# Department of Legislative Services
Maryland General Assembly
2011 Special Session

## FISCAL AND POLICY NOTE

House Bill 1                         (The Speaker)(By Request - Administration)
Rules and Executive Nominations

## Congressional Districting Plan

This emergency Administration bill establishes eight congressional districts for federal elections in Maryland.

## Fiscal Summary

**State Effect:** The State Board of Elections can make the required changes to its election database and published materials using existing budgeted resources. No effect on revenues.

**Local Effect:** Local boards of elections will have to adjust precinct boundaries. Because redistricting is a planned event that occurs every 10 years, it is expected that the FY 2012 budgets of local election boards will contain funding for that purpose. No effect on revenues.

**Small Business Effect:** A small business impact statement was not provided by the Administration in time for inclusion in this fiscal note. A revised fiscal note will be issued when the Administration's assessment becomes available.

## Analysis

**Current Law:** Under federal case law, congressional district boundaries must be redrawn every 10 years after the decennial census to adjust for population changes; they must also conform to the requirements of the Voting Rights Act of 1965 and related case law.

Chapters 66 and 67 of 2010 require that population counts used to create congressional districts in Maryland exclude incarcerated individuals who were not State residents prior to their incarceration in either State or federal correctional facilities that are located in the State. If incarcerated individuals were State residents prior to their incarceration, Chapters 66 and 67 require that they be counted as residents of their last known address before their incarceration in a State or federal facility.

**Background:** The U.S. Census Bureau has apportioned eight congressional seats to Maryland, each of which must have 721,529 residents, according to 2010 census figures. Because the adjusted State population is not divisible by eight, one district will have one fewer resident than the required number.

In accordance with Chapters 66 and 67, approximately 1,300 incarcerated individuals who were included in the 2010 census counts were excluded from the population counts used in the redistricting process because they were not State residents prior to their incarceration. Counting incarcerated individuals as residents of their last known address in the State did not have a material effect on the population counts of any of the redrawn congressional districts.

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## Additional Information

**Prior Introductions:** None.

**Cross File:** SB 1 (The President)(By Request - Administration) - Reapportionment and Redistricting Committee.

**Information Source(s):** Department of Legislative Services

**Fiscal Note History:** First Reader - October 17, 2011
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