

TOWN COUNCIL OF THE TOWN OF CHEVY CHASE

A RESOLUTION TO AMEND SECTION 401 OF THE CHARTER OF THE TOWN OF CHEVY CHASE

This Resolution of the Council of the Town of Chevy Chase is adopted pursuant to the Constitution of Maryland, Article XI-E, the Maryland Code, Local Government Article, Section 4-301, *et seq.*, and the Charter of the Town of Chevy Chase, to amend Section 401 of the Charter to allow non-U.S. citizens to qualify to vote in Town elections.

Section 1. BE IT RESOLVED BY THE TOWN COUNCIL, that said Section of the Town Charter be amended to read as follows:

Section 401. Qualifications of Voters.

(a) Except as provided in subsection (b) below, [E]very person who: (1) is a citizen of the United States or, if not a citizen, is legally authorized to reside in the United States; [,] (2) is at least eighteen (18) years of age; [,] (3) has resided within the corporate limits of the town for thirty (30) days next preceding any town election; [,] and (4) is registered in accordance with the provisions of this charter, is a qualified voter of the town. Every qualified voter of the town is entitled to vote at all town elections.

(b) A person is not qualified to be a voter if the person: (1) has been convicted of a felony and is currently serving a court-ordered sentence of imprisonment for the conviction; (2) is under guardianship for mental disability and a court of competent jurisdiction has specifically found by clear and convincing evidence that the person cannot communicate, with or without accommodations, a desire to participate in the voting process; or (3) has been convicted of buying or selling votes.

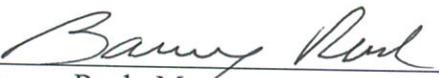
NOTE: Underlining indicates language added to the Charter
[Boldface Brackets] denote language deleted from the Charter

Section 2. AND BE IT FURTHER RESOLVED, that the date of the adoption of this Resolution is December 10, 2018 and that the amendment to the Town Charter hereby proposed by this enactment shall be and become effective on January 29, 2019 (fifty (50) days from adoption), unless a proper petition for a referendum hereon shall be filed as permitted by law on or before January 19, 2019 (forty (40) days from adoption).

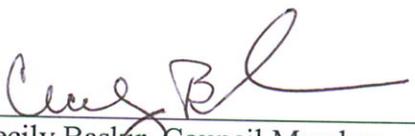
Section 3. AND BE IT FURTHER RESOLVED, that a complete and exact copy of this Resolution shall be posted at 4301 Willow Lane, Chevy Chase, MD 20815 for at least forty (40) days following adoption and a fair summary of this Resolution shall be published in a newspaper of general circulation in the Town of Chevy Chase not less than four (4) times, at weekly intervals, within a period of at least forty (40) days starting immediately after the date of adoption.

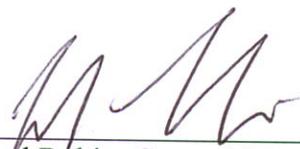
Section 4. AND BE IT FURTHER RESOLVED, that as soon as the amendment hereby enacted shall become effective, either as herein provided or following a referendum, the Mayor shall send, by certified mail, return receipt requested, bearing a postmark from the United States Postal Service, to the Department of Legislative Services, the following information concerning the amendment: (i) the complete text of the amendment as hereby enacted; (ii) the date of the referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against the question concerning the amendment, whether by the Town Council or in a referendum; and (iv) the effective date of the amendment.

Section 5. AND BE IT FURTHER RESOLVED, that the said Mayor be and is hereby specifically instructed to carry out the provisions of Sections 3 and 4. As evidence of compliance herewith, the said Mayor shall cause to be placed in the Town files the following information concerning the amendment: (i) appropriate certificates of publication of the newspaper in which a fair summary of this Resolution shall have been published; and (ii) the return receipts of the mailing referred to in Section 4, and shall further complete and execute the Certificate of Effect attached hereto.


Barney Rush, Mayor

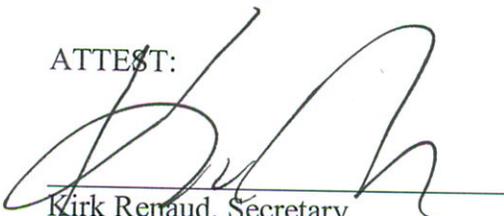

Kirk Renaud, Council Member


Cecily Baskin, Council Member


Joel Rubin, Council Member


Wicca Davidson, Council Member

ATTEST:


Kirk Renaud, Secretary