

County Council Vacancies

(see also: Candidate Vacancies)

SECTION 106. Vacancies

A vacancy shall occur when any member of the Council shall, before the expiration of the term for which the member was elected, die, resign the office, become disqualified for membership on the Council, or be removed from office. Unless the Council has provided by law for filling a vacancy by special election, the following process for filling a vacancy shall apply. When a vacancy has occurred, a majority of the remaining members of the Council shall appoint a person to fill the vacancy within thirty days. An appointee to fill a vacancy, when succeeding a party member, shall be a member of the same political party as the person elected to such office at the time of election. If the Council has not acted within thirty days, the County Executive shall appoint a person to fill the vacancy within ten days thereafter. If a person having held the vacant position was a member of a political party at the time of election, the person appointed by the County Executive shall be the nominee of the County Central Committee of that party. An appointee shall serve for the unexpired term of the previous member.

Any member appointed to fill a vacancy shall meet the same qualifications and residence requirements as the previous member.

Montgomery County Charter, § 106,
as amended November 2, 1982, November 8, 1988, and November 3, 1998

Filling Vacant Elective Offices – From time to time a local Democratic Central Committee may be empowered or required by law of the Constitution and By-laws of the Maryland Central Committee to fill vacant elective office. In such an event, the local Democratic Central Committee shall ensure that reasonable public notice is given concerning the vacancy, the procedure for filling the vacancy, and the qualifications and requirements for candidates to fill the vacancy. Meetings held by a local Democratic Central Committee for the purpose of filling such a vacancy shall be open to the public, and votes for the purpose of filling the vacancy shall be conducted by roll call.

Maryland Democratic Party By-Laws, article IX, § 6