

HB2100/763427/1

BY: Senator Hershey

AMENDMENTS TO HOUSE BILL 2100
(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike line 2 in its entirety and substitute “**Congressional Redistricting and the Congressional Redistricting and Apportionment Commission**”; strike beginning with “clarifying” in line 3 down through “plan” in line 8 and substitute “establishing standards for the drawing of congressional districts; establishing the Congressional Redistricting and Apportionment Commission as an independent unit of State government to divide the State into certain congressional districts subject to certain requirements and procedures; providing that the Supreme Court of Maryland has original jurisdiction to establish a certain plan or consider a certain petition under certain circumstances; altering the cases with respect to which the Attorney General has the authority to prosecute and defend the State; requiring the Redistricting Commission to petition the Supreme Court of Maryland to establish certain plans under certain circumstances; requiring the Redistricting Commission to represent the State in certain judicial proceedings; requiring the Redistricting Commission to intervene in certain cases on behalf of the State; and generally relating to congressional redistricting and apportionment”; and strike in their entirety lines 9 through 14, inclusive, and substitute:

“BY proposing an amendment to the Maryland Constitution

Article IV – Judiciary Department

Section 14

BY proposing an amendment to the Maryland Constitution

Article V – Attorney–General and State’s Attorneys

Section 3

BY proposing an addition to the Maryland Constitution

New Article XXI – Congressional Redistricting and Apportionment
Section 1 and 2

BY repealing and reenacting, without amendments,

Article – Election Law

Section 1–101(a), (dd), (hh), (jj), and (kk)

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement)

BY adding to

Article – Election Law

Section 8–7A–01 through 8–7A–11 to be under the new subtitle “Subtitle 7A.

Congressional Redistricting and Apportionment Commission”

Annotated Code of Maryland

(2022 Replacement Volume and 2025 Supplement)”.

On pages 1 and 2, strike in their entirety the lines beginning with line 15 on page 1 through line 16 on page 2, inclusive.

AMENDMENT NO. 2

On page 2, strike in their entirety lines 20 through 32, inclusive, and substitute:

“Article IV – Judiciary Department

14.

The Supreme Court of Maryland shall be composed of seven justices, one from the First Appellate Judicial Circuit consisting of Caroline, Cecil, Dorchester, Kent, Queen Anne’s, Somerset, Talbot, Wicomico, and Worcester Counties; one from the Second Appellate Judicial Circuit consisting of Baltimore and Harford Counties; one from the Third Appellate Judicial Circuit, consisting of Allegany, Carroll, Frederick, Garrett, Howard, and Washington Counties; one from the Fourth Appellate Judicial Circuit,

consisting of Prince George's County; one from the Fifth Appellate Judicial Circuit, consisting of Anne Arundel, Calvert, Charles, and St. Mary's Counties; one from the Sixth Appellate Judicial Circuit, consisting of Baltimore City; and one from the Seventh Appellate Judicial Circuit, consisting of Montgomery County. The Justices of the Supreme Court of Maryland shall be residents of their respective Appellate Judicial Circuits. The term of each Justice of the Supreme Court of Maryland shall begin on the date of the Justice's qualification. One of the Justices of the Supreme Court of Maryland shall be designated by the Governor as the Chief Justice. The jurisdiction of the Supreme Court of Maryland shall be co-extensive with the limits of the State and such as now is or may hereafter be prescribed by law. **EXCLUSIVE AMONG THE STATE COURTS, THE SUPREME COURT OF MARYLAND SHALL HAVE ORIGINAL JURISDICTION: (1) TO ESTABLISH THE CONGRESSIONAL DISTRICT PLAN IN THE EVENT THAT A PLAN IS NOT ENACTED UNDER ARTICLE XXI, SECTION 2 OF THIS CONSTITUTION; AND (2) TO CONSIDER A PETITION SEEKING REVIEW OF THE LEGALITY OF A PLAN TO ESTABLISH CONGRESSIONAL DISTRICTS ENACTED UNDER ARTICLE XXI, SECTION 2 OF THIS CONSTITUTION.** It shall hold its sessions in the City of Annapolis at such time or times as it shall from time to time by rule prescribe. Its session or sessions shall continue not less than ten months in each year, if the business before it shall so require, and it shall be competent for the justices temporarily to transfer their sittings elsewhere upon sufficient cause. The salary of each Justice of the Supreme Court of Maryland shall be that now or hereafter prescribed by the General Assembly and shall not be diminished during the Justice's continuance in office. Five of the justices shall constitute a quorum, and five justices shall sit in each case unless the Court shall direct that an additional justice or justices sit for any case. The concurrence of a majority of those sitting shall be sufficient for the decision of any cause, and an equal division of those sitting in a case has the effect of affirming the decision appealed from if there is no application for reargument as hereinafter provided. In any case where there is an equal division or a three to two division of the Court a reargument before the full Court of seven justices shall be granted to the losing party upon application as a matter of right.

