

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 818 (Delegate Wilkins, *et al.*)
Rules and Executive Nominations

Redistricting and Apportionment - Population Count - Citizenship Status

This bill specifies that the population counts used after each decennial census for the purpose of redistricting congressional districts, State legislative districts, and legislative districts used to elect local governing bodies may not exclude individuals based on citizenship status.

Fiscal Summary

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

Local Effect: The bill does not directly affect local government finances or operations.

Small Business Effect: None.

Analysis

Current Law: Pursuant to State law, population counts used after each decennial census for the purpose of redistricting congressional districts, State legislative districts, and legislative districts used to elect local governing bodies may not include individuals who were incarcerated in State or federal correctional facilities (as determined by the decennial census) and were not residents of the State before their incarceration. Individuals who were residents of the State before incarceration in the State or federal correctional facilities must be counted at their last known residence.

Background: According to the National Conference of State Legislatures, redistricting data provided to the states may include citizenship data derived from administrative records, as announced by President Trump in July 2019. It is unclear as of the publication

of this fiscal and policy note whether State data provided by the U.S. Census Bureau following the 2020 Census will include citizenship data.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Maryland Department of Planning; Maryland State Board of Elections; U.S. Census Bureau; National Conference of State Legislatures; Department of Legislative Services

Fiscal Note History: First Reader - February 28, 2020
mr/mcr

Analysis by: Elizabeth J. Allison

Direct Inquiries to:
(410) 946-5510
(301) 970-5510