

Bill No.: _____
Requested: _____
Committee: _____

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By: **Delegate Atterbeary**

A BILL ENTITLED

1 AN ACT concerning

2 **Howard County Board of Education – Election of Members**

3 **Ho. Co. 01–19**

4 FOR the purpose of requiring that certain members of the Howard County Board of
5 Education be elected by the voters of certain districts and certain members be elected
6 at large by the voters of the county; providing for the application of this Act; and
7 generally relating to the election of the members of the Howard County Board of
8 Education.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 3–701(a) and (c)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2018 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Education
16 Section 3–701(b) and (d)
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2018 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



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

3 **Article – Education**

4 3–701.

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

6 (i) Seven elected members; and

7 (ii) One student member.

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

9 (i) [Five members, each of whom resides in a different one of the five
10 councilmanic districts in the county] **ONE MEMBER FROM EACH OF THE FIVE**
11 **COUNCILMANIC DISTRICTS IN THE COUNTY, ELECTED BY THE VOTERS OF THAT**
12 **DISTRICT; and**

13 (ii) Two members [who may reside anywhere in the county] **AT**
14 **LARGE, ELECTED BY THE VOTERS OF THE COUNTY.**

15 (b) (1) A candidate who becomes an elected member of the county board shall
16 be a resident and registered voter of Howard County.

17 (2) (i) Any elected member who no longer resides in Howard County
18 may not continue as a member of the board.

19 (ii) Any member elected from a councilmanic district who no longer
20 resides in that district may not continue as a member of the board.

21 (3) If the boundary line of a Howard County Council District is changed,
22 the term of an incumbent member of the county board who no longer resides in that
23 councilmanic district because of the change is not affected during this term.

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

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

3 (2) [From Howard County at large by the voters of the entire county] **AS**
4 **SPECIFIED IN SUBSECTION (A) OF THIS SECTION.**

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

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

9 (2) (i) 1. The term of office of each member elected from a
10 councilmanic district, beginning at the 2020 election, is 4 years.

11 2. The term of office of each member elected at large,
12 beginning at the 2022 election, is 4 years.

13 (ii) The successors to the offices elected at the 2020 and 2022
14 elections, respectively, shall serve for a term of 4 years.

15 (3) Except as provided in paragraph (4) of this subsection and subject to
16 the confirmation of the County Council, the County Executive of Howard County shall
17 appoint a qualified individual to fill any vacancy for an elected member on the county board
18 for the remainder of that term and until a successor is appointed and qualifies.

19 (4) If a vacancy for an elected member occurs before the date that is 1 year
20 following the date of the member's election, the individual appointed under paragraph (3)
21 of this subsection shall serve only until a successor is elected by the voters at the next
22 general election.

23 (5) Candidates for the vacated office may be nominated at a primary
24 election in the same manner as for any other position on the county board.

25 (6) The candidate receiving the vacated position shall take office on the
26 first Monday in December after the election and shall continue to serve for the remainder
27 of the vacated term and until a successor is elected and qualifies.

1 (7) Except as provided in this subsection, an election to fill a vacancy on
2 the Howard County Board of Education shall be governed by §§ 8–801 through 8–806 of the
3 Election Law Article.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to the
5 election of the members of the Howard County Board of Education for the term of office
6 that begins on December 7, 2020.

7 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
8 1, 2019.