

HOUSE BILL 367

G1
HB 467/16 – HRU

CONSTITUTIONAL AMENDMENT

7lr0509

By: **Delegates Reznik, Barkley, Ebersole, Krimm, Lierman, Platt, Waldstreicher,
and K. Young**

Introduced and read first time: January 25, 2017

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Legislative and Congressional Districting – Standards and Processes**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to establish the
4 Legislative Districting Commission and the Congressional Districting Commission
5 and establish standards for congressional districting; requiring the Executive
6 Director of the Department of Legislative Services to determine the size and
7 composition of each commission and, on or before a certain date in certain years,
8 select the members of each commission; requiring that the members of each
9 commission include certain professionals; requiring the Executive Director, subject
10 to a certain limitation, to determine the education and experience that an individual
11 is required to have for a certain purpose; requiring that the members of each
12 commission be full-time employees of the Department or, under certain
13 circumstances, certain contractual employees; providing for the terms of the
14 members of each commission; prohibiting members of each commission from being
15 certain officials or a candidate for elected office while serving on the commission;
16 providing that a member of one commission may be a member of the other
17 commission; providing that the members of each commission may be removed only
18 by impeachment under a certain provision of law for certain reasons; prohibiting the
19 Department from terminating the employment of certain members of either
20 commission except under certain circumstances; requiring the Legislative
21 Districting Commission to prepare a certain legislative districting plan and the
22 Congressional Districting Commission to prepare a certain congressional districting
23 plan following a certain census and after public hearings; requiring each commission
24 to present each plan to the President of the Senate and the Speaker of the House of
25 Delegates; requiring the President and the Speaker to introduce each plan as a joint
26 resolution by a certain day of a certain General Assembly session; authorizing the
27 Governor to call a special session for certain purposes; prohibiting the plans from
28 being amended; prohibiting a member of the General Assembly from introducing a
29 certain joint resolution; providing that each plan becomes law on adoption by the
30 General Assembly by a certain vote; requiring that an alternate legislative

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 districting plan and an alternate congressional districting plan be prepared and
 2 submitted under certain circumstances; requiring the Court of Appeals to prepare a
 3 legislative districting plan and congressional districting plan under certain
 4 circumstances; providing that the Court of Appeals has original jurisdiction to review
 5 certain districting of the State under certain circumstances; authorizing the Court
 6 of Appeals to grant certain relief under certain circumstances; requiring
 7 congressional districts to conform to certain standards and that due regard be given
 8 to certain boundaries; providing for the application of certain provisions of law and
 9 of this Act; defining certain terms; and submitting this amendment to the qualified
 10 voters of the State for their adoption or rejection.

11 BY proposing an amendment to the Maryland Constitution
 12 Article III – Legislative Department
 13 Section 5

14 BY proposing an addition to the Maryland Constitution
 15 Article III – Legislative Department
 16 Section 5A

17 BY proposing an addition to the Maryland Constitution
 18 New Article XX – Congressional Districting
 19 Section 1 through 5

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 III – Legislative Department**

24 5.

25 **(A) THIS SECTION APPLIES ONLY IF THE CONTINGENCY IN § 5A OF THIS**
 26 **ARTICLE HAS NOT BEEN MET.**

27 **(B)** Following each decennial census of the United States and after public
 28 hearings, the Governor shall prepare a plan setting forth the boundaries of the legislative
 29 districts for electing of the members of the Senate and the House of Delegates.

30 The Governor shall present the plan to the President of the Senate and Speaker of
 31 the House of Delegates who shall introduce the Governor's plan as a joint resolution to the
 32 General Assembly, not later than the first day of its regular session in the second year
 33 following every census, and the Governor may call a special session for the presentation of
 34 his plan prior to the regular session. The plan shall conform to Sections 2, 3 and 4 of this
 35 Article. Following each decennial census the General Assembly may by joint resolution
 36 adopt a plan setting forth the boundaries of the legislative districts for the election of
 37 members of the Senate and the House of Delegates, which plan shall conform to Sections
 38 2, 3 and 4 of this Article. If a plan has been adopted by the General Assembly by the 45th

1 day after the opening of the regular session of the General Assembly in the second year
2 following every census, the plan adopted by the General Assembly shall become law. If no
3 plan has been adopted by the General Assembly for these purposes by the 45th day after
4 the opening of the regular session of the General Assembly in the second year following
5 every census, the Governor's plan presented to the General Assembly shall become law.

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

10 **5A.**

11 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
12 INDICATED.

13 (2) "COMMISSION" MEANS THE LEGISLATIVE DISTRICTING
14 COMMISSION.

15 (3) "DEPARTMENT" MEANS THE DEPARTMENT OF LEGISLATIVE
16 SERVICES, OR ITS SUCCESSOR.

17 (4) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF
18 THE DEPARTMENT.

19 (5) "PLAN" MEANS THE LEGISLATIVE DISTRICTING PLAN PREPARED
20 BY THE COMMISSION UNDER SUBSECTIONS (E) OR (I)(2) OF THIS SECTION.

21 (B) (1) THIS SECTION APPLIES ONLY IF THE DEPARTMENT DETERMINES
22 AFTER CONSULTATION WITH AND ON THE ADVICE OF THE ATTORNEY GENERAL
23 THAT VIRGINIA HAS ADOPTED A LEGISLATIVE DISTRICTING PROCESS THAT IS
24 SUBSTANTIALLY SIMILAR TO THE PROCESS IN THIS SECTION.

