

Department of Legislative Services
Maryland General Assembly
2014 Session

FISCAL AND POLICY NOTE

House Joint Resolution 4 (Delegate Frick, *et al.*)
Rules and Executive Nominations

United States Constitutional Convention - Legislative Districting and Apportionment

This joint resolution establishes that the Maryland General Assembly applies to the U.S. Congress for an amendment convention to be called for the exclusive purpose of considering amendments to the U.S. Constitution to change the method of legislative districting and apportionment of the seats in the House of Representatives.

Fiscal Summary

State Effect: Compliance with this joint resolution has no effect on governmental finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Article V of the U.S. Constitution gives Congress the authority to convene a convention to consider amendments to the Constitution if two-thirds of the states petition for a convention. An amendment convention has never been successfully petitioned by the states (all enacted amendments to the Constitution have been proposed by Congress).

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. Congress has left to

the states the task of redrawing congressional boundaries. The Governor has traditionally introduced a congressional map along with the State legislative district plan that is required by the State Constitution. The General Assembly may pass its own congressional plan in lieu of the Governor's, but unlike with the legislative plan, there is no deadline set in statute for this to happen. In order to finalize congressional districts for the 2012 primary election cycle, a special session took place in fall 2011. The current districts were established under Chapter 1 of the 2011 special session.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

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mc/lgc

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