

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1048 (Delegate Malone, *et al.*)
Rules and Executive Nominations

Legislative Districts - Standards

This proposed constitutional amendment, if approved by the voters at the next general election, specifies that a legislative district in the State may not account for how individuals are registered to vote, how individuals voted in the past, or the political party to which individuals belong.

Fiscal Summary

State Effect: The bill does not directly affect governmental operations or finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Article III of the Maryland Constitution sets forth requirements for State legislative districts and procedures for legislative redistricting. The Maryland Constitution and federal case law require that the boundaries of the State's 47 legislative districts are redrawn after each decennial census to adjust for population changes. State legislative districts must (1) consist of adjoining territory; (2) be compact in form; (3) be substantially equal in population; and (4) duly reflect natural and political boundaries. Legislative districts may be subdivided into single-member and/or multi-member districts for the purpose of electing delegates. Chapters 66 and 67 of 2010 address the allocation of the State's prison population among legislative districts.

State legislative boundaries are governed by the U.S. Constitution, federal statute, including the Voting Rights Act of 1965, and applicable case law. Under the Fourteenth Amendment to the U.S. Constitution, state legislative districts must be substantially equal in population (*Reynolds v. Sims* 377 U.S. 533 (1964)).

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Judiciary (Administrative Office of the Courts); Maryland Department of Planning; Maryland State Board of Elections; Department of Legislative Services

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