUMBER OF VOTES, 6 YEARS; AND

B. FOR THE INDIVIDUAL WHO RECEIVES THE SECOND HIGHEST NUMBER OF VOTES, 4 YEARS.

(ii) The successors to [the]:

1. **THE** offices **OF THE THREE MEMBERS** elected at the [2020 and 2022 elections, respectively, shall serve for a term of 4 years] **2028 ELECTION WHO RECEIVED THE LOWEST PERCENTAGE OF VOTES SHALL BE ELECTED AT THE 2032 ELECTION AND EVERY 4 YEARS THEREAFTER AND SHALL SERVE FOR A TERM OF 4 YEARS;**

2. **THE OFFICES OF THE TWO MEMBERS ELECTED AT THE 2028 ELECTION WHO RECEIVED THE HIGHEST PERCENTAGE OF VOTES SHALL BE ELECTED AT THE 2034 ELECTION AND EVERY 4 YEARS THEREAFTER AND SHALL SERVE FOR A TERM OF 4 YEARS;**

3. **THE OFFICE OF THE MEMBER ELECTED AT LARGE AT THE 2026 ELECTION WHO RECEIVED THE HIGHEST NUMBER OF VOTES IN THAT ELECTION SHALL BE ELECTED AT THE 2032 ELECTION AND EVERY 4 YEARS THEREAFTER AND SHALL SERVE A TERM OF 4 YEARS; AND**

1 **4. THE OFFICE OF THE MEMBER ELECTED AT LARGE AT**
2 **THE 2026 ELECTION WHO RECEIVED THE SECOND HIGHEST NUMBER OF VOTES IN**
3 **THAT ELECTION SHALL BE ELECTED AT THE 2030 ELECTION AND EVERY 4 YEARS**
4 **THEREAFTER AND SHALL SERVE A TERM OF 4 YEARS.**

5 **(III) IN THE EVENT OF A TIE BETWEEN ELECTED MEMBERS**
6 **UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH, THE LOCAL BOARD OF ELECTIONS**
7 **SHALL ADMINISTER A RANDOM DRAWING TO DETERMINE THE TERM OF OFFICE FOR**
8 **EACH ELECTED MEMBER INVOLVED IN THE TIE.**

9 3–703.

10 (a) **(1)** The chair of the county board is entitled to receive:

11 **(I)** \$18,000 annually as compensation [and the]; **OR**

12 **(II) AN ANNUAL SALARY SET THROUGH LEGISLATION BASED ON**
13 **THE RECOMMENDATIONS OF THE HOWARD COUNTY BOARD OF EDUCATION**
14 **COMPENSATION COMMISSION IN ACCORDANCE WITH TITLE 28, SUBTITLE 1A OF**
15 **THE LOCAL GOVERNMENT ARTICLE.**

16 **(2)** **THE** other elected members are entitled to receive:

17 **(I)** \$16,000 each annually as compensation; **OR**

18 **(II) AN ANNUAL SALARY SET THROUGH LEGISLATION BASED ON**
19 **THE RECOMMENDATIONS OF THE HOWARD COUNTY BOARD OF EDUCATION**
20 **COMPENSATION COMMISSION IN ACCORDANCE WITH TITLE 28, SUBTITLE 1A OF**
21 **THE LOCAL GOVERNMENT ARTICLE.**

22 (b) After submitting vouchers under the rules and regulations adopted by the
23 county board, the chair and the other elected members are entitled to receive
24 reimbursement for travel and other expenses as provided in the Howard County budget.

25 (c) The employer's share for State retirement and pension contributions made on
26 behalf of the chair and other elected board members may not be considered compensation
27 for the purpose of calculating compensation under subsection (a) of this section.

28 (d) **(1)** The chair and other elected board members may participate in health
29 insurance and other benefit programs sponsored by the board.

30 **(2)** An elected board member's participation in a benefit program
31 sponsored by the board under this subsection may not be considered compensation for the
32 purpose of calculating compensation under subsection (a) of this section.

(e) (1) (i) A student member who completes a full term on the board shall be entitled to a scholarship of:

1. \$5,000 to be applied to the student's higher education costs; OR

2. A SCHOLARSHIP AMOUNT SET THROUGH LEGISLATION BASED ON THE RECOMMENDATIONS OF THE HOWARD COUNTY BOARD OF EDUCATION COMPENSATION COMMISSION IN ACCORDANCE WITH TITLE 28, SUBTITLE 1A OF THE LOCAL GOVERNMENT ARTICLE.

(ii) The scholarship shall be paid directly to the educational institution that the student attends.

(iii) A student may receive only one scholarship regardless of the number of terms the student serves as the student member of the county board.

(iv) The scholarship may not be considered compensation for the purpose of calculating taxable income.

(2) On the submission of expense vouchers, the student member is entitled to reimbursement for travel and other expenses incurred in the performance of official duties for the county board.

(3) The student member is not entitled to any compensation or payment other than that specified under paragraphs (1) and (2) of this subsection for their work as the student member of the county board.

Article – Local Government

SUBTITLE 1A. HOWARD COUNTY BOARD OF EDUCATION COMPENSATION COMMISSION.

28-1A-01.

IN THIS SUBTITLE, "COMMISSION" MEANS THE HOWARD COUNTY BOARD OF EDUCATION COMPENSATION COMMISSION.

28-1A-02.

THERE IS A HOWARD COUNTY BOARD OF EDUCATION COMPENSATION COMMISSION.

28-1A-03.