Article V – Attorney-General and State’s Attorneys

3.

(a) The Attorney General shall:

(1) [Prosecute] EXCEPT FOR PROCEEDINGS TO ESTABLISH THE CONGRESSIONAL DISTRICT PLAN IN THE EVENT THAT A PLAN IS NOT ENACTED UNDER ARTICLE XXI, SECTION 2 OF THIS CONSTITUTION OR A PETITION SEEKING REVIEW OF THE LEGALITY OF A PLAN TO ESTABLISH CONGRESSIONAL DISTRICTS ENACTED UNDER ARTICLE XXI, SECTION 2 OF THIS CONSTITUTION, PROSECUTE and defend on the part of the State all cases pending in the appellate courts of the State, in the Supreme Court of the United States or the inferior Federal Courts, by or against the State, or in which the State may be interested, except those criminal appeals otherwise prescribed by the General Assembly.

(2) Investigate, commence, and prosecute or defend any civil or criminal suit or action or category of such suits or actions in any of the Federal Courts or in any Court of this State, or before administrative agencies and quasi legislative bodies, on the part of the State or in which the State may be interested, which the General Assembly by law or joint resolution, or the Governor, shall have directed or shall direct to be investigated, commenced and prosecuted or defended.

(3) When required by the General Assembly by law or joint resolution, or by the Governor, aid any State’s Attorney or other authorized prosecuting officer in investigating, commencing, and prosecuting any criminal suit or action or category of such suits or actions brought by the State in any Court of this State.

(4) Give his opinion in writing whenever required by the General Assembly or either branch thereof, the Governor, the Comptroller, the Treasurer or any State’s Attorney on any legal matter or subject.

(b) The Attorney General shall have and perform any other duties and possess any other powers, and appoint the number of deputies or assistants, as the General Assembly from time to time may prescribe by law.

(c) The Attorney General shall receive for his services the annual salary as the General Assembly from time to time may prescribe by law, but he may not receive any fees, perquisites or rewards whatever, in addition to his salary, for the performance of any official duty.

(d) The Governor may not employ any additional counsel, in any case whatever, unless authorized by the General Assembly.

ARTICLE XXI – CONGRESSIONAL REDISTRICTING AND APPORTIONMENT

1.

EACH CONGRESSIONAL DISTRICT:

(1) SHALL RESPECT NATURAL BOUNDARIES AND THE GEOGRAPHIC INTEGRITY AND CONTINUITY OF MUNICIPAL CORPORATIONS, COUNTIES, AND OTHER POLITICAL SUBDIVISIONS TO THE EXTENT PRACTICABLE;

(2) SHALL BE GEOGRAPHICALLY CONTIGUOUS AND COMPACT AND INCLUDE NEARBY AREAS OF POPULATION TO THE EXTENT PRACTICABLE;

(3) SHALL REFLECT COMMUNITIES OF COMMON INTEREST;

(4) MAY NOT ACCOUNT FOR HOW INDIVIDUALS ARE REGISTERED TO VOTE, HOW INDIVIDUALS VOTED IN THE PAST, OR THE POLITICAL PARTY TO WHICH INDIVIDUALS BELONG; AND

(Over)

(5) MAY NOT ACCOUNT FOR THE DOMICILE OR RESIDENCE OF ANY INDIVIDUAL, INCLUDING AN INCUMBENT OFFICEHOLDER OR A POTENTIAL CANDIDATE FOR OFFICE.

2.

(A) IN THIS SECTION, "REDISTRICTING COMMISSION" MEANS THE CONGRESSIONAL REDISTRICTING AND APPORTIONMENT COMMISSION.

(B) THE PROVISIONS OF THIS SECTION AND ANY LAWS ENACTED TO CARRY OUT THIS SECTION ARE THE EXCLUSIVE MEANS TO ADOPT ANY PLAN TO ALTER CONGRESSIONAL DISTRICTS.

(C) (1) THERE IS A CONGRESSIONAL REDISTRICTING AND APPORTIONMENT COMMISSION.

(2) THE REDISTRICTING COMMISSION IS AN INDEPENDENT UNIT OF STATE GOVERNMENT, ESTABLISHED BY LAW.

