

HOUSE BILL 1430

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EMERGENCY BILL

9lr0205
CF 9lr0204

By: **The Minority Leader (By Request – Administration)**

Rules suspended

Introduced and read first time: March 20, 2019

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Congressional Districting Plan – Sixth and Eighth Congressional Districts**

3 FOR the purpose of establishing the composition of the sixth and eighth districts in the
4 State of Maryland for the election of members to the United States House of
5 Representatives; specifying certain election district and precinct boundaries; making
6 this Act an emergency measure; and generally relating to the reconfiguration of
7 congressional districts in the State.

8 BY repealing

9 Article – Election Law

10 Section 8–707 and 8–709

11 Annotated Code of Maryland

12 (2017 Replacement Volume and 2018 Supplement)

13 BY adding to

14 Article – Election Law

15 Section 8–707 and 8–709

16 Annotated Code of Maryland

17 (2017 Replacement Volume and 2018 Supplement)

18 Preamble

19 WHEREAS, The census mandated under Article I, § 2 of the U.S. Constitution
20 informs the decennial reapportionment and redistricting process, with the last census
21 having occurred in 2010; and

22 WHEREAS, The General Assembly of Maryland entered into a Special Session in
23 2011 for the purpose of adopting Maryland’s congressional districts for the following 10
24 years; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 WHEREAS, The U.S. District Court for the District of Maryland, sitting as a
2 three-judge panel which included a judge from the U.S. Court of Appeals for the Fourth
3 Circuit, ruled in November 2018 that Maryland's Sixth Congressional District violates the
4 First Amendment of the U.S. Constitution, and in its judgment issued on November 7, 2018,
5 stated, "...the State might be well advised to establish a neutral commission to develop a
6 conforming plan", and entered an order (1) permanently enjoining the State "from
7 conducting any further elections for members of the U.S. House of Representatives from
8 Maryland under the 2011 congressional redistricting plan" and (2) directing the State to
9 adopt promptly a new congressional redistricting plan that addresses "the constitutional
10 violations found here with respect to [the Sixth] District" for use in the 2020 election; and

11 WHEREAS, On November 26, 2018, the Governor of Maryland issued Executive
12 Order 01.01.2018.29, which established an Emergency Commission on Sixth Congressional
13 District Gerrymandering (the "Commission") for the purpose of redrawing the Sixth
14 District and any other districts necessary to conform the Sixth District to requirements of
15 the First Amendment; and

16 WHEREAS, The Commission held public meetings and work sessions to consider
17 how best to redraw the Sixth District; and

18 WHEREAS, On March 1, 2019, the Commission made recommendations to redraw
19 the Sixth and Eighth districts on the basis of compactness and geographic contiguity and
20 without regard to any partisan considerations and held two public hearings in the two
21 newly proposed districts to obtain input from citizens on the proposed new districts; and

22 WHEREAS, This Act implements the recommendations of the Commission on
23 redrawing the Sixth and Eighth Congressional districts; and

24 WHEREAS, Failure to adopt a new plan for the Sixth Congressional District could
25 result in the U.S. District Court adopting its own plan with little or no input from State
26 policy makers; and

27 WHEREAS, The integrity of the redistricting process is essential to the success of
28 democracy; and

29 WHEREAS, The process of redistricting should be fully transparent and subject to
30 public input and scrutiny; and

31 WHEREAS, Free and fair elections are the right of every citizen in the United States,
32 and the map proposed by the Commission will enable a large number of Maryland voters
33 to participate more fully in congressional elections; now, therefore,

34 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
35 That Section(s) 8-707 and 8-709 of Article – Election Law of the Annotated Code of
36 Maryland be repealed.

37 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read

1 as follows:

2 **Article – Election Law**

3 **8–707.**

4 **(A) THE SIXTH CONGRESSIONAL DISTRICT CONSISTS OF THE FOLLOWING**
5 **COUNTIES:**

- 6 **(1) ALLEGANY COUNTY;**
7 **(2) FREDERICK COUNTY;**
8 **(3) GARRETT COUNTY; AND**
9 **(4) WASHINGTON COUNTY.**

10 **(B) THE DISTRICT ALSO INCLUDES THE FOLLOWING PARTS OF CARROLL**
11 **COUNTY:**

- 12 **(1) ELECTION DISTRICT 2, PRECINCT 1; AND**
13 **(2) ELECTION DISTRICTS 5, 7, 9, AND 11 THROUGH 14.**

14 **(C) THE DISTRICT ALSO INCLUDES THE FOLLOWING PARTS OF**
15 **MONTGOMERY COUNTY:**

16 **(1) THAT PART OF ELECTION DISTRICT 1, PRECINCT 1 THAT CONSISTS**
17 **OF:**

- 18 **(I) CENSUS TRACT 7001.01, BLOCK 3000; AND**
19 **(II) CENSUS TRACT 7001.03, BLOCKS 1000 THROUGH 1003;**

20 **(2) THAT PART OF ELECTION DISTRICT 1, PRECINCT 2 THAT CONSISTS**
21 **OF CENSUS TRACT 7001.01, BLOCKS 2002 THROUGH 2007;**

