

HOUSE BILL 503

F3

EMERGENCY BILL

2lr1611

By: **Montgomery County Delegation**

Introduced and read first time: January 21, 2022

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County – Board of Education Residence Districts – Ken Gar**
3 **Neighborhood**

4 **MC 26–22**

5 FOR the purpose of altering the boundaries of certain residence districts for the
6 Montgomery County Board of Education for the purpose of changing the district in
7 which the Ken Gar Neighborhood is located; and generally relating to the residence
8 districts for the Montgomery County Board of Education.

9 BY repealing and reenacting, without amendments,
10 Article – Education
11 Section 3–901(f)(1) and (2)
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2021 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Education
16 Section 3–901(f)(3)
17 Annotated Code of Maryland
18 (2018 Replacement Volume and 2021 Supplement)
19 (As enacted by Chapter 33 of the Acts of the General Assembly of the 2021 Special
20 Session)

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

23 **Article – Education**

24 3–901.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (f) (1) Each elected member serves for a term of 4 years beginning on
2 December 1 after the member's election and until a successor is elected and qualifies. The
3 terms of elected members are staggered as required by the terms of the members serving
4 on the county board as of July 1, 1978 so that 4 members are elected in gubernatorial
5 election years and 3 members are elected in presidential election years.

6 (2) Elected members of the county board shall be elected by the voters of
7 the entire county.

8 (3) (i) Of the 3 members elected in 1992 and every 4 years thereafter, 1
9 shall reside in Board of Education District 2 and 1 shall reside in Board of Education
10 District 4. The third member may reside in any part of the county.

11 (ii) Of the 4 members elected in 1990 and every 4 years thereafter, 1
12 shall reside in Board of Education District 1, 1 shall reside in Board of Education District
13 3, and 1 shall reside in Board of Education District 5. The fourth member may reside in
14 any part of the county.

15 (iii) The descriptions of board of education districts in this subsection
16 refer to the geographical boundaries of the election districts and the precincts:

17 1. As reviewed and certified by the Montgomery County
18 Board of Elections or its designees, before the precinct boundaries were reported to the U.S.
19 Bureau of the Census as part of the 2020 Census Redistricting Data Program; and

20 2. As those precinct lines are specifically shown on the P.L.
21 94-171 census block maps provided by the U.S. Bureau of the Census and as reviewed and
22 corrected by the Division of Capital Planning and Real Estate of the Montgomery County
23 Public Schools.

24 (iv) Board of Education District 1 consists of:

25 1. Election district 1;

26 2. Election district 2, precincts 1 and 3 through 11;

27 3. Election district 3;

28 4. Election district 6, precinct 11;

29 5. Election district 9, precincts 1, 4, 5, 7, 8, 9, 11, 12, 15, 18,
30 20, 21, 22, 25, 28, 29, 30, 32, 34, 37, and 39;

31 6. Election district 11; and

32 7. Election district 12.

1 (v) Board of Education District 2 consists of:

2 1. Election district 2, precinct 2;

3 2. Election district 4, precincts 2, 3, 5, 6, 7, 11, 14, 16, 19, 20,
4 21, 23, 24, 25, 27, 29, 30, 35, 37, 38, 40, 42, and 43;

5 3. Election district 6, precincts 1 through 10 and 13 through
6 16; and

7 4. Election district 9, precincts 2, 3, 6, 10, 13, 14, 16, 24, 26,
8 27, 31, 33, 35, 36, 38, 40, and 41.

9 (vi) Board of Education District 3 consists of:

10 1. Election district 4, precincts 4, 8, 10, 12, 13, 15, 17, 18, 28,
11 31, 32, and 33;

12 2. Election district 7;

13 3. Election district 10; [and]

14 4. Election district 13, precincts 3, 16, 34, 38, 39, and 65; AND

15 **5. THAT PART OF ELECTION DISTRICT 13, PRECINCT 40**
16 **THAT IS GENERALLY THE SOUTHERN PART OF PRECINCT 40 FROM THE PRECINCT**
17 **BOUNDARY AT THE INTERSECTION OF SUMMIT AVENUE AND THE CSX RAILROAD**
18 **TRACKS, NORTHWEST ALONG THE CSX RAILROAD TRACKS TO THE END OF PLYERS**
19 **MILL ROAD, NORTH TO THE BOUNDARY OF ROCK CREEK PARK, THEN EAST ALONG**
20 **THE BOUNDARY OF ROCK CREEK PARK TO THE PRECINCT BOUNDARY.**

21 (vii) Board of Education District 4 consists of:

22 1. Election district 4, precinct 26; [and]

23 2. Election district 13, precincts 1, 2, 4 through 8, 10, 11, 13,
24 14, 15, 18 through 25, 27 through 33, 35, 36, 37, [40,] 42, 43, 44, 47, 50, 53, 55 through 59,
25 63, 67, and 68; AND

26 **3. ELECTION DISTRICT 13, PRECINCT 40, EXCLUDING**
27 **THAT PART OF PRECINCT 40 THAT IS GENERALLY THE SOUTHERN PART OF**
28 **PRECINCT 40 FROM THE PRECINCT BOUNDARY AT THE INTERSECTION OF SUMMIT**
29 **AVENUE AND THE CSX RAILROAD TRACKS, NORTHWEST ALONG THE CSX RAILROAD**
30 **TRACKS TO THE END OF PLYERS MILL ROAD, NORTH TO THE BOUNDARY OF ROCK**
31 **CREEK PARK, THEN EAST ALONG THE BOUNDARY OF ROCK CREEK PARK TO THE**

1 **PRECINCT BOUNDARY.**

2 (viii) Board of Education District 5 consists of:

- 3 1. Election district 4, precincts 1, 9, 34, 36, and 41;
- 4 2. Election district 5;
- 5 3. Election district 8; and
- 6 4. Election district 13, precincts 45, 46, 49, 51, 52, 54, 60, 61,
7 64, 69, 70, and 71.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
9 measure, is necessary for the immediate preservation of the public health or safety, has
10 been passed by a ye and nay vote supported by three-fifths of all the members elected to
11 each of the two Houses of the General Assembly, and shall take effect from the date it is
12 enacted.