(D) IN THE YEAR FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES, THE REDISTRICTING COMMISSION SHALL DIVIDE THE STATE INTO AS MANY CONGRESSIONAL DISTRICTS THAT CONFORM TO SECTION 1 OF THIS ARTICLE AS THERE ARE REPRESENTATIVES IN CONGRESS APPORTIONED TO THE STATE.

(E) THE REDISTRICTING COMMISSION SHALL:

(1) ADOPT ONE PLAN FOR CONGRESSIONAL DISTRICTS;

(2) CERTIFY THAT THE PLAN IS THE PLAN ADOPTED BY THE REDISTRICTING COMMISSION; AND

(3) SEND THE CERTIFIED PLAN TO THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY.

(F) ON RECEIPT OF THE CERTIFIED CONGRESSIONAL DISTRICT PLAN FROM THE REDISTRICTING COMMISSION, THE PRESIDING OFFICERS SHALL INTRODUCE THE PLAN FOR CONSIDERATION BY THE GENERAL ASSEMBLY.

(G) UNLESS THE GOVERNOR FINDS THAT A SPECIAL SESSION IS NOT REQUIRED, THE GOVERNOR SHALL ISSUE A PROCLAMATION CONVENING A SPECIAL SESSION OF THE GENERAL ASSEMBLY TO CONSIDER THE PLAN REQUIRED TO BE INTRODUCED UNDER SUBSECTION (F) OF THIS SECTION.

(H) THE PRESIDING OFFICERS SHALL INTRODUCE THE CERTIFIED CONGRESSIONAL DISTRICT PLAN AT THE FOLLOWING TIME:

(1) IF THE GOVERNOR DOES NOT CONVENE A SPECIAL SESSION, ON THE FIRST DAY OF THE REGULAR SESSION OF THE GENERAL ASSEMBLY IN THE YEAR ENDING IN THE NUMERAL 2; OR

(2) IF THE GOVERNOR CONVENES A SPECIAL SESSION, ON THE FIRST DAY OF THE SPECIAL SESSION.

(I) EXCEPT FOR THE PLAN REQUIRED TO BE INTRODUCED BY THE PRESIDING OFFICERS UNDER SUBSECTION (F) OF THIS SECTION, A MEMBER OF

(Over)

THE GENERAL ASSEMBLY MAY NOT INTRODUCE A BILL PROPOSING A PLAN FOR CONGRESSIONAL DISTRICTS.

(J) (1) (I) DURING A REGULAR SESSION OF THE GENERAL ASSEMBLY, EACH HOUSE OF THE GENERAL ASSEMBLY SHALL PASS A CONGRESSIONAL DISTRICT PLAN BY A VOTE OF THREE-FIFTHS OF THE MEMBERS ELECTED TO THAT HOUSE BY THE 45TH DAY AFTER THE OPENING OF THE REGULAR SESSION.

(II) DURING A SPECIAL SESSION OF THE GENERAL ASSEMBLY, EACH HOUSE OF THE GENERAL ASSEMBLY SHALL PASS A CONGRESSIONAL DISTRICT PLAN BY A VOTE OF THREE-FIFTHS OF THE MEMBERS ELECTED TO THAT HOUSE BY THE 15TH DAY AFTER THE OPENING OF THE SPECIAL SESSION.

(2) THE CONGRESSIONAL DISTRICT PLAN PASSED BY THE HOUSE OF DELEGATES AND THE SENATE SHALL BE PRESENTED TO THE GOVERNOR FOR APPROVAL WITHIN 1 DAY AFTER PASSAGE.

(K) IF THE CONGRESSIONAL DISTRICT PLAN DOES NOT RECEIVE A VOTE OF THE MEMBERS OF THE GENERAL ASSEMBLY WITHIN THE TIME PERIOD SET FORTH UNDER SUBSECTION (J)(1) OF THIS SECTION, THE CONGRESSIONAL DISTRICT PLAN SHALL BE CONSIDERED AS NOT PASSED.

(L) THE GENERAL ASSEMBLY SHALL PRESENT THE CONGRESSIONAL DISTRICT PLAN PASSED UNDER THIS SECTION TO THE GOVERNOR WITHIN 1 DAY AFTER PASSAGE.

(M) (1) THE GOVERNOR SHALL SIGN OR VETO THE CONGRESSIONAL DISTRICT PLAN WITHIN 6 DAYS AFTER PRESENTMENT.

