



House Bill 1415

Chief Executive Officer or County Executive – Special Election to Fill a Vacancy in Office

MACo Position: **SUPPORT**

To: Ways and Means Committee

Date: March 6, 2014

From: Andrea Mansfield

The Maryland Association of Counties (MACo) **SUPPORTS** HB 1415. This bill proposes a constitutional amendment which would give the authority to a charter county to fill a vacancy in the office of county executive through a special election if the vacancy occurs during the term of office.

Under the Maryland Constitution, a charter county has the authority to fill a council seat vacated during the middle of a term through a special election, but not the office of the county executive. HB 1415 would extend this same process to the office of county executive should the governing body choose to fill the vacancy in this manner.

Before this could occur, the constitutional amendment proposed by this bill would first need to be approved through referendum. If approved, a charter county would then need to propose a change to its charter through referendum to authorize a special election for this purpose. This would give the voting public sufficient opportunity to review and approve any such change.

While charter counties currently have processes specified in their charters for replacing a county executive, HB 1415 provides another option by giving charter counties greater flexibility for filling a county executive vacancy in the middle of a term. For this reason, MACo urges the Committee to give HB 1415 **FAVORABLE** report.