

HOUSE BILL 850

G1

CONSTITUTIONAL AMENDMENT

5lr1664
CF SB 448

By: **Delegates Gutierrez, Atterbeary, Carr, Carter, Flanagan, Fraser–Hidalgo, Ghrist, Glass, Hill, C. Howard, Kelly, Kittleman, Korman, Krebs, Lam, Mautz, McComas, McConkey, A. Miller, Moon, Morales, Otto, Parrott, Pena–Melnyk, B. Robinson, Smith, Sophocleus, Tarlau, Turner, A. Washington, and West**

Introduced and read first time: February 13, 2015

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Congressional Districts – Standards and Process**

3 FOR the purpose of adding a new article to the Maryland Constitution to govern
4 congressional districts; requiring congressional districts to conform to certain
5 standards and that due regard be given to certain boundaries; requiring the
6 Governor to prepare a certain plan following each decennial census of the United
7 States and after public hearings; requiring the Governor to present the plan to the
8 presiding officers of the General Assembly; requiring the presiding officers to
9 introduce the plan as a joint resolution within a certain time period; authorizing the
10 Governor to call a special session for a certain purpose; authorizing the General
11 Assembly to adopt a certain plan by joint resolution; requiring the General Assembly
12 plan to become law under certain circumstances; requiring the Governor’s plan to
13 become law under certain circumstances; providing that the Court of Appeals has
14 certain jurisdiction to review a certain plan and authorizing the Court to grant
15 certain relief under certain circumstances; and submitting this amendment to the
16 qualified voters of the State for their adoption or rejection.

17 BY proposing an addition to the Maryland Constitution
18 New Article XX – Congressional Districts
19 Section 1 and 2

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 (Three–fifths of all the members elected to each of the two Houses concurring), That it be
22 proposed that the Maryland Constitution read as follows:

23 **ARTICLE XX – CONGRESSIONAL DISTRICTS**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1.

2 EACH CONGRESSIONAL DISTRICT SHALL CONSIST OF ADJOINING TERRITORY,
3 BE COMPACT IN FORM, AND OF SUBSTANTIALLY EQUAL POPULATION. DUE REGARD
4 SHALL BE GIVEN TO NATURAL BOUNDARIES AND THE BOUNDARIES OF POLITICAL
5 SUBDIVISIONS.

6 2.

7 FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES AND AFTER
8 PUBLIC HEARINGS, THE GOVERNOR SHALL PREPARE A PLAN SETTING FORTH THE
9 BOUNDARIES OF THE CONGRESSIONAL DISTRICTS THAT COMPLIES WITH SECTION 1
10 OF THIS ARTICLE AND ANY OTHER APPLICABLE FEDERAL AND STATE LAWS.

11 THE GOVERNOR SHALL PRESENT THE PLAN TO THE PRESIDENT OF THE
12 SENATE AND THE SPEAKER OF THE HOUSE OF DELEGATES WHO SHALL INTRODUCE
13 THE GOVERNOR'S PLAN AS A JOINT RESOLUTION TO THE GENERAL ASSEMBLY, NOT
14 LATER THAN THE FIRST DAY OF ITS REGULAR SESSION IN THE SECOND YEAR
15 FOLLOWING EVERY CENSUS, AND THE GOVERNOR MAY CALL A SPECIAL SESSION
16 FOR THE PRESENTATION OF THE PLAN PRIOR TO THE REGULAR SESSION.
17 FOLLOWING EACH DECENNIAL CENSUS THE GENERAL ASSEMBLY MAY BY JOINT
18 RESOLUTION ADOPT A PLAN SETTING FORTH THE BOUNDARIES OF THE
19 CONGRESSIONAL DISTRICTS. IF A PLAN HAS BEEN ADOPTED BY THE GENERAL
20 ASSEMBLY BY THE 45TH DAY AFTER THE OPENING OF THE REGULAR SESSION OF
21 THE GENERAL ASSEMBLY IN THE SECOND YEAR FOLLOWING EVERY CENSUS, THE
22 PLAN ADOPTED BY THE GENERAL ASSEMBLY SHALL BECOME LAW. IF NO PLAN HAS
23 BEEN ADOPTED BY THE GENERAL ASSEMBLY FOR THESE PURPOSES BY THE 45TH
24 DAY AFTER THE OPENING OF THE REGULAR SESSION OF THE GENERAL ASSEMBLY
25 IN THE SECOND YEAR FOLLOWING EVERY CENSUS, THE GOVERNOR'S PLAN
26 PRESENTED TO THE GENERAL ASSEMBLY SHALL BECOME LAW.

27 UPON PETITION OF ANY REGISTERED VOTER, THE COURT OF APPEALS SHALL
28 HAVE ORIGINAL JURISDICTION TO REVIEW THE CONGRESSIONAL DISTRICTING OF
29 THE STATE AND MAY GRANT APPROPRIATE RELIEF, IF IT FINDS THAT THE
30 DISTRICTING OF THE STATE IS NOT CONSISTENT WITH REQUIREMENTS OF EITHER
31 THE CONSTITUTION OF THE UNITED STATES OF AMERICA OR THE MARYLAND
32 CONSTITUTION.

33 SECTION 2. AND BE IT FURTHER ENACTED, That the General Assembly
34 determines that the amendment to the Maryland Constitution proposed by this Act affects
35 multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland
36 Constitution concerning local approval of constitutional amendments do not apply.

1 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
2 proposed as an amendment to the Maryland Constitution shall be submitted to the
3 qualified voters of the State at the next general election to be held in November 2016 for
4 their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that
5 general election, the vote on this proposed amendment to the Constitution shall be by
6 ballot, and upon each ballot there shall be printed the words “For the Constitutional
7 Amendment” and “Against the Constitutional Amendment,” as now provided by law.
8 Immediately after the election, all returns shall be made to the Governor of the vote for and
9 against the proposed amendment, as directed by Article XIV of the Maryland Constitution,
10 and further proceedings had in accordance with Article XIV.