(2) IF THE GOVERNOR DOES NOT SIGN OR VETO A PLAN WITHIN 6 DAYS AFTER PRESENTMENT, THE CONGRESSIONAL DISTRICT PLAN SHALL BE A LAW IN LIKE MANNER AS IF SIGNED BY THE GOVERNOR.

(N) A CONGRESSIONAL DISTRICT PLAN ADOPTED UNDER THIS SECTION SHALL BECOME EFFECTIVE:

(1) ON THE DATE THE GOVERNOR SIGNS THE PLAN;

(2) IF THE GOVERNOR DOES NOT SIGN OR VETO THE PLAN, ON THE 6TH DAY AFTER PRESENTMENT TO THE GOVERNOR; OR

(3) IF THERE IS A PROCEEDING INVOLVING THE CONGRESSIONAL DISTRICT PLAN IN THE SUPREME COURT OF MARYLAND UNDER ARTICLE IV, SECTION 14 OF THIS CONSTITUTION, ON THE DATE ORDERED BY THE SUPREME COURT OF MARYLAND.

(O) AS PROVIDED IN ARTICLE IV, SECTION 14 OF THIS CONSTITUTION, THE SUPREME COURT OF MARYLAND SHALL ADOPT A CONGRESSIONAL DISTRICT PLAN IN A PROCEEDING IF:

(1) THE REDISTRICTING COMMISSION FAILS TO APPROVE A CONGRESSIONAL DISTRICT PLAN; OR

(2) THE GENERAL ASSEMBLY DOES NOT PASS A PLAN UNDER THIS SECTION WITHIN THE TIME PERIOD REQUIRED UNDER SUBSECTION (J)(1) OF THIS SECTION.

(P) THE REDISTRICTING COMMISSION SHALL BE THE REPRESENTATIVE OF THE STATE:

(1) IN A PROCEEDING UNDER SUBSECTION (O) OF THIS SECTION;
OR

(2) IN A PETITION TO REVIEW THE LEGALITY OF A PLAN UNDER ARTICLE IV, SECTION 14 OF THIS CONSTITUTION.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Election Law

1–101.

(a) In this article the following words have the meanings indicated unless a different meaning is clearly intended from the context.

(dd) “Majority party” means the political party to which the incumbent Governor belongs, if the incumbent Governor is a member of a principal political party. If the incumbent Governor is not a member of one of the two principal political parties, “majority party” means the principal political party whose candidate for Governor received the highest number of votes of any party candidate at the last preceding general election.

(hh) “Political party” means an organized group that is qualified as a political party in accordance with Title 4 of this article.

(jj) “Principal minority party” means the principal political party whose candidate for Governor received the second highest number of votes of any party candidate at the last preceding general election.

(kk) “Principal political parties” means the majority party and the principal minority party.

SUBTITLE 7A. CONGRESSIONAL REDISTRICTING AND APPORTIONMENT
COMMISSION.

8-7A-01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “PLAN” MEANS THE PROPOSED CONGRESSIONAL DISTRICT PLAN ADOPTED BY THE REDISTRICTING COMMISSION.

(C) “REDISTRICTING COMMISSION” MEANS THE CONGRESSIONAL REDISTRICTING AND APPORTIONMENT COMMISSION.

8-7A-02.

IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT:

(Over)

(1) THE CONGRESSIONAL DISTRICTS NOT BE ESTABLISHED FOR THE PURPOSE OF FAVORING OR DISCRIMINATING AGAINST AN INCUMBENT OFFICEHOLDER, A CANDIDATE FOR OFFICE, OR A POLITICAL PARTY; AND

(2) THE PROVISIONS OF THIS SUBTITLE COMPLY WITH AND IMPLEMENT THE PROVISIONS OF ARTICLE IV, § 14 AND ARTICLE XXI, §§ 1 AND 2 OF THE MARYLAND CONSTITUTION.

8-7A-03.

THERE IS A CONGRESSIONAL REDISTRICTING AND APPORTIONMENT COMMISSION AS AN INDEPENDENT UNIT OF STATE GOVERNMENT.

8-7A-04.

ON OR BEFORE MARCH 1, 2031, AND EACH YEAR ENDING IN THE NUMERAL 1 THEREAFTER, A REDISTRICTING COMMISSION WITH THE MEMBERSHIP ESTABLISHED IN ACCORDANCE WITH § 8-7A-05 OF THIS SUBTITLE SHALL CONVENE.

8-7A-05.

