

HOUSE BILL 458

G1

CONSTITUTIONAL AMENDMENT

2lr1683

By: **Delegates Schuh, Costa, George, Kipke, McConkey, McMillan, and Vitale**

Introduced and read first time: February 1, 2012

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Officials – Limitation of Terms**
3 **(Better Maryland – Term Limits)**

4 FOR the purpose of proposing an amendment to the Maryland Constitution to impose
5 a certain limit on the number of consecutive terms that a person may serve in
6 the office of Senator or Delegate in the General Assembly, Attorney General,
7 Comptroller, or Treasurer; making stylistic changes; and submitting this
8 amendment to the qualified voters of the State of Maryland for their adoption or
9 rejection.

10 BY proposing an amendment to the Maryland Constitution
11 Article III – Legislative Department
12 Section 6

13 BY proposing an amendment to the Maryland Constitution
14 Article V – Attorney–General and State’s Attorneys
15 Section 1

16 BY proposing an amendment to the Maryland Constitution
17 Article VI – Treasury Department
18 Section 1

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

22 **Article III – Legislative Department**

23 6.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 A member of the General Assembly shall be elected by the registered voters of
2 the legislative or delegate district from which [he] **THE PERSON** seeks election, to
3 serve for a term of four years beginning on the second Wednesday of January following
4 [his] **THE PERSON'S** election. **A PERSON WHO HAS SERVED THREE CONSECUTIVE**
5 **POPULAR ELECTIVE TERMS OF OFFICE AS A SENATOR OR DELEGATE SHALL BE**
6 **INELIGIBLE TO SERVE AS A SENATOR OR DELEGATE FOR THE TERM**
7 **IMMEDIATELY FOLLOWING THE THIRD OF THE THREE CONSECUTIVE POPULAR**
8 **ELECTIVE TERMS.**

9 Article V – Attorney–General and State’s Attorneys

10 1.

11 There shall be an Attorney–General elected by the qualified voters of the State,
12 on general ticket, on the Tuesday next after the first Monday in the month of
13 November, nineteen hundred and fifty–eight, and on the same day, in every fourth
14 year thereafter, who shall hold [his] office for four years from the time of [his] **THE**
15 **PERSON'S** election and qualification, and until [his] **THE PERSON'S** successor is
16 elected and qualified, [and shall be re–eligible thereto,] and shall be subject to
17 removal for incompetency, willful neglect of duty or misdemeanor in office, on
18 conviction in a Court of Law. **A PERSON WHO HAS SERVED THREE CONSECUTIVE**
19 **POPULAR ELECTIVE TERMS OF OFFICE AS ATTORNEY–GENERAL SHALL BE**
20 **INELIGIBLE TO SERVE AS ATTORNEY–GENERAL FOR THE TERM IMMEDIATELY**
21 **FOLLOWING THE THIRD OF THE THREE CONSECUTIVE POPULAR ELECTIVE**
22 **TERMS.**

23 Article VI – Treasury Department

24 1.

25 There shall be a Treasury Department, consisting of a Comptroller chosen by
26 the qualified electors of the State, who shall receive such salary as may be fixed by
27 law; and a Treasurer, to be appointed on joint ballot by the two Houses of the
28 Legislature at each regular session in which begins the term of the Governor, who
29 shall receive such salary as may be fixed by law. The terms of office of the Comptroller
30 and Treasurer shall be for four years, and until their successors shall qualify; and
31 neither of the officers shall be allowed, or receive any fees, commissions or perquisites
32 of any kind in addition to [his] **THE PERSON'S** salary for the performance of any duty
33 or services whatsoever. In case of a vacancy in the office of the Comptroller by death or
34 otherwise, the Governor, by and with the advice and consent of the Senate, shall fill
35 such vacancy by appointment, to continue until another election and until the
36 qualification of the successor. **A PERSON WHO HAS SERVED THREE CONSECUTIVE**
37 **POPULAR ELECTIVE TERMS OF OFFICE AS COMPTROLLER SHALL BE INELIGIBLE**
38 **TO SERVE AS COMPTROLLER FOR THE TERM IMMEDIATELY FOLLOWING THE**
39 **THIRD OF THE THREE CONSECUTIVE POPULAR ELECTIVE TERMS.** In case of a

1 vacancy in the office of the Treasurer by death or otherwise, the Deputy Treasurer
2 shall act as Treasurer until the next regular or extraordinary session of the
3 Legislature following the creation of the vacancy, whereupon the Legislature shall
4 choose a successor to serve for the duration of the unexpired term of office. **A PERSON**
5 **WHO HAS SERVED THREE CONSECUTIVE FULL TERMS OF OFFICE AS TREASURER**
6 **SHALL BE INELIGIBLE TO SERVE AS TREASURER FOR THE TERM IMMEDIATELY**
7 **FOLLOWING THE THIRD OF THE THREE CONSECUTIVE FULL TERMS.** The
8 Comptroller and the Treasurer shall keep their offices at the seat of government, and
9 shall take such oaths and enter into such bonds for the faithful discharge of their
10 duties as are now or may hereafter be prescribed by law.

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

16 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
17 proposed as an amendment to the Maryland Constitution shall be submitted to the
18 qualified voters of the State at the next general election to be held in November, 2012
19 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.
20 At that general election, the vote on this proposed amendment to the Constitution
21 shall be by ballot, and upon each ballot there shall be printed the words "For the
22 Constitutional Amendment" and "Against the Constitutional Amendment," as now
23 provided by law. Immediately after the election, all returns shall be made to the
24 Governor of the vote for and against the proposed amendment, as directed by Article
25 XIV of the Maryland Constitution, and further proceedings had in accordance with
26 Article XIV.