

HOUSE BILL 46

R2, G1

CONSTITUTIONAL AMENDMENT

4lr0538

HB 1080/23 – APP & ENT

(PRE-FILED)

By: **Delegate Mangione**

Requested: August 28, 2023

Introduced and read first time: January 10, 2024

Assigned to: Appropriations and Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation Investment Program – County Referendum – Authorization**

3 FOR the purpose of authorizing the General Assembly to authorize a county referendum
4 on a transportation investment program; requiring a transportation investment
5 program submitted to referendum to include a list of projects that each have a cost
6 of at least a certain amount and would be located in or serve a particular county;
7 requiring that the transportation investment program be submitted to the qualified
8 voters of the appropriate county for their adoption or rejection; and requiring the
9 transportation investment program to become law after approval by the voters of the
10 county at a certain time.

11 BY proposing an addition to the Maryland Constitution

12 Article III – Legislative Department

13 Section 53A

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

17 **Article III – Legislative Department**

18 **53A.**

19 **(A) THE GENERAL ASSEMBLY MAY, BY LAW, AUTHORIZE A COUNTY**
20 **REFERENDUM ON A TRANSPORTATION INVESTMENT PROGRAM.**

21 **(B) A TRANSPORTATION INVESTMENT PROGRAM SUBMITTED TO**
22 **REFERENDUM UNDER THIS SECTION:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(1) SHALL INCLUDE A LIST OF PROPOSED TRANSPORTATION**
2 **PROJECTS THAT EACH HAVE A COST OF AT LEAST \$20,000,000 AND WOULD BE**
3 **LOCATED IN OR SERVE A PARTICULAR COUNTY;**

4 **(2) MAY INCLUDE A SOURCE OF REVENUE THAT MAY BE USED SOLELY**
5 **TO FULLY OR PARTIALLY FINANCE THE PROJECTS IDENTIFIED IN THE**
6 **TRANSPORTATION INVESTMENT PROGRAM;**

7 **(3) MAY AUTHORIZE THE ISSUANCE OF BONDS SPECIFICALLY TO**
8 **FINANCE THE PROJECTS IDENTIFIED IN THE TRANSPORTATION INVESTMENT**
9 **PROGRAM; AND**

10 **(4) SHALL BE SUBMITTED TO THE QUALIFIED VOTERS OF THE**
11 **APPROPRIATE COUNTY FOR THEIR ADOPTION OR REJECTION.**

12 **(C) A TRANSPORTATION INVESTMENT PROGRAM SUBMITTED TO**
13 **REFERENDUM UNDER THIS SECTION SHALL BECOME LAW AFTER APPROVAL BY A**
14 **MAJORITY OF THE QUALIFIED VOTERS IN THE COUNTY VOTING ON THE QUESTION IN**
15 **A GENERAL ELECTION, AT A TIME SPECIFIED BY THE GENERAL ASSEMBLY IN THE**
16 **LAW AUTHORIZING THE REFERENDUM.**

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

21 SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the
22 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified
23 voters of the State at the next general election to be held in November 2024 for adoption or
24 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,
25 the vote on the proposed amendment to the Constitution shall be by ballot, and on each
26 ballot there shall be printed the words “For the Constitutional Amendment” and “Against
27 the Constitutional Amendment”, as now provided by law. Immediately after the election,
28 all returns shall be made to the Governor of the vote for and against the proposed
29 amendment, as directed by Article XIV of the Maryland Constitution, and further
30 proceedings had in accordance with Article XIV.