(A) THE REDISTRICTING COMMISSION CONSISTS OF THE FOLLOWING 10 MEMBERS:

(1) SUBJECT TO SUBSECTION (B)(3) OF THIS SECTION, TWO MEMBERS APPOINTED BY THE GOVERNOR, SUBJECT TO THE UNANIMOUS APPROVAL OF THE SENATE EXECUTIVE NOMINATIONS COMMITTEE AND THE HOUSE RULES AND EXECUTIVE NOMINATIONS COMMITTEE;

(2) THE PRESIDENT OF THE SENATE;

(3) THE SPEAKER OF THE HOUSE;

(4) THE MINORITY LEADER OF THE SENATE;

(5) THE MINORITY LEADER OF THE HOUSE OF DELEGATES;

(6) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE;

(7) ONE MEMBER APPOINTED BY THE SPEAKER OF THE HOUSE;

(8) ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE
SENATE; AND

(9) ONE MEMBER APPOINTED BY THE MINORITY LEADER OF THE
HOUSE OF DELEGATES.

(B) (1) AT LEAST ONE MEMBER APPOINTED UNDER SUBSECTION
(A)(1) OF THIS SECTION MUST BE A REGISTERED VOTER WHO, FOR AT LEAST 7
YEARS IMMEDIATELY PRECEDING THE DATE THAT THE REDISTRICTING
COMMISSION CONVENES, HAS BEEN CONTINUOUSLY REGISTERED WITH A
POLITICAL PARTY OTHER THAN A PRINCIPAL POLITICAL PARTY OR HAS
REMAINED UNAFFILIATED.

(2) A MEMBER OF THE REDISTRICTING COMMISSION APPOINTED
UNDER SUBSECTION (A)(1) OF THIS SECTION MAY NOT BE:

(Over)

(I) A REPRESENTATIVE IN CONGRESS ELECTED FROM THE STATE OR A CANDIDATE FOR THAT OFFICE;

(II) A MEMBER OF THE GENERAL ASSEMBLY OR A CANDIDATE FOR THAT OFFICE;

(III) AN ELECTED LOCAL GOVERNMENT OFFICIAL OR A CANDIDATE FOR AN ELECTED LOCAL GOVERNMENT OFFICE;

(IV) AN OFFICER OR EMPLOYEE OF A POLITICAL PARTY OR POLITICAL COMMITTEE;

(V) 1. A CONTRACTOR PROVIDING PROFESSIONAL SERVICES TO:

A. THE GOVERNOR OR A CANDIDATE FOR THAT OFFICE;

B. A MEMBER OF THE GENERAL ASSEMBLY OR A CANDIDATE FOR THAT OFFICE; OR

C. A REPRESENTATIVE IN CONGRESS ELECTED FROM THE STATE OR A CANDIDATE FOR THAT OFFICE; OR

2. A CURRENT OR FORMER EMPLOYEE OF OR A CONSULTANT TO AN INDIVIDUAL DESCRIBED IN ITEM 1 OF THIS ITEM;

(VI) AN IMMEDIATE FAMILY MEMBER OF THE GOVERNOR OR OF AN INDIVIDUAL DESCRIBED IN ITEM (I), (II), (III), OR (IV) OF THIS PARAGRAPH;

(VII) A STAFF MEMBER OF:

1. THE GOVERNOR OR A CANDIDATE FOR THAT OFFICE;

2. A MEMBER OF THE GENERAL ASSEMBLY OR A CANDIDATE FOR THAT OFFICE;

3. A REPRESENTATIVE IN CONGRESS ELECTED FROM THE STATE OR A CANDIDATE FOR THAT OFFICE; OR

4. AN ELECTED LOCAL GOVERNMENT OFFICIAL OR A CANDIDATE FOR AN ELECTED LOCAL GOVERNMENT OFFICE; OR

(VIII) A CURRENT OR FORMER REGISTERED LOBBYIST.

(3) TO BE APPOINTED UNDER SUBSECTION (A)(1) OF THIS SECTION, AN INDIVIDUAL MAY NOT BE AT THE TIME OF APPOINTMENT OR HAVE BEEN WITHIN THE IMMEDIATELY PRECEDING 7 YEARS AN EMPLOYEE OF:

(I) THE GOVERNOR'S OFFICE;

(II) THE GENERAL ASSEMBLY; OR

(III) AN OFFICE OF STATE GOVERNMENT.

(C) EACH MEMBER OF THE REDISTRICTING COMMISSION SHALL APPLY THE PROVISIONS OF THIS SUBTITLE IN A MANNER THAT IS IMPARTIAL AND THAT

(Over)

REINFORCES PUBLIC CONFIDENCE IN THE INTEGRITY OF THE REDISTRICTING PROCESS.