22 **(3) ELECTION DISTRICT 2, PRECINCTS 1 THROUGH 5;**

23 **(4) THAT PART OF ELECTION DISTRICT 2, PRECINCT 6 THAT CONSISTS**
24 **OF:**

25 **(I) CENSUS TRACT 7002.05, BLOCKS 1001 THROUGH 1032,**
26 **1042, 1044 THROUGH 1049, 1051 THROUGH 1057, AND 1059 THROUGH 1065;**

1 (II) CENSUS TRACT 7003.11, BLOCKS 2000 THROUGH 2010; AND

2 (III) CENSUS TRACT 7003.12, BLOCKS 3008, 3018, 3019, AND
3 3024 THROUGH 3026;

4 (5) ELECTION DISTRICT 2, PRECINCTS 7 THROUGH 11;

5 (6) ELECTION DISTRICT 3, PRECINCTS 1 AND 2;

6 (7) ELECTION DISTRICT 6, PRECINCT 1;

7 (8) THAT PART OF ELECTION DISTRICT 6, PRECINCT 3 THAT CONSISTS
8 OF:

9 (I) CENSUS TRACT 7006.04, BLOCKS 2008, 2009, 4000
10 THROUGH 4008, AND 4010 THROUGH 4016;

11 (II) CENSUS TRACT 7006.10, BLOCKS 1003, 1008 THROUGH
12 1010, 1013, 1014, 1019, 1020, AND 1024; AND

13 (III) CENSUS TRACT 7006.14, BLOCKS 2000, 2001, AND 3015;

14 (9) ELECTION DISTRICT 6, PRECINCT 7;

15 (10) THAT PART OF ELECTION DISTRICT 6, PRECINCT 9 THAT CONSISTS
16 OF:

17 (I) CENSUS TRACT 7006.04, BLOCKS 1009, 1012, 1013, 1017,
18 1018, 1021 THROUGH 1027, 1029, 1030, 1032, 1033, 1036, 1037, AND 3000
19 THROUGH 3008; AND

20 (II) CENSUS TRACT 7006.08, BLOCKS 1030 AND 1046;

21 (11) ELECTION DISTRICT 6, PRECINCTS 10 AND 11;

22 (12) ELECTION DISTRICT 9, PRECINCT 8;

23 (13) THAT PART OF ELECTION DISTRICT 9, PRECINCT 11 THAT
24 CONSISTS OF:

25 (I) CENSUS TRACT 7007.22, BLOCK 1009; AND

1 (II) CENSUS TRACT 7008.10, BLOCK 2010;

2 (14) THAT PART OF ELECTION DISTRICT 9, PRECINCT 12 THAT
3 CONSISTS OF:

4 (I) CENSUS TRACT 7008.10, BLOCK 1005; AND

5 (II) CENSUS TRACT 7008.35, BLOCK 1001;

6 (15) ELECTION DISTRICT 9, PRECINCT 18;

7 (16) THAT PART OF ELECTION DISTRICT 9, PRECINCT 24 THAT
8 CONSISTS OF:

9 (I) CENSUS TRACT 7007.06, BLOCKS 1001 AND 2000;

10 (II) CENSUS TRACT 7007.22, BLOCK 1010;

11 (III) CENSUS TRACT 7008.19, BLOCKS 1002 AND 1005; AND

12 (IV) CENSUS TRACT 7008.32, BLOCK 1021;

13 (17) ELECTION DISTRICT 9, PRECINCTS 25, 26, AND 29;

14 (18) THAT PART OF ELECTION DISTRICT 9, PRECINCT 30 THAT
15 CONSISTS OF:

16 (I) CENSUS TRACT 7008.33, BLOCKS 1000 THROUGH 1012,
17 2000 THROUGH 2004, AND 2016;

18 (II) CENSUS TRACT 7008.34, BLOCKS 1000 THROUGH 1003 AND
19 1005 THROUGH 1007; AND

20 (III) CENSUS TRACT 7008.35, BLOCKS 1004 THROUGH 1008;

21 (19) ELECTION DISTRICT 9, PRECINCTS 34 AND 38;

22 (20) ELECTION DISTRICT 11; AND

23 (21) ELECTION DISTRICT 12, PRECINCTS 1 THROUGH 5.

