

Bill No.: _____

Requested: _____

Committee: _____

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By: **Montgomery County Delegation**

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Transparency in Appointments Act**

3 **MC 808-08**

4 FOR the purpose of prohibiting certain central committees from voting by secret ballot
5 when addressing certain vacancies on certain central committees and in certain
6 offices; and generally relating to voting by central committees in Montgomery
7 County.

8 BY repealing and reenacting, with amendments,
9 Article – Election Law
10 Section 4-204
11 Annotated Code of Maryland
12 (2003 Volume and 2007 Supplement)

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

15 **Article – Election Law**

16 4-204.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



17 (a) Except as otherwise provided in this article, each political party shall
18 adopt and be governed by a constitution and all bylaws and rules adopted in
19 accordance with the constitution.

20 (b) (1) The constitution and bylaws of each political party shall provide:

21 (i) for such matters as in its opinion are necessary for the
22 proper conduct of party affairs;

23 (ii) for the selection of a State governing body;

24 (iii) for the calling of regular meetings, advance notification of
25 meetings, and special notice for special meetings;

26 (iv) for the establishment of a quorum;

27 (v) a method of amending the political party's constitution and
28 bylaws;

29 (vi) procedures for filling a vacancy in a nomination for public
30 office;

31 (vii) for a principal political party, for the convening of a meeting
32 of the central committee within 45 days after the primary election in each
33 gubernatorial election year;

34 (viii) if the political party is required to nominate its candidates
35 by petition, procedures for determining which of two or more party members who
36 qualify for nomination in the same contest shall be designated on the ballot as
37 nominees of the political party; and

38 (ix) for the adoption of rules governing the political party.

39 (2) The Republican Party State Central Committee may adopt
40 provisions in its constitution and bylaws providing for the removal of members of the
41 Republican State Central Committee who fail to discharge the minimum
42 responsibilities of a State central committee member.

43 (c) (1) In accordance with the constitution and bylaws of a principal
44 political party, the central committee of that party for each county shall adopt a
45 constitution, bylaws, and rules.

46 (2) Until a central committee adopts a constitution, bylaws, and rules,
47 the central committee shall be governed by the State central committee.

48 **(3) IN MONTGOMERY COUNTY, THE CONSTITUTION AND BYLAWS**
49 **OF EACH CENTRAL COMMITTEE SHALL PROHIBIT VOTING BY SECRET BALLOT:**

50 **(I) WHEN FILLING A VACANCY ON THE CENTRAL**
51 **COMMITTEE; OR**

52 **(II) WHEN SELECTING A NAME TO SUBMIT TO THE**
53 **GOVERNOR TO FILL A VACANCY IN THE OFFICE OF DELEGATE OR SENATOR.**

54 (d) (1) Within 30 days after the adoption or amendment by a political
55 party of a constitution, bylaw, or rule, the political party shall file a copy of the
56 constitution, bylaw, or rule with the State Board.

57 (2) Within 30 days after the adoption or amendment by a central
58 committee of any county of a constitution, bylaw, or rule, the local central committee
59 shall file a copy of the constitution, bylaw, or rule with the State central committee
60 and the State Board.

61 (e) (1) The constitution and bylaws adopted by a new political party shall
62 conform to the requirements of subsections (a), (b), and (c)(1) of this section.

63 (2) If a new political party decides to form local central committees,
64 the political party shall notify the State Board of the number and size of the local
65 central committees within 6 months after the date the State Board notified the
66 political party that it is considered a State political party.

67 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
68 October 1, 2008.