(D) A MEMBER OF THE REDISTRICTING COMMISSION:

(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE REDISTRICTING COMMISSION; BUT

(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

8-7A-06.

(A) (1) SEVEN MEMBERS OF THE REDISTRICTING COMMISSION ARE A QUORUM.

(2) SEVEN OR MORE AFFIRMATIVE VOTES OF THE MEMBERS ARE REQUIRED FOR ANY OFFICIAL ACTION OF THE REDISTRICTING COMMISSION, INCLUDING APPROVAL OF:

(I) ANY PLAN FOR CONGRESSIONAL DISTRICTS ADOPTED BY THE REDISTRICTING COMMISSION; AND

(II) ANY CHANGES TO AN APPROVED PLAN.

(B) FROM AMONG ITS MEMBERS, THE REDISTRICTING COMMISSION SHALL ELECT ONE MEMBER TO SERVE AS CHAIR.

(C) (1) THE REDISTRICTING COMMISSION MAY HIRE STAFF, ATTORNEYS, AND CONSULTANTS IN ACCORDANCE WITH THE STATE BUDGET.

(2) EMPLOYEES OF THE REDISTRICTING COMMISSION SHALL BE INDEPENDENT OF THE STATE PERSONNEL MANAGEMENT SYSTEM.

(D) A FINDING OF A POSSIBLE CRIMINAL VIOLATION BY A MEMBER OR AN EMPLOYEE OF THE REDISTRICTING COMMISSION MAY RESULT IN REFERRAL TO THE STATE PROSECUTOR FOR CRIMINAL PROSECUTION.

8-7A-07.

(A) THE REDISTRICTING COMMISSION SHALL:

(1) CONDUCT A PROCESS THAT IS OPEN AND TRANSPARENT TO ENABLE FULL PUBLIC CONSIDERATION OF AND COMMENT ON THE ESTABLISHMENT OF CONGRESSIONAL DISTRICTS;

(2) ESTABLISH CONGRESSIONAL DISTRICTS ACCORDING TO THE REDISTRICTING STANDARDS SET FORTH IN THIS SUBTITLE AND ARTICLE XXI, § 1 OF THE MARYLAND CONSTITUTION; AND

(3) CONDUCT BUSINESS WITH INTEGRITY AND FAIRNESS.

(B) THE ACTIVITIES OF THE REDISTRICTING COMMISSION ARE SUBJECT TO THE OPEN MEETINGS ACT AND THE MARYLAND PUBLIC INFORMATION ACT.

(Over)

(C) (1) THE REDISTRICTING COMMISSION SHALL ESTABLISH AND IMPLEMENT A HEARING PROCESS THAT IS OPEN TO THE PUBLIC FOR PUBLIC INPUT AND DELIBERATION THAT IS:

(I) SUBJECT TO PUBLIC NOTICE; AND

(II) DESIGNED TO ENCOURAGE CITIZEN OUTREACH AND TO SOLICIT BROAD PUBLIC PARTICIPATION IN THE REDISTRICTING PROCESS.

(2) (I) THE HEARING PROCESS ESTABLISHED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE THE SCHEDULING OF HEARINGS:

1. TO RECEIVE PUBLIC INPUT BEFORE THE CONSIDERATION OF ANY PLAN BY THE REDISTRICTING COMMISSION; AND

2. FOLLOWING THE PROPOSAL OF A PLAN BY THE REDISTRICTING COMMISSION.

(II) HEARINGS MAY BE SUPPLEMENTED WITH OTHER ACTIVITIES AS DETERMINED APPROPRIATE BY THE REDISTRICTING COMMISSION TO FURTHER INCREASE OPPORTUNITIES FOR THE PUBLIC TO OBSERVE AND PARTICIPATE IN THE REDISTRICTING PROCESS.

(D) (1) THE REDISTRICTING COMMISSION SHALL ENSURE THAT THE PROPOSED PLAN IS READILY ACCESSIBLE TO THE PUBLIC.

(2) BEFORE ADOPTING A PLAN, THE REDISTRICTING COMMISSION SHALL ALLOW 14 DAYS FOR THE PUBLIC TO PROVIDE WRITTEN COMMENT.