(A) (1) THE COMMISSION CONSISTS OF FIVE RESIDENTS OF HOWARD COUNTY APPOINTED BY THE HOWARD COUNTY EXECUTIVE AND CONFIRMED BY THE HOWARD COUNTY COUNCIL.

(2) MEMBERS OF THE COMMISSION SHALL BE APPOINTED ON OR BEFORE JANUARY 1, 2026, AND EVERY 4 YEARS THEREAFTER.

(B) A MEMBER OF THE COMMISSION MAY NOT:

(1) BE EMPLOYED BY THE HOWARD COUNTY BOARD OF EDUCATION;
OR

(2) HAVE A RELATIVE WHO IS A MEMBER OF THE HOWARD COUNTY BOARD OF EDUCATION.

(C) A MEMBER OF THE COMMISSION MAY BE REMOVED BY THE HOWARD COUNTY COUNCIL FOR THE SAME CAUSES AND SUBJECT TO THE SAME PROCEDURES AS SET FORTH IN § 3-701(H) OF THE EDUCATION ARTICLE.

28-1A-04.

(A) THE COMMISSION SHALL ELECT A CHAIR FROM AMONG ITS MEMBERS.

(B) THE COMMISSION SHALL DETERMINE THE TIME AND PLACES OF ITS MEETINGS.

(C) (1) A MAJORITY OF THE MEMBERS OF THE COMMISSION IS A QUORUM.

(2) ACTION BY THE COMMISSION REQUIRES THE AFFIRMATIVE VOTE OF A MAJORITY OF THE COMMISSION MEMBERS PRESENT.

(D) THE HOWARD COUNTY GOVERNMENT SHALL PROVIDE STAFF FOR THE COMMISSION.

28-1A-05.

(A) THE COMMISSION SHALL STUDY THE SALARIES OF THE MEMBERS OF THE HOWARD COUNTY BOARD OF EDUCATION.

(B) THE COMMISSION SHALL ISSUE A REPORT TO THE HOWARD COUNTY COUNCIL ON OR BEFORE SEPTEMBER 1, 2026, AND EVERY 4 YEARS THEREAFTER,

REGARDING ITS RECOMMENDATIONS FOR THE APPROPRIATE COMPENSATION FOR MEMBERS OF THE HOWARD COUNTY BOARD OF EDUCATION, INCLUDING:

(1) ANY ADDITIONAL STIPEND FOR THE CHAIR OF THE COUNTY BOARD; AND

(2) A SCHOLARSHIP AMOUNT TO BE AWARDED TO A STUDENT MEMBER OF THE COUNTY BOARD WHO COMPLETES A FULL TERM ON THE COUNTY BOARD TO BE APPLIED TOWARD THE STUDENT'S HIGHER EDUCATION COSTS.

28-1A-06.

IN FORMULATING ITS REPORT AND RECOMMENDATIONS, THE COMMISSION SHALL CONSIDER FOR EACH MEMBER OF THE HOWARD COUNTY BOARD OF EDUCATION:

(1) THE SCOPE OF RESPONSIBILITIES OF A COUNTY BOARD MEMBER;

(2) THE EDUCATION, SKILLS, AND ABILITIES NECESSARY TO PERFORM THE DUTIES OF A COUNTY BOARD MEMBER;

(3) THE SALARIES OF SIMILAR COUNTY BOARD MEMBERS IN OTHER JURISDICTIONS;

(4) THE TIME REQUIRED TO PERFORM THE DUTIES OF A COUNTY BOARD MEMBER;

(5) THE SALARIES OF SUBORDINATE EMPLOYEES UNDER THE DIRECT SUPERVISION OF THE COUNTY BOARD;

(6) THE VOLUME AND WORKLOAD OF THE COUNTY BOARD; AND

(7) ANY OTHER RELEVANT INFORMATION.

28-1A-07.

(A) IN EACH APPLICABLE YEAR, AFTER REVIEWING THE COMMISSION'S REPORT AND RECOMMENDATIONS, THE HOWARD COUNTY COUNCIL MAY, BY RESOLUTION, RECOMMEND THAT THE MEMBERS OF THE HOWARD COUNTY DELEGATION TO THE GENERAL ASSEMBLY ALTER THE SALARY OF MEMBERS OF THE HOWARD COUNTY BOARD OF EDUCATION BY AN AMOUNT NOT MORE THAN THE RECOMMENDATIONS OF THE COMMISSION.

(B) IF THE HOWARD COUNTY COUNCIL APPROVES A RESOLUTION UNDER SUBSECTION (A) OF THIS SECTION, THE COUNCIL SHALL SUBMIT THE RESOLUTION AND THE COMMISSION'S REPORT TO THE MEMBERS OF THE HOWARD COUNTY DELEGATION TO THE GENERAL ASSEMBLY.

28-1A-08.

ON RECEIPT OF A RESOLUTION FROM THE HOWARD COUNTY COUNCIL AND THE COMMISSION'S REPORT SUBMITTED UNDER § 28-1A-07(B) OF THIS SUBTITLE, THE MEMBERS OF THE HOWARD COUNTY DELEGATION TO THE GENERAL ASSEMBLY MAY INTRODUCE LEGISLATION TO ALTER THE SALARY OF MEMBERS OF THE HOWARD COUNTY BOARD OF EDUCATION.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(1) The terms of the members of the Howard County Board of Education elected from councilmanic districts in office on the effective date of this Act shall expire on December 4, 2028; and

(2) The terms of the members of the Howard County Board of Education elected by the voters of the county at large in office on the effective date of this Act shall expire on December 7, 2026.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.