

# HOUSE BILL 468

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By: **Delegate Forbes**

Introduced and read first time: January 15, 2021

Assigned to: Ways and Means

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Committee Report: Favorable

House action: Adopted

Read second time: March 5, 2021

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Baltimore County – School Board Nominating Commission – Vacancy**  
3 **Procedures**

4 FOR the purpose of requiring the Baltimore County School Board Nominating Commission  
5 to hold a public hearing on the selection of a nominee for a single vacancy on the  
6 Baltimore County Board of Education in a certain manner under certain  
7 circumstances; requiring the Commission to make publicly available on its website  
8 live video streaming of certain public hearings and certain archived video recordings;  
9 authorizing the Commission to retain and reactivate the applications of certain  
10 candidates for certain vacancies on the county board; authorizing the Commission to  
11 reactivate certain applications under certain circumstances; making conforming  
12 changes; and generally relating to vacancy procedures and the Baltimore County  
13 School Board Nominating Commission.

14 BY repealing and reenacting, with amendments,  
15 Article – Education  
16 Section 3–2B–03  
17 Annotated Code of Maryland  
18 (2018 Replacement Volume and 2020 Supplement)

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

21 **Article – Education**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 3-2B-03.

2 (a) (1) There is a Baltimore County School Board Nominating Commission.

3 (2) The purpose of the Commission is to select nominees to be  
4 recommended to the Governor as qualified candidates for appointment to the Baltimore  
5 County Board of Education.

6 (3) (I) The Commission shall hold at least three public hearings, each  
7 in a different councilmanic district, on the selection of **MULTIPLE** nominees before  
8 recommending to the Governor nominees for appointment to the county board.

9 (II) **FOR A SINGLE VACANCY ON THE COUNTY BOARD, THE**  
10 **COMMISSION SHALL HOLD PUBLIC MEETINGS IN THE FOLLOWING MANNER ON THE**  
11 **SELECTION OF A NOMINEE BEFORE RECOMMENDING TO THE GOVERNOR THE**  
12 **NOMINEE FOR APPOINTMENT TO THE COUNTY BOARD:**

13 1. **FOR A VACANCY IN A COUNCILMANIC DISTRICT, AT**  
14 **LEAST ONE PUBLIC MEETING IN THAT COUNCILMANIC DISTRICT; OR**

15 2. **FOR A VACANCY FOR A MEMBER APPOINTED**  
16 **AT-LARGE, AT LEAST ONE PUBLIC MEETING AT THE COUNTY BOARD**  
17 **ADMINISTRATIVE OFFICES.**

18 (III) **THE COMMISSION SHALL MAKE PUBLICLY AVAILABLE ON**  
19 **ITS WEBSITE:**

20 1. **LIVE VIDEO STREAMING OF EACH PUBLIC MEETING;**  
21 **AND**

22 2. **A COMPLETE AND UNEDITED ARCHIVED VIDEO**  
23 **RECORDING OF EACH PUBLIC MEETING FOR WHICH LIVE STREAMING WAS MADE**  
24 **AVAILABLE UNDER ITEM 1 OF THIS SUBPARAGRAPH.**

25 (b) (1) The Commission consists of 19 members who shall be appointed in  
26 accordance with this subsection.

27 (2) The Commission shall reflect the rich cultural, geographic, ethnic, and  
28 racial diversity of Baltimore County.

29 (3) The Governor, in consultation with the County Executive of Baltimore  
30 County, shall appoint eight members, one from each legislative district that lies in whole  
31 or in part in Baltimore County.

32 (4) The County Executive of Baltimore County shall appoint one member

1 from the county at large.

2 (5) The following organizations each shall appoint one member:

3 (i) The Teachers Association of Baltimore County;

4 (ii) The Baltimore County Chamber of Commerce;

5 (iii) The PTA Council of Baltimore County, Inc.;

6 (iv) Towson University;

7 (v) The League of Women Voters of Baltimore County;

8 (vi) The Baltimore County Branch of the National Association for the  
9 Advancement of Colored People;

10 (vii) The Baltimore County Public Schools' Special Education  
11 Citizens' Advisory Committee;

12 (viii) The Baltimore County Student Councils;

13 (ix) The Council of Administrative and Supervisory Employees; and

14 (x) The Education Support Personnel of Baltimore County.

15 (c) (1) The County Executive for Baltimore County shall designate one of the  
16 Commission's members as chair of the Commission.

17 (2) The term of the chair of the Commission is 4 years.

18 (3) The term of a member of the Commission is 4 years.

19 (d) The Baltimore County Public Schools shall provide staff for the Commission.

20 (e) Beginning October 1, 2018, for each nomination for a vacancy on the county  
21 board, the Commission shall submit to the Governor a list of nominees that contains:

22 (1) At least two names for each vacancy; or

23 (2) If there are fewer than two applicants for a vacancy, the number  
24 of names that is equal to the number of applicants for the vacancy.

25 **(F) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THE**  
26 **COMMISSION MAY RETAIN AND REACTIVATE THE APPLICATION OF A CANDIDATE**  
27 **FOR A VACANCY ON THE COUNTY BOARD FOR UP TO 2 YEARS FROM THE DATE THE**  
28 **COMMISSION SUBMITTED THE LIST OF NOMINEES TO THE GOVERNOR FOR THE**

1 VACANCY FOR WHICH THE APPLICANT WAS INITIALLY CONSIDERED.

2 (2) (I) THE COMMISSION MAY REACTIVATE THE APPLICATION OF  
3 A CANDIDATE UNDER PARAGRAPH (1) OF THIS SUBSECTION ONLY WITH THE  
4 CONSENT OF THE APPLICANT.

5 (II) TO REACTIVATE AN APPLICATION UNDER THIS  
6 SUBSECTION, THE COMMISSION SHALL:

7 1. WITHIN 14 DAYS OF THE DATE OF THE NEW VACANCY,  
8 SEND A NOTICE TO THE APPLICANT REQUESTING CONSENT TO REACTIVATE THEIR  
9 APPLICATION; AND

10 2. WITHIN 14 DAYS OF THE DATE THE APPLICANT  
11 RECEIVED THE NOTICE UNDER ITEM 1 OF THIS SUBPARAGRAPH, RECEIVE THE  
12 CONSENT OF THE APPLICANT.

13 [(f)] (G) (1) Absent an extraordinary circumstance, the Governor shall  
14 appoint a member to the county board from the list provided by the Commission.

15 (2) If the Governor elects not to appoint a member from a list submitted by  
16 the Commission, the Governor shall return the list to the Commission and request that the  
17 Commission submit the names of additional qualified candidates.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
19 1, 2021.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.