(E) THE REDISTRICTING COMMISSION SHALL TAKE ALL STEPS NECESSARY TO ENSURE THAT A COMPLETE AND ACCURATE COMPUTERIZED POPULATION DATABASE IS AVAILABLE FOR REDISTRICTING AND THAT PROCEDURES ARE IN PLACE TO PROVIDE THE PUBLIC READY ACCESS TO REDISTRICTING DATA AND COMPUTER SOFTWARE FOR DRAWING MAPS.

8-7A-08.

(A) (1) IN THE YEAR FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES, OR WHEN OTHERWISE REQUIRED BY LAW, THE REDISTRICTING COMMISSION SHALL ADOPT A PLAN TO ESTABLISH CONGRESSIONAL DISTRICTS IN CONFORMANCE WITH THE STANDARDS AND PROCESSES SET FORTH IN THIS SUBTITLE AND THE MARYLAND CONSTITUTION.

(2) ON OR BEFORE OCTOBER 1 EACH YEAR ENDING IN THE NUMERAL 1, THE REDISTRICTING COMMISSION SHALL APPROVE A PLAN THAT SHALL DESCRIBE THE DISTRICT BOUNDARY LINES FOR THE STATE'S REPRESENTATIVES IN CONGRESS.

(B) THE REDISTRICTING COMMISSION SHALL ISSUE WITH A PLAN:

(1) MAPS SHOWING THE CONGRESSIONAL DISTRICTS; AND

(2) A REPORT THAT:

(I) EXPLAINS THE BASIS ON WHICH THE REDISTRICTING COMMISSION MADE ITS DECISIONS TO ACHIEVE COMPLIANCE WITH THE CRITERIA SPECIFIED UNDER THIS SUBTITLE; AND

(Over)

(II) INCLUDES DEFINITIONS OF THE TERMS AND STANDARDS USED IN DRAWING EACH PLAN.

(D) ON ADOPTION OF A PLAN, THE REDISTRICTING COMMISSION SHALL:

(1) CERTIFY THAT THE PLAN IS THE PLAN ADOPTED BY THE REDISTRICTING COMMISSION; AND

(2) SEND THE CERTIFIED PLAN TO THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY.

(E) ON RECEIPT OF A CERTIFIED PLAN SENT UNDER SUBSECTION (D) OF THIS SECTION, THE PRESIDING OFFICERS SHALL PREPARE THE PLAN FOR CONSIDERATION BY THE GENERAL ASSEMBLY AS PROVIDED IN ARTICLE XXI, § 2 OF THE MARYLAND CONSTITUTION.

(F) EXCEPT AS PROVIDED IN THIS SUBTITLE OR ARTICLE XXI, § 2 OF THE MARYLAND CONSTITUTION, A PLAN CONSIDERED BY THE GENERAL ASSEMBLY SHALL BE TREATED IN THE SAME MANNER AS A BILL FOR PURPOSES OF PUBLICATION, CODIFICATION, NOTIFICATION, AND DISTRIBUTION.

8-7A-09.

(A) THE REDISTRICTING COMMISSION SHALL PETITION THE SUPREME COURT OF MARYLAND TO ESTABLISH CONGRESSIONAL DISTRICTS ACCORDING TO THE STANDARDS SET FORTH IN THIS SUBTITLE AND ARTICLE XXI OF THE MARYLAND CONSTITUTION IF:

(1) THE REDISTRICTING COMMISSION FAILS TO ADOPT AND CERTIFY A PLAN UNDER THIS SUBTITLE; OR

(2) A PLAN IS NOT ENACTED IN ACCORDANCE WITH ARTICLE XXI, § 2 OF THE MARYLAND CONSTITUTION.

(B) THE REDISTRICTING COMMISSION SHALL REPRESENT THE STATE REGARDING ANY PETITION SEEKING A REVIEW OF A CERTIFIED PLAN OR A LAW ENACTED ESTABLISHING CONGRESSIONAL DISTRICTS UNDER ARTICLE XXI, § 2 OF THE MARYLAND CONSTITUTION.

(C) IN ANY CASE BROUGHT IN A FEDERAL COURT TO REVIEW A PLAN, IF THE REDISTRICTING COMMISSION IS NOT A PARTY TO THE CASE, THE REDISTRICTING COMMISSION SHALL MOVE TO INTERVENE IN THE CASE ON BEHALF OF THE STATE.

8-7A-10.

