

COMPARISON OF CONSTITUTIONS

PROPOSED CONSTITUTION OF 1968

CONSTITUTION OF 1867

Section 9.10. Corporation Charters.

Corporations may be formed under general laws, but shall not be created by special act, except in cases where no general laws exist providing for the creation of corporations of the same general character as the corporation proposed to be created; and any act of incorporation passed in violation of this section shall be void. All charters granted, or adopted, in pursuance of this section, and all charters heretofore granted and created subject to repeal or modification may be altered, from time to time, or be repealed; provided nothing herein contained shall be construed to extend to banks or the incorporation thereof. The General Assembly shall not alter or amend the charter of any corporation existing on December 3, 1891, or pass any other general or special law for the benefit of such corporation except upon the condition that such corporation shall surrender all claim to exemption from taxation or from the repeal or modification of its charter, and that such corporation shall thereafter hold its charter subject to the provisions of this Constitution; and any corporation chartered by this State which shall accept, use, enjoy, or in any wise avail itself of any rights, privileges, or advantages granted or conferred by any general or special act, shall be conclusively presumed to have thereby surrendered any exemption from taxation to which it may be entitled under its charter and shall be thereafter subject to taxation as if no such exemption has been granted by its charter except to the extent that application of this section may be prohibited by Article I, Section 10, of the Constitution of the United States.

ARTICLE 10. EFFECT AND AMENDMENT OF CONSTITUTION

Section 10.01. Effective Date of Constitution.

This Constitution shall become effective, and the Constitution of 1867 as amended shall cease to be effective, on July 1, 1968, except as otherwise specifically provided in the Schedule of Transitional Provisions attached to this Constitution.

Art. III, sec. 48. Corporations may be formed under general Laws, but shall not be created by special act, except for municipal purposes and except in cases where no general Laws exist, providing for the creation of corporations of the same general character, as the corporation proposed to be created; and any act of incorporation passed in violation of this section shall be void. All charters granted, or adopted, in pursuance of this section, and all charters heretofore granted and created, subject to repeal or modification, may be altered, from time to time, or be repealed; provided, nothing herein contained shall be construed to extend to Banks, or the incorporation thereof. The General Assembly shall not alter or amend the charter of any corporation existing at the time of the adoption of this Article, or pass any other general or special law for the benefit of such corporation except upon the condition that such corporation shall surrender all claim to exemption from taxation or from the repeal or modification of its charter, and that such corporation shall thereafter hold its charter subject to the provisions of this Constitution; and any corporation chartered by this State which shall accept, use, enjoy, or in any wise avail itself of any rights, privileges, or advantages that may hereafter be granted or conferred by any general or special Act, shall be conclusively presumed to have thereby surrendered any exemption from taxation to which it may be entitled under its charter, and shall be thereafter subject to taxation as if no such exemption has been granted by its charter.

Vote on the Constitution.

For the purpose of ascertaining the sense of the people of this State, in regard to the adoption, or rejection of this Constitution, the Governor shall issue his Proclamation within five days after the adjournment of this Convention, directed to the Sheriffs of the City of Baltimore, and of the several Counties of this State, commanding them to give notice, in the manner now prescribed by Law in reference to the election of members of the House of Delegates, that an election for the adoption or rejection of this Constitution, will be held in the City of Baltimore, and in the several Counties of this State, on Wednesday, the Eight-