HOUSE BILL 1337

By: Delegate Hornberger
Introduced and read first time: February 11, 2022
Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Elections – Delegate Contests – Repeal of Residency Prohibition and Ballot Content Requirement

FOR the purpose of repealing a certain provision of law that prohibits, in any legislative district that contains more than two counties, a county or part of a county from having more than one Delegate residing in the legislative district or a certain subdistrict under certain circumstances; repealing a certain provision of law providing for the content of a ballot for a certain election for members of the House of Delegates who are required to live in a specific county; and generally relating to the election of members to the House of Delegates.

BY repealing
Article – State Government
Section 2–201(d)
Annotated Code of Maryland
(2021 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – State Government
Section 2–201(e) and (f)
Annotated Code of Maryland
(2021 Replacement Volume)
(As enacted by Joint Resolution 1 of the Acts of the General Assembly of 2022)

BY repealing and reenacting, with amendments,
Article – Election Law
Section 9–210(i)
Annotated Code of Maryland
(2017 Replacement Volume and 2021 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Government

2–201.

[(d) In any legislative district which contains more than 2 counties:

(1) where Delegates are to be elected at large by the voters of the entire district, a county, or part of a county, may not have more than 1 Delegate residing in that district; and

(2) where Delegates are to be elected by the voters of a multimember subdistrict which contains more than 2 counties or parts of more than 2 counties, a county or a part of a county may not have more than 1 Delegate residing in that subdistrict.]

[(e) (D) (1) The descriptions of legislative districts in this subtitle, including all references to:

(i) election districts and wards are to the geographical boundaries of the election districts and wards as they existed as of April 1, 2020; and

(ii) precincts are to the geographical boundaries of the precincts as reviewed and certified by the local board of supervisors of elections or their designees, before they were reported to the U.S. Bureau of the Census as part of the 2020 Census Redistricting Data Program and as those precinct lines are specifically indicated in the P.L. 94–171 data or shown on the P.L. 94–171 census block maps provided by the U.S. Bureau of the Census and as reviewed and corrected by the Maryland Department of Planning.

(2) Where precincts are split between legislative districts, census tract and block numbers, as indicated in the P.L. 94–171 data or shown on the P.L. 94–171 census block maps provided by the U.S. Bureau of the Census and referred to in § 2–202 of this subtitle, are used to define the boundaries of legislative districts.

[(f) (E) For purposes of elections, the provisions of this subtitle shall be applicable to elections for members of the General Assembly beginning with the primary and general elections of 2022 and, for purposes of representation, shall be applicable beginning with the second Wednesday of January 2023.

Article – Election Law


[(i) (1) If there is an election for members of the House of Delegates who are required to live in a specific county and only a certain number of delegates may be elected from that county, the ballot shall provide that a voter may not vote for more than that

...
number of candidates from that specific county.

(2) In a legislative district where the delegates are to be elected by the voters of a multimember subdistrict that contains more than two counties or parts of more than two counties, a voter may cast a vote for the specified number of delegates to be elected in the subdistrict without regard to the county of residence of the candidate.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency measure, is necessary for the immediate preservation of the public health or safety, has been passed by a yea and nay vote supported by three-fifths of all the members elected to each of the two Houses of the General Assembly, and shall take effect from the date it is enacted.