(A) THE SUPREME COURT OF MARYLAND SHALL HAVE ORIGINAL JURISDICTION TO ESTABLISH CONGRESSIONAL DISTRICTS ACCORDING TO THE STANDARDS SET FORTH IN THIS SUBTITLE AND ARTICLE XXI OF THE MARYLAND CONSTITUTION IF:

(1) THE REDISTRICTING COMMISSION FAILS TO APPROVE A PLAN UNDER THIS SUBTITLE;

(2) A PLAN IS NOT ENACTED UNDER ARTICLE XXI, § 2 OF THE MARYLAND CONSTITUTION; OR

(Over)

(3) A REGISTERED VOTER FILES A PETITION UNDER SUBSECTION (B) OF THIS SECTION.

(B) (1) ON THE ENACTMENT OF A CONGRESSIONAL DISTRICT PLAN, ANY REGISTERED VOTER IN THE STATE MAY FILE A PETITION WITH THE SUPREME COURT OF MARYLAND TO BAR THE PLAN FROM TAKING EFFECT ON THE GROUNDS THAT THE PLAN VIOLATES THE MARYLAND CONSTITUTION, THE UNITED STATES CONSTITUTION, OR A FEDERAL OR STATE STATUTE.

(2) THE REDISTRICTING COMMISSION SHALL BE THE DEFENDANT IN A PETITION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(C) SUBJECT TO THE MARYLAND RULES, ANY REGISTERED VOTER OF THE STATE MAY PARTICIPATE IN THE PROCEEDING AS AN AMICUS CURIAE.

(D) (1) IF A PETITION IS FILED UNDER SUBSECTION (B) OF THIS SECTION, THE SUPREME COURT OF MARYLAND:

(I) SHALL SET DEADLINES FOR THE FILING OF PLEADINGS AND AMICUS CURIAE BRIEFS; AND

(II) MAY APPOINT A SPECIAL MASTER TO MAKE RECOMMENDATIONS.

(2) A SPECIAL MASTER APPOINTED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL:

(I) HOLD A HEARING;

(II) CONSIDER A PLAN APPROVED BY THE REDISTRICTING COMMISSION, IF ANY; AND

(III) MAKE RECOMMENDATIONS TO THE SUPREME COURT OF MARYLAND.

(3) WITHIN THE TIME PERIOD ESTABLISHED BY THE SUPREME COURT OF MARYLAND UNDER PARAGRAPH (1) OF THIS SUBSECTION, A PARTY MAY FILE EXCEPTIONS TO THE RECOMMENDATIONS OF THE SPECIAL MASTER.

(4) BEFORE ORDERING ANY RELIEF, THE SUPREME COURT OF MARYLAND SHALL:

(I) HOLD A HEARING;

(II) CONSIDER A PLAN APPROVED BY THE REDISTRICTING COMMISSION, IF ANY; AND

(III) CONSIDER ANY RECOMMENDATIONS OF A SPECIAL MASTER.

(E) (1) THE SUPREME COURT OF MARYLAND MAY ORDER ANY RELIEF CONSIDERED APPROPRIATE.

(2) IN ORDERING RELIEF:

(I) IF THE REDISTRICTING COMMISSION ADOPTED AND CERTIFIED A PLAN, THE SUPREME COURT OF MARYLAND MAY APPROVE, MODIFY, OR ADOPT A NEW PLAN; OR

(Over)

(II) IF THE REDISTRICTING COMMISSION HAS NOT ADOPTED AND CERTIFIED A PLAN, THE SUPREME COURT OF MARYLAND SHALL ESTABLISH CONGRESSIONAL DISTRICTS ACCORDING TO THE STANDARDS SET FORTH IN THIS SUBTITLE AND ARTICLE XXI OF THE MARYLAND CONSTITUTION.

(F) THE SUPREME COURT OF MARYLAND SHALL GIVE PRIORITY TO RULING ON A PETITION FILED UNDER THIS SECTION.

8-7A-11.

THE GOVERNOR SHALL INCLUDE FUNDS IN THE STATE BUDGET TO CARRY OUT THIS SUBTITLE, INCLUDING THE COSTS OF ANY LITIGATION.”;

and in line 33, strike “2.” and substitute “3.”.

On page 3, in line 3, strike “3.” and substitute “4.”; in line 8, strike “(1)”; strike in their entirety lines 12 through 21, inclusive; and after line 24, insert:

“SECTION 5. AND BE IT FURTHER ENACTED, That Section 2 of this Act is contingent on the passage of Section 1 of this Act, a constitutional amendment, and its ratification by the voters of the State.

SECTION 6. AND BE IT FURTHER ENACTED, That, subject to Section 5 of this Act, Section 2 of this Act shall take effect on the proclamation of the Governor that the constitutional amendment, having received a majority of the votes cast at the general election, has been adopted by the people of Maryland.”.