

# HOUSE BILL 363

P5

CONSTITUTIONAL AMENDMENT

3lr1448

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By: **Delegates Hough, Afzali, Bates, Boteler, Cluster, Dwyer, Eckardt, Elliott, Fisher, Frank, George, Glass, Haddaway–Riccio, Hershey, Hogan, Impallaria, Jacobs, Kach, Kipke, Krebs, McComas, McDermott, Myers, Norman, O'Donnell, Otto, Parrott, Ready, Schuh, Schulz, Serafini, Smigiel, Stocksdale, Szeliga, Weir, and Wood**

Introduced and read first time: January 25, 2013

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Tax Increases – Majority Vote Required**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to require  
4 the approval of two-thirds of the members elected to each House of the General  
5 Assembly to pass legislation to increase the rate of an existing tax or to impose  
6 a tax on an individual or entity not subject to the tax at the time of  
7 consideration of the legislation; and submitting this amendment to the qualified  
8 voters of the State for their adoption or rejection.

9 BY proposing an addition to the Maryland Constitution  
10 Article III – Legislative Department  
11 Section 28A

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, (Three-fifths of all the members elected to each of the two Houses  
14 concurring), That it be proposed that the Maryland Constitution read as follows:

15 **Article III – Legislative Department**

16 **28A.**

17 **A BILL TO INCREASE THE RATE OF AN EXISTING TAX OR TO IMPOSE A TAX**  
18 **AGAINST AN INDIVIDUAL OR ENTITY NOT SUBJECT TO THE TAX AT THE TIME OF**  
19 **CONSIDERATION OF THE BILL MAY NOT BECOME A LAW UNLESS, ON ITS FINAL**  
20 **PASSAGE, THE BILL RECEIVES THE YEA VOTES OF AT LEAST TWO-THIRDS OF**  
21 **THE MEMBERS ELECTED TO EACH HOUSE OF THE GENERAL ASSEMBLY.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
2 determines that the amendment to the Maryland Constitution proposed by this Act  
3 affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the  
4 Maryland Constitution concerning local approval of constitutional amendments do not  
5 apply.

6           SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
7 proposed as an amendment to the Maryland Constitution shall be submitted to the  
8 qualified voters of the State at the next general election to be held in November 2014  
9 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.  
10 At that general election, the vote on this proposed amendment to the Constitution  
11 shall be by ballot, and upon each ballot there shall be printed the words “For the  
12 Constitutional Amendment” and “Against the Constitutional Amendment,” as now  
13 provided by law. Immediately after the election, all returns shall be made to the  
14 Governor of the vote for and against the proposed amendment, as directed by Article  
15 XIV of the Maryland Constitution, and further proceedings had in accordance with  
16 Article XIV.