

# SENATE BILL 172

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CONSTITUTIONAL AMENDMENT

3lr1513  
CF 3lr1496

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By: **Chair, Anne Arundel County Senators**

Introduced and read first time: January 17, 2013

Assigned to: Judicial Proceedings

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## A BILL ENTITLED

1 AN ACT concerning

2 **Circuit Court for Anne Arundel County – Judges Sitting as Orphans’ Court**

3 FOR the purpose of requiring the judges of the Circuit Court for Anne Arundel County  
4 to sit as the Orphans’ Court for Anne Arundel County; repealing a requirement  
5 that the qualified voters of Anne Arundel County elect three orphans’ court  
6 judges; generally relating to judges of the Circuit Court for Anne Arundel  
7 County sitting as the Orphans’ Court for Anne Arundel County; and submitting  
8 this amendment to the qualified voters of the State for their adoption or  
9 rejection.

10 BY proposing an amendment to the Maryland Constitution  
11 Article IV – Judiciary Department  
12 Section 20(b) and 40(a)

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

16 **Article IV – Judiciary Department**

17 20.

18 (b) The judges of the Circuit Courts for **ANNE ARUNDEL**, Montgomery, and  
19 Harford Counties shall each, alternately and in rotation and on schedules to be  
20 established by those judges, sit as an Orphans’ Court for their County, and shall have  
21 and exercise all the power, authority and jurisdiction which the present Orphans’  
22 Courts now have and exercise, or which may hereafter be provided by law.

23 40.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (a) The qualified voters of the several Counties, except **ANNE ARUNDEL**  
2 **COUNTY**, Montgomery County, and Harford County, shall elect three Judges of the  
3 Orphans' Courts of Counties who shall be citizens of the State and residents, for the  
4 twelve months preceding, in the County for which they may be elected.

5           SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly  
6 determines that the amendment to the Maryland Constitution proposed by this Act  
7 affects only one county and that the provisions of Article XIV, § 1 of the Maryland  
8 Constitution concerning local approval of constitutional amendments apply.

9           SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section  
10 proposed as an amendment to the Maryland Constitution shall be submitted to the  
11 qualified voters of the State at the next general election to be held in November 2014  
12 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.  
13 At that general election, the vote on this proposed amendment to the Constitution  
14 shall be by ballot, and upon each ballot there shall be printed the words "For the  
15 Constitutional Amendment" and "Against the Constitutional Amendment," as now  
16 provided by law. Immediately after the election, all returns shall be made to the  
17 Governor of the vote for and against the proposed amendment, as directed by Article  
18 XIV of the Maryland Constitution, and further proceedings had in accordance with  
19 Article XIV.