24 8-709.

1 **THE EIGHTH CONGRESSIONAL DISTRICT CONSISTS OF THE FOLLOWING PARTS**
2 **OF MONTGOMERY COUNTY:**

3 **(1) THAT PART OF ELECTION DISTRICT 1, PRECINCT 1 THAT CONSISTS**
4 **OF:**

5 **(I) CENSUS TRACT 7001.01, BLOCKS 1000, 1012, AND 3002**
6 **THROUGH 3009; AND**

7 **(II) CENSUS TRACT 7001.03, BLOCKS 1009 THROUGH 1016,**
8 **1019 THROUGH 1022, 2003 THROUGH 2013, 2015, 3000, AND 3001;**

9 **(2) THAT PART OF ELECTION DISTRICT 1, PRECINCT 2 THAT CONSISTS**
10 **OF:**

11 **(I) CENSUS TRACT 7001.01, BLOCKS 1004 THROUGH 1009,**
12 **1011, 2000, 2001, AND 2008 THROUGH 2016; AND**

13 **(II) CENSUS TRACT 7001.04, BLOCKS 2000 THROUGH 2007;**

14 **(3) ELECTION DISTRICT 1, PRECINCTS 3, 4, 5, AND 6;**

15 **(4) THAT PART OF ELECTION DISTRICT 2, PRECINCT 6 THAT CONSISTS**
16 **OF CENSUS TRACT 7002.05, BLOCK 1050;**

17 **(5) ELECTION DISTRICT 4, PRECINCTS 1 THROUGH 10, PRECINCTS 12**
18 **THROUGH 28, PRECINCTS 30 THROUGH 32, AND PRECINCT 34;**

19 **(6) ELECTION DISTRICT 5, PRECINCT 1;**

20 **(7) THAT PART OF ELECTION DISTRICT 5, PRECINCT 5 THAT CONSISTS**
21 **OF CENSUS TRACT 7015.06, BLOCKS 1016 THROUGH 1021 AND 2000 THROUGH 2015;**

22 **(8) THAT PART OF ELECTION DISTRICT 5, PRECINCT 6 THAT CONSISTS**
23 **OF CENSUS TRACT 7015.03, BLOCKS 1002, 3020, AND 3021;**

24 **(9) THAT PART OF ELECTION DISTRICT 5, PRECINCT 7 THAT CONSISTS**
25 **OF CENSUS TRACT 7015.09, BLOCKS 1010, 2000 THROUGH 2009, AND 2014**
26 **THROUGH 2024;**

27 **(10) ELECTION DISTRICT 5, PRECINCTS 8 AND 9;**

28 **(11) THAT PART OF ELECTION DISTRICT 5, PRECINCT 10 THAT**

1 CONSISTS OF CENSUS TRACT 7015.05, BLOCKS 1000, 1001, AND 3025;

2 (12) ELECTION DISTRICT 5, PRECINCT 11;

3 (13) THAT PART OF ELECTION DISTRICT 5, PRECINCT 13 THAT
4 CONSISTS OF:

5 (I) CENSUS TRACT 7015.08, BLOCK 2002; AND

6 (II) CENSUS TRACT 7015.09, BLOCKS 2010, 2012, 3000, 3005,
7 3006, 3012, AND 3013;

8 (14) THAT PART OF ELECTION DISTRICT 5, PRECINCT 14 THAT
9 CONSISTS OF:

10 (I) CENSUS TRACT 7016.01, BLOCKS 1005, 1006, AND 1009
11 THROUGH 1015; AND

12 (II) CENSUS TRACT 7016.02, BLOCKS 1000 THROUGH 1003,
13 2000 THROUGH 2002, 3010, 3012, AND 4000 THROUGH 4016;

14 (15) ELECTION DISTRICT 5, PRECINCTS 16 AND 22;

15 (16) ELECTION DISTRICT 6, PRECINCT 2;

16 (17) THAT PART OF ELECTION DISTRICT 6, PRECINCT 3 THAT CONSISTS
17 OF:

18 (I) CENSUS TRACT 7006.10, BLOCKS 1000 THROUGH 1002,
19 1011, 1012, 1015 THROUGH 1018, 1021 THROUGH 1023, AND 1025;

20 (II) CENSUS TRACT 7006.14, BLOCK 3016;

