

HOUSE BILL 1195

P5

CONSTITUTIONAL AMENDMENT

4lr1367

By: **Delegate Braveboy**

Introduced and read first time: February 7, 2014

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly – Legislative Redistricting – Plans to be Introduced as a**
3 **Bill**

4 FOR the purpose of requiring the Governor to prepare and have introduced into the
5 General Assembly a bill, rather than a joint resolution, for the legislative
6 redistricting plan for the General Assembly following each decennial census;
7 authorizing any member of the General Assembly to introduce a bill setting
8 forth a legislative redistricting plan for the General Assembly following each
9 decennial census; providing that following a public hearing in certain
10 committees of the General Assembly, a bill providing a legislative redistricting
11 plan be adopted and presented to the Governor to be signed or vetoed as
12 provided under certain provisions of the Maryland Constitution; submitting this
13 amendment to the qualified voters of the State for their adoption or rejection;
14 and generally relating to the introduction and passage of a bill for legislative
15 redistricting of the General Assembly following each decennial census.

16 BY proposing an amendment to the Maryland Constitution
17 Article III – Legislative Department
18 Section 5

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

22 **Article III – Legislative Department**

23 5.

24 Following each decennial census of the United States and after public hearings,
25 the Governor shall prepare a plan setting forth the boundaries of the legislative
26 districts for electing of the members of the Senate and the House of Delegates.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 The Governor shall present the plan to the President of the Senate and Speaker
2 of the House of Delegates who shall introduce the Governor's plan as a [joint
3 resolution] **BILL** to the General Assembly, not later than the first day of its regular
4 session in the second year following every census, and the Governor may call a special
5 session for the presentation of his plan prior to the regular session. The plan shall
6 conform to Sections 2, 3 and 4 of this Article. Following each decennial census **OF THE**
7 **UNITED STATES, ANY MEMBER OF** the General Assembly may [by joint resolution
8 adopt] **INTRODUCE A BILL AT THE REGULAR SESSION IN THE SECOND YEAR**
9 **FOLLOWING THE CENSUS SETTING FORTH** a plan [setting forth] **FOR** the
10 boundaries of the legislative districts for the election of members of the Senate and the
11 House of Delegates, which plan shall conform to Sections 2, 3 and 4 of this Article. [If
12 a plan has been adopted by the General Assembly by the 45th day after the opening of
13 the regular session of the General Assembly in the second year following every census,
14 the plan adopted by the General Assembly shall become law. If no plan has been
15 adopted by the General Assembly for these purposes by the 45th day after the opening
16 of the regular session of the General Assembly in the second year following every
17 census, the Governor's plan presented to the General Assembly shall become law]
18 **FOLLOWING A PUBLIC HEARING IN EACH HOUSE BY THE STANDING COMMITTEE**
19 **WITH JURISDICTION OVER MATTERS CONCERNING ELECTION LAW, A**
20 **LEGISLATIVE REDISTRICTING BILL SHALL BE ADOPTED BY THE GENERAL**
21 **ASSEMBLY AND PRESENTED TO THE GOVERNOR TO BE SIGNED OR VETOED AS**
22 **PROVIDED UNDER ARTICLE II, SECTION 17 OF THIS CONSTITUTION.**

23 Upon petition of any registered voter, the Court of Appeals shall have original
24 jurisdiction to review the legislative districting of the State and may grant appropriate
25 relief, if it finds that the districting of the State is not consistent with requirements of
26 either the Constitution of the United States of America, or the Constitution of
27 Maryland.

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

33 **SECTION 3. AND BE IT FURTHER ENACTED,** That the foregoing section
34 proposed as an amendment to the Maryland Constitution shall be submitted to the
35 qualified voters of the State at the next general election to be held in November 2014
36 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.
37 At that general election, the vote on this proposed amendment to the Constitution
38 shall be by ballot, and upon each ballot there shall be printed the words "For the
39 Constitutional Amendment" and "Against the Constitutional Amendment," as now
40 provided by law. Immediately after the election, all returns shall be made to the
41 Governor of the vote for and against the proposed amendment, as directed by Article

1 XIV of the Maryland Constitution, and further proceedings had in accordance with
2 Article XIV.