

# HOUSE BILL 337

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CONSTITUTIONAL AMENDMENT

11r1014

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By: **Delegates Frush, Barnes, and Pena-Melnyk**

Introduced and read first time: February 2, 2011

Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Election Law – Recall Elections – Felony Indictment or Conviction**

3 FOR the purpose of adding a new article to the Maryland Constitution requiring the  
4 General Assembly to pass laws necessary to establish standards and procedures  
5 for recall elections for certain State officials who have been indicted for or  
6 convicted of a felony; and submitting this amendment to the qualified voters of  
7 the State for their adoption or rejection.

8 BY proposing an addition to the Maryland Constitution  
9 New Article XVII–A – Recall Elections  
10 Section 1

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

14 **ARTICLE XVII–A – RECALL ELECTIONS**

15 **1.**

16 **THE GENERAL ASSEMBLY SHALL PASS LAWS NECESSARY TO ESTABLISH**  
17 **STANDARDS AND PROCEDURES FOR RECALL ELECTIONS FOR THE FOLLOWING**  
18 **STATE OFFICIALS IF THE OFFICIAL IS UNDER INDICTMENT FOR OR CONVICTED**  
19 **OF A FELONY:**

20 **(1) THE GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY**  
21 **GENERAL, AND COMPTROLLER; AND**

22 **(2) AN ELECTED OR APPOINTED MEMBER OF THE GENERAL**  
23 **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, 2012  
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.