

CONSTITUTIONAL CONVENTION OF MARYLAND

PROPOSED CONSTITUTION OF 1968

CONSTITUTION OF 1867

**Section 7.04. Powers of Counties.**

A county may exercise any power, other than the judicial power, or perform any function unless that power or function has been denied to the county by the Constitution or by its instrument of government, or has been transferred exclusively to another governmental unit, or has been denied to the county by the General Assembly by law. A county may exercise only those taxing powers granted to it by the General Assembly by law but shall retain taxing powers granted to it prior to the effective date of this Constitution, unless any of those powers are subsequently denied to it by law.

Article shall be submitted to the voters at the general election two years later, and no charter question under Article 11A shall be submitted to the voters at that general election.

*See Art. III, Sec. 61 at Section 1.16 for the power of the General Assembly by public local law to enable any county or municipal corporation to carry out urban renewal projects.*

**Art. XI, sec. 8.** All Laws and Ordinances, now in force, applicable to the City of Baltimore, not inconsistent with this Article, shall be, and they are hereby continued until changed in due course of Law.

**Art. XI-A, sec. 2.** The General Assembly at its first session after the adoption of this amendment shall by public general law provide a grant of express powers for such county or counties as may thereafter form a charter under the provisions of this Article. Such express powers granted to the counties and the powers heretofore granted to the City of Baltimore, as set forth in Article 4, Section 6, Public Local Laws of Maryland, shall not be enlarged or extended by any charter formed under the provisions of this Article, but such powers may be extended, modified, amended or repealed by the General Assembly.

**Art. XI-A, sec. 3.** . . . From and after the adoption of a charter by the City of Baltimore, or any county of this State, as hereinbefore provided, the Mayor of Baltimore and City Council of the City of Baltimore or the County Council of said county, subject to the Constitution and Public General Laws of this State, shall have full power to enact local laws of said city or county including the power to repeal or amend local laws of said city or county enacted by the General Assembly, upon all matters covered by the express powers granted as above provided; provided that nothing herein contained shall be construed to authorize or empower the County Council of any county in this State to enact laws or regulations for any incorporated town, village, or municipality in said county, on any matter covered by the powers granted to said town, village, or municipality by the Act incorporating it, or any subsequent Act or Acts amendatory thereto. Provided, however, that the charters for the various counties shall specify the number of days, not to exceed forty-five, which may but need not be consecutive, that the County Coun-