

or holding any appointment under any Court of this State, whose pay, or compensation is derived from fees, or moneys coming into his hands for the discharge of his official duties, or, in any way, growing out of, or connected with his office, shall keep a book in which shall be entered every sum, or sums of money, received by him, or on his account, as a payment or compensation for his performance of official duties, a copy of which entries in said book, verified by the oath of the officer, by whom it is directed to be kept, shall be returned yearly to the Comptroller of the State for his inspection, and that of the General Assembly of the State, to which the Comptroller shall, at each regular session thereof, make a report showing what officers have complied with this Section; and each of the said officers, when the amount received by him for the year shall exceed the sum which he is by Law entitled to retain, as his salary or compensation for the discharge of his duties, and for the expenses of his office, shall yearly pay over to the Treasurer of the State the amount of such excess, subject to such disposition thereof as the General Assembly may direct; if any of such officers shall fail to comply with the requisitions of this section for the period of thirty days after the expiration of each and every year of his office, such officer shall be deemed to have vacated his office, and the Governor shall declare the same vacant, and the vacancy therein shall be filled as in the case of vacancy for any other cause, and such officer shall be subject to suit by the State for the amount that ought to be paid into the Treasury (amended by Chapter 99, Acts of 1956, ratified Nov. 6, 1956; Chapter 681, Acts of 1977, ratified Nov. 7, 1978).

**SEC. 2.** Any elected official of the State, or of a county or of a municipal corporation who during his term of office is convicted of or enters a plea of *nolo contendere* to any crime which is a felony, or which is a misdemeanor related to his public duties and responsibilities and involves moral turpitude for which the penalty may be incarceration in any penal institution, shall be suspended by operation of law without pay or benefits from the elective office. During and for the period of suspension of the elected official, the appropriate governing body and/or official authorized by law to fill any vacancy in the elective office shall appoint a person to temporarily fill the elective office, provided that if the elective office is one for which automatic succession 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 (originally Article XV, sec. 3, renumbered by Chapter 681, Acts of 1977, ratified Nov. 7, 1978. As sec. 3, it was amended by Chapter 879, Acts of 1974, ratified Nov. 5, 1974).

**SEC. 3.** 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 (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).

**SEC. 4.** Vacant (transferred to Article XVII, sec. 8, by Chapter 681, Acts of 1977, ratified Nov. 7, 1978).

**SEC. 5.** 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 (added by Chapter 974, Acts of 1978, ratified Nov. 7, 1978. The previous sec. 5 was transferred to Article 23 of Declaration of Rights by Chapter 681, Acts of 1977, ratified Nov. 7, 1978).

**SEC. 6.** Vacant (transferred to Article 23 of Declaration of Rights by Chapter 681, Acts of 1977, ratified Nov. 7, 1978).

**SEC. 7.** All general elections in this State shall be held on the Tuesday next after the first Monday in the month of November, in the year in which they shall occur (amended by Chapter 99, Acts of 1956, ratified Nov. 6, 1956).

**SEC. 8.** Vacant (repealed by Chapter 99, Acts of 1956, ratified Nov. 6, 1956).

**SEC. 9.** Vacant (transferred to Article XVII, sec. 4, by Chapter 681, Acts of 1977, ratified Nov. 7, 1978).

**SEC. 10.** Vacant (transferred to Article I, sec. 10, by Chapter 681, Acts of 1977, ratified Nov. 7, 1978).

**SEC. 11.** Vacant (transferred to Article XV, sec. 3, by Chapter 681, Acts of 1977, ratified Nov. 7, 1978).

## ARTICLE XVI THE REFERENDUM.

(added by Chapter 673, Acts of 1914, ratified Nov. 2, 1915)

**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.** 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 yea and nay 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