

**CHAPTER 80**

**(Senate Bill 165)**

AN ACT concerning

**Dual Office Holding – Exceptions**

FOR the purpose of ~~providing for exceptions to the constitutional prohibition against holding more than one “office of profit”;~~ ~~repealing a certain dual office holding provision applicable to members of the General Assembly;~~ ~~removing from the oath of office language relating to dual office holding~~ providing for exceptions to constitutional prohibitions against holding more than one office for law enforcement officers, firefighters, or fire department or rescue squad members; generally relating to dual office holding; and submitting this amendment to the qualified voters of the State of Maryland for their adoption or rejection.

BY proposing an amendment to the Constitution of Maryland  
Declaration of Rights  
Article 35

~~BY proposing an amendment to the Constitution of Maryland  
Article I – Elective Franchise  
Section 9~~

BY proposing ~~a repeal of an amendment to~~ the Constitution of Maryland  
Article III – Legislative Department  
Section 11

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 it be proposed that the Constitution of Maryland read as follows:

**Declaration of Rights**

Article 35.

That no person shall hold, at the same time, more than one office of profit, created by the Constitution or Laws of this State, ~~EXCEPT AS MAY BE PROVIDED BY LAW;~~ nor shall any person in public trust receive any present from any foreign Prince or State, or from the United States, or any of them, without the approbation of this State. The position of Notary Public shall not be considered an office of profit within the meaning of this Article. ~~Membership~~ *NONELECTED MEMBERSHIP* in the militia of this State, A LAW ENFORCEMENT AGENCY, A FIRE DEPARTMENT OR AGENCY, OR A RESCUE SQUAD shall not be considered an office of profit within the meaning of this Article; nor shall any remuneration received as a consequence of membership in a reserve component of the armed forces of the United States or of membership in the militia of the United States or of this State be considered a present within the meaning of this Article.