

is provided by law, then in such event the person entitled to succeed to the office shall temporarily fill the elective office. If the conviction becomes final, after judicial review or otherwise, such elected official shall be removed from the elective office by operation of Law and the office shall be deemed vacant. If the conviction of the elected official is reversed or overturned, the elected official shall be reinstated by operation of Law to the elective office for the remainder, if any, of the elective term of office during which he was so suspended or removed, and all pay and benefits shall be restored.

**SEC. 3.**<sup>211</sup> No person who is a member of an organization that advocates the overthrow of the Government of the United States or of the State of Maryland through force or violence shall be eligible to hold any office, be it elective or appointive, or any other position of profit or trust in the Government of or in the administration of the business of this State or of any county, municipality or other political subdivision of this State.

**SEC. 4.**<sup>212</sup> Vacant.

**SEC. 5.**<sup>213</sup> Except as the Constitution provides otherwise for any office, the General Assembly may provide by law for a person to act in place of any elected or appointed officer of the State who is unavailable to perform the duties of his office because he has become unable or is or will be absent.

**SEC. 6.**<sup>214</sup> Vacant.

**SEC. 7.**<sup>215</sup> All general elections in this State shall be held on the Tuesday next after the first Monday in the month of Nov., in the year in which they shall occur.

**SEC. 8.**<sup>216</sup> Vacant.

**SEC. 9.**<sup>217</sup> Vacant.

**SEC. 10.**<sup>218</sup> Vacant.

**SEC. 11.**<sup>219</sup> Vacant.

## ARTICLE XVI.<sup>220</sup>

### THE REFERENDUM.

**SECTION 1.** (a) The people reserve to themselves power known as The Referendum, by petition to have submitted to the registered voters of the State, to approve or reject at the polls, any Act, or part of any Act of the General Assembly, if approved by the Governor, or, if passed by the General Assembly over the veto of the Governor;

(b) The provisions of this Article shall be self-executing; provided that additional legislation in furtherance thereof and not in conflict therewith may be enacted.

**SEC. 2.**<sup>221</sup> No law enacted by the General Assembly shall take effect until the first day of June next after the session at which it may be passed, unless it contains a Section declaring such law an emergency law and necessary for the immediate preservation of the public health or safety and is passed upon a ye and may vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly. The effective date of a law other than an emergency law may be extended as provided in Section 3 (b) hereof. If before said first day of June there shall have been filed with the Secretary of the State a petition to refer to a vote of the people any law or part of a law capable of referendum, as in this Article provided, the same shall be referred by the Secretary of State to such vote, and shall not become a law or take effect until thirty days after its approval by a majority of the electors voting thereon at the next ensuing election held throughout the State for Members of the House of Representatives of the United States. An emergency law shall remain in force notwithstanding such petition, but shall stand repealed thirty days after having been rejected by a majority of the qualified electors voting thereon. No measure creating or abolishing any office, or changing the salary, term or duty of any officer, or granting any franchise or special privilege, or creating any vested right or interest, shall be enacted as an emergency law. No law making any appropriation for maintaining the State Government, or for maintaining or aiding any public institution, not exceeding the next previous appropriation for the same purpose, shall be subject to rejection or repeal under this Section. The increase in any such appropriation for maintaining or aiding any public institution shall only take effect as in the case of other laws, and such increase or any part thereof specified in the petition, may be referred to a vote of the people upon petition.

**SEC. 3.**<sup>222</sup> (a) The referendum petition against an Act or part of an Act passed by the General Assembly, shall be sufficient if signed by three percent of the qualified voters of the State of Maryland, calculated upon the whole number of votes cast for Governor at the last preceding Gubernatorial election, of whom not more than half are residents of Baltimore City, or of any one County. However, any Public Local Law for any one County or the City of Baltimore, shall be referred by the Secretary of State only to the people of the County or City of Baltimore, upon a referendum petition of ten percent of the qualified voters of the County or City of Baltimore, as the case may be, calculated upon the whole number of votes cast respectively for Governor at the last preceding Gubernatorial election.

(b) If more than one-third, but less than the full number of signatures required to complete any referendum petition against any law passed by the General Assembly, be filed

211 Originally Article XV, sec. 11, renumbered by Chapter 681, Acts of 1977, ratified Nov. 7, 1978. As sec. 11 it was added by Chapter 721, Acts of 1947, ratified Nov. 2, 1948.

212 Transferred to Article XVII, sec. 8, by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

213 Added by Chapter 974, Acts of 1978, ratified Nov. 7, 1978. The previous sec. 5 was transferred to Article 23 of the Declaration of Rights by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

214 Transferred to Article 23 of the Declaration of Rights by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

215 Amended by Chapter 99, Acts of 1956, ratified Nov. 6, 1956.

216 Repealed by Chapter 99, Acts of 1956, ratified Nov. 6, 1956.

217 Transferred to Article XVII, sec. 4, by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

218 Transferred to Article I, sec. 10, by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

219 Transferred to Article XV, sec. 3, by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

220 Added by Chapter 673, Acts of 1914, ratified Nov. 2, 1915.

221 Amended by Chapter 681, Acts of 1977, ratified Nov. 7, 1978.

222 Amended by Chapter 548, Acts of 1976, ratified Nov. 2, 1976. Sec. 3(a) previously amended by Chapter 6, Acts of 1962, ratified Nov. 6, 1962.