

**COUNTY COUNCIL OF CECIL COUNTY, MARYLAND
LEGISLATIVE SESSION DAY 2024-10**

RESOLUTION NO. 25-2024

Title of Resolution: Charter Amendment – Vacancy in the Office of County Executive – Executive

Synopsis: A Resolution amending Article 4, Executive, Section 407, Vacancy in the Office of County Executive, of the Cecil County Charter to provide that the vacancies in the Office of the County Executive shall be filled based on the vacating member party at the time of filing. To require submission of this amendment to the legally qualified voters of Cecil County for their adoption or rejection, in accordance with Section 602 of the Charter of Cecil County.

Introduced by: Council President at the request of the County Council

Introduced and ordered posted on: June 4, 2024

Public hearing scheduled on: July 2, 2024 at 7:00 p.m.

Scheduled for consideration on: July 16, 2024

By: _____
Council Manager

Notice and title of Resolution having been posted on June 4, 2024 at the County Administration Building, 200 Chesapeake Blvd., Elkton and having been published according to the Charter on June 19, 2024 and June 26, 2024, a public hearing was held on July 2, 2024, and concluded on July 2, 2024.

By: _____
Council Manager

Explanation: CAPITAL LETTERS INDICATE LANGUAGE ADDED TO EXISTING DOCUMENT
~~Strike through~~ indicates language deleted from existing document
Underlining indicates language added to document by amendment.
~~Double Strike through~~ indicates language stricken from document by amendment

Charter Amendment – Vacancy in the Office of County Executive

1 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter, the Charter
2 may be amended by the procedures provided in Article XI-A of the Maryland Constitution; and

3 **WHEREAS**, pursuant to Article XI-A, §5 of the Maryland Constitution, amendments to
4 any charter adopted by any County of this State under the provisions of this Article may be
5 proposed by a resolution of the Council of the County, or by a petition signed by not less than
6 20% of the registered voters of the City or County, provided, however, that in any case 10,000
7 signatures shall be sufficient to complete a petition; and

8 **WHEREAS**, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i) of the Election
9 Law Article, the Attorney, designated to represent the county legislative body, shall prepare
10 and certify, and submit to the State Board of Election, not later than August 1, 2024, the
11 following information as required under §7-103(b) of the Election Law Article for each question
12 to be voted on in the County: (1) a question number or letter as by the Election Board; (2) a
13 brief designation of the type or source of the question; (3) a brief descriptive title in boldface
14 type; (4) a condensed statement of the purpose of the question; and (5) the voting choices that
15 the voter has; and

16 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and
17 Article XI-A, §5 of the Maryland Constitution, the amendments shall be published by the
18 President of the County Council once a week for five successive weeks prior to the election in at
19 least one newspaper published in said County; and

20 **WHEREAS**, pursuant to Article 6, Section 602 of the Cecil County Charter and
21 Article XI-A, §5 of the Maryland Constitution, an amendment so proposed shall be submitted to
22 the voters of the County at the next general or congressional election occurring after the
23 passage of the resolution; and

24 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and
25 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for
26 the amendment shall be in favor thereof, the amendment shall be adopted and become a part
27 of the charter of the County from and after the thirtieth day after said election; and

28 **WHEREAS**, Article 4, Executive, Section 407, Vacancy in the Office of the County
29 Executive, of the Cecil County Charter currently provides that:

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30 “A vacancy in the Office of the Executive shall exist upon the death or resignation of the
31 Executive, or upon forfeiture of office as provided in Section 408 of this Charter. A majority
32 of the Council members shall appoint, within 30 days after receiving a list of three nominees
33 from the local central committee, a person to fill the vacancy. An appointee, when
34 succeeding a party member, shall be a member of the same political party as the person
35 elected to such office. The County central committee of that party shall submit a list of three
36 nominees within 30 days of the vacancy to the County Council. Any person appointed to fill
37 a vacancy shall meet the qualifications provided in Section 405 of this Charter”.

