

SENATE BILL 855

L2, A2, F4

4lr2947
CF HB 921

By: **Washington County Senators**

Introduced and read first time: February 2, 2024

Assigned to: Finance and Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 2, 2024

CHAPTER _____

1 AN ACT concerning

2 **Washington County – Board of License Commissioners ~~and Board of Community~~**
3 **~~College Trustees~~ – Membership**

4 FOR the purpose of requiring that certain numbers of members of the Board of License
5 Commissioners for Washington County ~~and the Board of Community College~~
6 ~~Trustees for Washington County~~ shall belong to certain political parties; and
7 generally relating to the membership of the Board of License Commissioners ~~and the~~
8 ~~Board of Community College Trustees~~ in Washington County.

9 BY repealing and reenacting, without amendments,
10 Article – Alcoholic Beverages and Cannabis
11 Section 31–102 and 31–201
12 Annotated Code of Maryland
13 (2016 Volume and 2023 Supplement)

14 BY repealing and reenacting, with amendments,
15 Article – Alcoholic Beverages and Cannabis
16 Section 31–202
17 Annotated Code of Maryland
18 (2016 Volume and 2023 Supplement)

19 ~~BY repealing and reenacting, with amendments,~~
20 ~~Article – Education~~
21 ~~Section 16–410~~
22 ~~Annotated Code of Maryland~~

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.



~~(2022 Replacement Volume and 2023 Supplement)~~

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

Article – Alcoholic Beverages and Cannabis

31–102.

This title applies only in Washington County.

31–201.

There is a Board of License Commissioners for Washington County.

31–202.

(a) (1) The Governor shall appoint three members to the Board.

(2) The appointments shall be made:

(i) if the Senate is in session, with the advice and consent of the
Senate; or

(ii) if the Senate is not in session, by the Governor alone.

(b) (1) Each member of the Board shall be:

(i) a resident and voter of the county; and

(ii) an individual of high character and integrity and of recognized
business capacity.

[(2) Not more than two members of the Board may belong to the same
political party.]

**(2) (I) TWO MEMBERS OF THE BOARD SHALL BELONG TO THE
POLITICAL PARTY THAT RECEIVED THE HIGHEST AGGREGATED NUMBER OF VOTES
IN THE PRECEDING ELECTION OF THE BOARD OF COUNTY COMMISSIONERS.**

**(II) ONE MEMBER OF THE BOARD SHALL BELONG TO THE
POLITICAL PARTY THAT RECEIVED THE SECOND HIGHEST AGGREGATED NUMBER OF
VOTES IN THE PRECEDING ELECTION OF THE BOARD OF COUNTY COMMISSIONERS.**

(c) A member of the Board may not have a pecuniary or other interest in any
phase of the manufacture, sale, or distribution of alcoholic beverages.

1 (d) (1) The term of a member is 6 years.

2 (2) The terms of the members are staggered as required by the terms
3 provided for members of the Board on July 1, 2016.

4 (e) (1) The Governor shall appoint an eligible individual to fill a vacancy
5 during the remainder of the term of office of the individual originally appointed in
6 accordance with subsection (a) of this section.

7 (2) A member who is appointed after a term has begun serves only for the
8 remainder of the term and until a successor is appointed and qualifies.

9 (f) (1) The Governor may remove a member for misconduct in office,
10 incompetence, or willful neglect of duty.

11 (2) The Governor shall give a member who is charged a copy of the charges
12 against the member and, with at least 10 days' notice, an opportunity to be heard publicly
13 in person or by counsel.

14 (3) If a member is removed, the Governor shall file with the Office of the
15 Secretary of State a statement of charges against the member and the Governor's findings
16 on the charges.

17 ~~Article Education~~

18 ~~16-410.~~

19 (a) ~~The Board of Community College Trustees for Washington County consists of~~
20 ~~seven members appointed by the Governor with the advice and consent of the Senate.~~

21 (b) ~~(1) FOUR MEMBERS OF THE BOARD SHALL BELONG TO THE~~
22 ~~POLITICAL PARTY THAT RECEIVED THE HIGHEST AGGREGATED NUMBER OF VOTES~~
23 ~~IN THE PRECEDING ELECTION OF THE BOARD OF COUNTY COMMISSIONERS; AND~~

24 ~~(2) THREE MEMBERS OF THE BOARD SHALL BELONG TO THE~~
25 ~~POLITICAL PARTY THAT RECEIVED THE SECOND HIGHEST AGGREGATED NUMBER OF~~
26 ~~VOTES IN THE PRECEDING ELECTION OF THE BOARD OF COUNTY COMMISSIONERS.~~

27 (c) ~~Each of the members:~~

28 (1) ~~Shall be residents of Washington County at the time of appointment;~~
29 ~~and~~

30 (2) ~~Shall maintain residency in Washington County throughout the term~~
31 ~~of appointment.~~

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2024.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.