

Bill No.: \_\_\_\_\_

Requested: \_\_\_\_\_

Committee: \_\_\_\_\_

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By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Board of Elections Members – Montgomery County**

3 **MC 704-07**

4 FOR the purpose of altering the number of members of the Montgomery County Board  
5 of Elections; requiring that a certain number of regular members and substitute  
6 members belong to certain parties; requiring the Governor to designate a  
7 substitute member to fill a certain vacancy under certain circumstances;  
8 making a technical correction; and generally relating to members of the  
9 Montgomery County Board of Elections.

10 BY repealing and reenacting, with amendments,  
11 Article – Election Law  
12 Section 2-201(b) and (h)  
13 Annotated Code of Maryland  
14 (2003 Volume and 2006 Supplement)

15 BY adding to  
16 Article – Election Law  
17 Section 2-201(k)  
18 Annotated Code of Maryland  
19 (2003 Volume and 2006 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

22 **Article – Election Law**

23 2–201.

24 (b) (1) Except as provided in [subsection] **SUBSECTIONS (j) AND (k)** of  
25 this section, each local board consists of three regular members and two substitute  
26 members.

27 (2) Two regular members and one substitute member shall be of the  
28 majority party, and one regular member and one substitute member shall be of the  
29 principal minority party.

30 (3) In the event of the absence of a regular member or a vacancy in the  
31 office of a regular member, the substitute member of the same political party shall  
32 exercise the powers and duties of a regular member until the regular member returns  
33 or the vacancy is filled as prescribed in subsection (h) of this section.

34 (h) (1) **[If] EXCEPT AS PROVIDED IN SUBSECTIONS (J) AND (K) OF**  
35 **THIS SECTION, IF** a member of a local board dies, resigns, is removed, or becomes  
36 ineligible:

37 (i) the substitute member belonging to the same political party  
38 shall become a regular member of the local board; and

39 (ii) the Governor shall appoint an eligible person from the same  
40 political party to be the new substitute member.

41 (2) If a substitute member of a local board becomes a regular member  
42 as provided in paragraph (1)(ii) of this subsection, dies, resigns, is removed, or  
43 becomes ineligible when the confirming legislative body is not in session, the Governor  
44 shall appoint an eligible person from the same political party as the predecessor  
45 substitute member to fill the vacancy. That individual shall serve until the earlier of:

46 (i) the adjournment of the next session of the General  
47 Assembly; or

48 (ii) the appointment of another individual to fill the same  
49 vacancy.

50           **(K) (1) IN MONTGOMERY COUNTY, THE LOCAL BOARD CONSISTS OF**  
51 **FIVE REGULAR MEMBERS AND TWO SUBSTITUTE MEMBERS.**

52           **(2) THREE REGULAR MEMBERS AND ONE SUBSTITUTE MEMBER**  
53 **SHALL BE OF THE MAJORITY PARTY, AND TWO REGULAR MEMBERS AND ONE**  
54 **SUBSTITUTE MEMBER SHALL BE OF THE PRINCIPAL MINORITY PARTY.**

55           **(3) IF A VACANCY OCCURS ON THE LOCAL BOARD AMONG THE**  
56 **MEMBERS FROM THE MAJORITY PARTY, THE GOVERNOR SHALL DESIGNATE ONE**  
57 **OF THE SUBSTITUTE MEMBERS FROM THAT PARTY TO FILL THE VACANCY.**

58           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
59 October 1, 2007.