

CHAPTER 162

(Senate Bill 564)

AN ACT to propose an amendment to Section 13 of Article III of the Constitution of Maryland, title "Legislative Department", making provision for filling vacancies in the office of State Senator in certain senatorial districts or subdistricts, correcting an error in this section, and submitting this amendment to the qualified voters of the State for adoption or rejection.

SECTION 1. *Be it enacted by the General Assembly of Maryland* (three-fifths of all the members elected to each of the two houses concurring), That the following section be and the same is hereby proposed as an amendment to Section 13 of Article III of the Constitution of Maryland, title "Legislative Department", the same, if adopted by the legally qualified voters of the State, as herein provided, to become a part of the Constitution of Maryland:

13. (a) In case of death, disqualification, resignation, refusal to act, expulsion, or removal from the county or city for which he shall have been elected, of any person who shall have been chosen as a Delegate or Senator, or in case of a tie between two or more such qualified [~~presons~~] *persons*, the Governor shall appoint a person to fill such vacancy from a person whose name shall be submitted to him in writing, ~~within fifteen~~ THIRTY days after the occurrence of the vacancy, by the State Central Committee of the political party with which the Delegate or Senator, so vacating, had been affiliated in the County or District from which he or she was elected, provided that the appointee shall be of the same political party as the person whose office is to be filled; and it shall be the duty of the Governor to make said appointment within fifteen days after the submission thereof to him. *If a name is not submitted by the State Central Committee within fifteen* THIRTY days after the occurrence of the vacancy, *the Governor within another period of fifteen days shall appoint a person*, WHO SHALL BE OF THE SAME POLITICAL PARTY AS THE PERSON WHOSE OFFICE IS TO BE FILLED, AND *who is otherwise properly qualified to hold the office of delegate or senator in the District or County*. In the event there is no State Central Committee in the County or District from which said vacancy is to be filled, the Governor shall within fifteen days after the occurrence of such vacancy appoint a person who is otherwise properly qualified to hold the office of delegate or senator in such District or County. In every case when any person is so appointed by the Governor, his appointment shall be deemed to be for the unexpired term of the person whose office has become vacant.

(b) *In addition, and in submitting a name to the Governor to fill a vacancy in a Senatorial district or subdistrict, as the case may be, in any of the twenty-three counties of Maryland, the State Central Committee or committees shall follow these provisions:*

(1) *If the vacancy occurs in a district or subdistrict having the same boundaries as a county, the State Central Committee of the county shall submit the name of a resident of the district or subdistrict.*