38 **WHEREAS**, in accordance with Article 6, Section 602 of the Cecil County Charter and
39 Article XI-A, §5 of the Maryland Constitution, this Resolution proposes the following
40 amendment to Article 4, Executive, Section 407, Vacancy in the Office of County Executive, of
41 the Cecil County Charter:

42 “A vacancy in the Office of the Executive shall exist upon the death or resignation of the
43 Executive, or upon forfeiture of office as provided in Section 408 of this Charter. A majority
44 of the Council members shall appoint, within 30 days after receiving a list of three nominees
45 from the local central committee, a person to fill the vacancy. An appointee, when
46 succeeding a party member, shall be a member of the same political party as the person
47 elected to such office **AT THE TIME OF THE VACATING MEMBER’S ELECTION TO OFFICE**. The
48 County central committee of that party shall submit a list of three nominees within 30 days
49 of the vacancy to the County Council. Any person appointed to fill a vacancy shall meet the
50 qualifications provided in Section 405 of this Charter.”

51 **NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE COUNTY COUNCIL OF CECIL**
52 **COUNTY, MARYLAND**, that the following amendment to Article 4, Executive, Section 407,
53 Vacancy in the Office of County Executive, of the Cecil County Charter, shall be submitted to the
54 voters of the County at the next general or congressional election in accordance with Article 6,
55 Section 602 of the Cecil County Charter and Article XI-A, §5 of the Maryland Constitution:

56 “A vacancy in the Office of the Executive shall exist upon the death or resignation of the
57 Executive, or upon forfeiture of office as provided in Section 408 of this Charter. A majority
58 of the Council members shall appoint, within 30 days after receiving a list of three nominees

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60 from the local central committee, a person to fill the vacancy. An appointee, when
61 succeeding a party member, shall be a member of the same political party as the person
62 elected to such office **AT THE TIME OF THE VACATING MEMBER’S ELECTION TO OFFICE.** The
63 County central committee of that party shall submit a list of three nominees within 30 days
64 of the vacancy to the County Council. Any person appointed to fill a vacancy shall meet the
65 qualifications provided in Section 405 of this Charter.”

65 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL**
66 **COUNTY, MARYLAND,** that, pursuant to Md. Code Ann., §7-103(a)(iii) and §7-103(c)(3)(i)
67 of the Election Law Article, the Attorney, designated to represent the county legislative
68 body, shall prepare, certify, and submit to the State Board of Election, not later than
69 August 1, 2024, the following information as required under §7-103(b) of the Election Law
70 Article: (1) a question number or letter as by the Election Board; (2) a brief designation of
71 the type or source of the question; (3) a brief descriptive title in boldface type; (4) a
72 condensed statement of the purpose of the question; and (5) the voting choices that the
73 voter has.

74 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
75 **MARYLAND,** that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,
76 §5 of the Maryland Constitution, the amendments shall be published by the President of the
77 County Council once a week for five successive weeks prior to the election in at least one
78 newspaper published in said County.

79 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
80 **MARYLAND,** that pursuant to Article 6, Section 602 of the Cecil County Charter and Article XI-A,
81 §5 of the Maryland Constitution, the aforementioned proposed amendment shall be submitted
82 to the voters of the County at the next general or congressional election occurring after the
83 passage of this Resolution.

84 **AND BE IT HEREBY FURTHER RESOLVED BY THE COUNTY COUNCIL OF CECIL COUNTY,**
85 **MARYLAND,** that in accordance with Article 6, Section 602 of the Cecil County Charter and
86 Article XI-A, §5 of the Maryland Constitution, if at the election the majority of the votes cast for
87 the aforementioned proposed amendment shall be in favor thereof, then the proposed

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88 amendment shall be adopted and become a part of the Charter of Cecil County from and after
89 the thirtieth day after said election.

INTRODUCED: June 4, 2024

ADOPTED: _____

President of the Council

ATTEST:

Council Manager