21 (III) CENSUS TRACT 7008.20, BLOCK 1011; AND

22 (IV) CENSUS TRACT 7008.23, BLOCKS 2003 AND 2004;

23 (18) ELECTION DISTRICT 6, PRECINCTS 4, 5, 6, AND 8;

24 (19) THAT PART OF ELECTION DISTRICT 6, PRECINCT 9 THAT CONSISTS
25 OF:

26 (I) CENSUS TRACT 7006.04, BLOCKS 1016 AND 1019; AND

1 (II) CENSUS TRACT 7006.08, BLOCKS 1003, 1013, AND 2027;

2 (20) ELECTION DISTRICT 6, PRECINCTS 12 THROUGH 14;

3 (21) ELECTION DISTRICT 7, PRECINCTS 1 THROUGH 13, 15 THROUGH
4 28, AND 30 THROUGH 32;

5 (22) ELECTION DISTRICT 8, PRECINCTS 3 AND 4;

6 (23) THAT PART OF ELECTION DISTRICT 8, PRECINCT 5 THAT CONSISTS
7 OF:

8 (I) CENSUS TRACT 7013.04, BLOCK 1009; AND

9 (II) CENSUS TRACT 7013.07, BLOCK 1000;

10 (24) THAT PART OF ELECTION DISTRICT 8, PRECINCT 6 THAT CONSISTS
11 OF CENSUS TRACT 7013.08, BLOCKS 1006, 1007, AND 1012 THROUGH 1014;

12 (25) ELECTION DISTRICT 8, PRECINCT 8;

13 (26) ELECTION DISTRICT 9, PRECINCTS 1 THROUGH 7, 9, AND 10;

14 (27) THAT PART OF ELECTION DISTRICT 9, PRECINCT 11 THAT
15 CONSISTS OF:

16 (I) CENSUS TRACT 7007.22, BLOCKS 1007 AND 1008;

17 (II) CENSUS TRACT 7008.10, BLOCKS 2009, 3007 THROUGH
18 3012, 3014, AND 3015; AND

19 (III) CENSUS TRACT 7008.13, BLOCKS 1000 THROUGH 1009,
20 2007, 2008, 3000 THROUGH 3007, AND 4010;

21 (28) THAT PART OF ELECTION DISTRICT 9, PRECINCT 12 THAT
22 CONSISTS OF:

23 (I) CENSUS TRACT 7008.10, BLOCKS 1000 THROUGH 1004,
24 1006, 2000 THROUGH 2008, 2011, 2012, 3000 THROUGH 3003, 3005, AND 3006;

25 (II) CENSUS TRACT 7008.13, BLOCKS 2005 AND 2009; AND

1 **(III) CENSUS TRACT 7008.35, BLOCK 1012;**

2 **(29) ELECTION DISTRICT 9, PRECINCTS 13 THROUGH 17 AND 19**
3 **THROUGH 23;**

4 **(30) THAT PART OF ELECTION DISTRICT 9, PRECINCT 24 THAT**
5 **CONSISTS OF:**

6 **(I) CENSUS TRACT 7007.06, BLOCKS 1000, 1004 THROUGH**
7 **1013, 1017, 1018, 1021, AND 2001 THROUGH 2012; AND**

8 **(II) CENSUS TRACT 7007.22, BLOCKS 1011, 1016, AND 1017;**

9 **(31) ELECTION DISTRICT 9, PRECINCTS 27 AND 28;**

10 **(32) THAT PART OF ELECTION DISTRICT 9, PRECINCT 30 THAT**
11 **CONSISTS OF CENSUS TRACT 7008.35, BLOCK 1000;**

12 **(33) ELECTION DISTRICT 9, PRECINCTS 31 THROUGH 33 AND 35**
13 **THROUGH 37;**

14 **(34) ELECTION DISTRICT 10, PRECINCTS 1 THROUGH 7 AND 9**
15 **THROUGH 13;**

16 **(35) ELECTION DISTRICT 13, PRECINCTS 1 THROUGH 59;**

17 **(36) THAT PART OF ELECTION DISTRICT 13, PRECINCT 61 THAT**
18 **CONSISTS OF CENSUS TRACT 7032.21, BLOCKS 1002, 1003, 1005, 1007 THROUGH**
19 **1013, 1015, 2000 THROUGH 2008, AND 3004; AND**

20 **(37) ELECTION DISTRICT 13, PRECINCTS 62 THROUGH 69.**

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
22 measure, is necessary for the immediate preservation of the public health or safety, has
23 been passed by a yea and nay vote supported by three-fifths of all the members elected to
24 each of the two Houses of the General Assembly, and shall take effect from the date it is
25 enacted.