

Bill No.: _____

Requested: _____

Committee: _____

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By: **Montgomery County Delegation**

Requested by: Delegate Woorman

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County Board of Elections – Membership**3 **MC 6–26**

4 FOR the purpose of altering the membership of the Montgomery County Board of Elections;
5 altering the votes required for the county board to appoint an election director; and
6 generally relating to the Montgomery County Board of Elections.

7 BY repealing and reenacting, with amendments,

8 Article – Election Law

9 Section 2–201, 2–202(e), and 11–301(f)

10 Annotated Code of Maryland

11 (2022 Replacement Volume and 2025 Supplement)

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

14 **Article – Election Law**

15 2–201.

16 (a) (1) There is a county board of elections in each county of the State.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2) Each local board and its staff is subject to the direction and authority of the State Board and is accountable to the State Board for its actions in all matters regarding the implementation of the requirements of this article and any applicable federal law.

(b) (1) (i) Except as provided in paragraphs (2) and (3) of this subsection, each local board consists of five regular members.

(ii) Three regular members shall be of the majority party, and two regular members shall be of the principal minority party.

(2) (i) In Prince George's County, the local board consists of five regular members and three substitute members.

(ii) Four regular members and two substitute members shall be of the majority party, and one regular member and one substitute member shall be of the principal minority party.

(3) (i) In Montgomery County, the local board consists of **[five] SEVEN** regular members **[and two substitute members]**.

(ii) **[Three] FOUR** regular members **[and one substitute member]** shall be of the majority party, and **[two] THREE** regular members **[and one substitute member]** shall be of the principal minority party.

(c) Each regular member of a local board and each substitute member of a local board shall:

(1) be appointed in accordance with subsection (g) of this section;

(2) be a registered voter in the county for which the individual is appointed for the 5 years immediately preceding the appointment; and

(3) be eligible for reappointment.

(d) (1) The term of a member is 4 years and begins on the first Monday in June of each year following a gubernatorial election.

(2) At the end of a term, a member continues to serve until a successor is appointed and qualifies.

(e) Before taking office, a member shall take and subscribe to the oath prescribed in Article I, § 9 of the Maryland Constitution.

(f) The Governor may remove a member for incompetence, misconduct, or other good cause, upon written charges stating the Governor's grounds for dismissal and after affording the member notice and an ample opportunity to be heard.

(g) (1) The Governor shall request the county central committee representing the majority party or the principal minority party, as appropriate, to submit a list of at least four eligible individuals from which the Governor may make an appointment of a regular member of a local board or a substitute member of the local board.

(2) The Governor may reject all of the nominees if the Governor determines them to be unfit or incompetent, in which case the Governor shall notify the State Board in writing and request an additional list of at least four eligible nominees from the county central committee. A third list may be requested in the same manner.

(3) If a list containing the names of four eligible nominees is not submitted within 20 days of a request or if all the nominees on three lists are rejected, the Governor may appoint any eligible person who is a member of the appropriate political party.

(4) (i) Except as provided in subparagraph (ii) of this paragraph, each appointment shall be subject to confirmation by the Senate of Maryland.

(ii) In Caroline, Dorchester, and Kent counties, if there is no resident Senator of the particular county, the confirmation required under subparagraph (i) of this paragraph shall be by the House of Delegates of Maryland.

(iii) If an appointee is rejected, the Governor shall make another appointment from the list or lists submitted under paragraphs (1) and (2) of this subsection. If a list is not provided, or the nominees on three lists are rejected, the Governor may appoint an eligible individual as provided in paragraph (3) of this subsection.

(h) (1) Except in [Montgomery County and] Prince George's County, if a vacancy occurs on the local board, the Governor shall appoint an eligible person from the same political party as the predecessor member to fill the vacancy in accordance with subsection (g) of this section for the remainder of the unexpired term and until a successor is appointed and qualifies.

(2) An appointment made while the General Assembly is not in session shall be considered temporary until the appointee is confirmed by the General Assembly.

(i) (1) This subsection applies only in [Montgomery County and] Prince George's County.

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

(3) Subject to paragraph (4) of this subsection, if a member of a local board dies, resigns, is removed, or becomes ineligible:

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

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

(4) [In Prince George's County, if] **IF** a vacancy occurs on the local board among the members from the majority party, the Governor shall designate one of the substitute members from that party to fill the vacancy.

(5) If a substitute member of a local board becomes a regular member as provided in paragraph (3)(i) of this subsection, dies, resigns, is removed, or becomes ineligible when the confirming legislative body is not in session, the Governor shall appoint an eligible person from the same political party as the predecessor substitute member to fill the vacancy. That individual shall serve until the earlier of:

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

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

(j) A board shall meet within 20 days after the beginning of the term to elect one of its regular members as president.

2–202.

(e) In Montgomery County, the local board shall require an affirmative vote of not fewer than [three] **FOUR** duly confirmed regular members of the local board, at least one of whom shall be a member of the principal minority party, to appoint an election director.

11–301.

(f) In [Montgomery County and] Prince George’s County, if a member is not present at the scheduled time for vote canvassing, a substitute member of the board of canvassers may be sworn in.

SECTION 2. AND BE IT FURTHER ENACTED, That each substitute member of the Montgomery County Board of Elections in office on the effective date of this Act shall become a regular member on the effective date of this Act for the remainder of the member’s term and until a successor is appointed and qualifies.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect June 1, 2026.