25 (2) A PROCESS SHALL BE CONSIDERED SUBSTANTIALLY SIMILAR FOR
26 THE PURPOSES OF PARAGRAPH (1) OF THIS SUBSECTION ONLY IF:

27 (I) A LEGISLATIVE DISTRICTING PLAN IS INITIALLY
28 DEVELOPED AND PROPOSED BY A COMMISSION COMPOSED OF INDIVIDUALS WHO
29 ARE:

30 1. EMPLOYEES OF OR CONTRACTED BY A NONPARTISAN
31 STATE AGENCY THAT PROVIDES NONPARTISAN RESEARCH OR ANALYSIS; AND

1 **2. NOT SELECTED BY THE GOVERNOR OF THE STATE,**
2 **MEMBERS OF THE STATE LEGISLATURE, OR AN INDIVIDUAL SELECTED BY THE**
3 **GOVERNOR OF THE STATE OR THE STATE LEGISLATURE;**

4 **(II) THE STATE LEGISLATURE IS ALLOWED TO VOTE ON THE**
5 **LEGISLATIVE DISTRICTING PLAN PROPOSED BY THE COMMISSION BUT IS**
6 **PROHIBITED FROM ALTERING THE PLAN; AND**

7 **(III) A LEGISLATIVE DISTRICTING PLAN PREPARED BY THE**
8 **STATE'S HIGHEST COURT BECOMES LAW IF THE STATE LEGISLATURE FAILS TO**
9 **ADOPT THE LEGISLATIVE DISTRICTING PLAN PROPOSED BY THE COMMISSION.**

10 **(C) THERE IS A LEGISLATIVE DISTRICTING COMMISSION.**

11 **(D) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, THE**
12 **EXECUTIVE DIRECTOR SHALL:**

13 **(I) DETERMINE THE SIZE AND COMPOSITION OF THE**
14 **COMMISSION; AND**

15 **(II) ON OR BEFORE JUNE 1 OF THE YEAR FOLLOWING EACH**
16 **DECENNIAL CENSUS, SELECT THE MEMBERS OF THE COMMISSION.**

17 **(2) (I) THE MEMBERS OF THE COMMISSION SHALL INCLUDE:**

18 **1. A DEMOGRAPHER;**

19 **2. A CARTOGRAPHER;**

20 **3. AN APPLIED MATHEMATICIAN;**

21 **4. A COMPUTER SCIENTIST; AND**

22 **5. A LAWYER OR LEGAL EXPERT WHO SPECIALIZES IN**
23 **ELECTION AND REDISTRICTING LAW.**

24 **(II) SUBJECT TO SUBPARAGRAPH (III) OF THIS PARAGRAPH,**
25 **THE EXECUTIVE DIRECTOR SHALL DETERMINE THE EDUCATION AND EXPERIENCE**
26 **THAT AN INDIVIDUAL IS REQUIRED TO HAVE IN ORDER TO BE SELECTED AS ONE OF**
27 **THE MEMBERS LISTED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH.**

28 **(III) IN DETERMINING THE EDUCATION AND EXPERIENCE**
29 **REQUIRED, THE EXECUTIVE DIRECTOR MAY NOT DEVIATE FROM WHAT IS**

1 NORMALLY CONSIDERED TO BE THE MINIMUM QUALIFICATIONS REQUIRED TO BE
2 EMPLOYED AS THE PROFESSIONAL LISTED.

3 (3) MEMBERS OF THE COMMISSION SHALL BE:

4 (I) FULL-TIME EMPLOYEES OF THE DEPARTMENT; OR

5 (II) IF THE EXECUTIVE DIRECTOR DETERMINES THAT THE
6 NEEDS OF THE COMMISSION CANNOT BE MET BY FULL-TIME EMPLOYEES OF THE
7 DEPARTMENT, EMPLOYEES HIRED ON A CONTRACTUAL BASIS FOR THE PURPOSE OF
8 SERVING ON THE COMMISSION.

9 (4) THE TERM OF A MEMBER OF THE COMMISSION BEGINS WHEN THE
10 MEMBER IS SELECTED AND ENDS WHEN A LEGISLATIVE DISTRICTING PLAN IS
11 ADOPTED BY THE GENERAL ASSEMBLY UNDER SUBSECTION (I)(1) OF THIS SECTION
12 OR THE COURT OF APPEALS IS REQUIRED TO PREPARE THE LEGISLATIVE
13 DISTRICTING PLAN UNDER SUBSECTION (J)(1) OF THIS SECTION.

14 (5) WHILE SERVING ON THE COMMISSION, A MEMBER MAY NOT BE:

15 (I) AN ELECTED OFFICIAL;

16 (II) AN OFFICIAL WHOSE APPOINTMENT IS SUBJECT TO SENATE
17 CONFIRMATION; OR

18 (III) A CANDIDATE FOR ELECTED OFFICE.

19 (6) A MEMBER OF THE CONGRESSIONAL DISTRICTING COMMISSION
20 ESTABLISHED BY ARTICLE XX OF THIS CONSTITUTION MAY BE A MEMBER OF THE
21 COMMISSION.

22 (7) (I) A MEMBER OF THE COMMISSION MAY BE REMOVED DURING
23 THE MEMBER'S TERM ONLY BY IMPEACHMENT UNDER § 26 OF THIS ARTICLE FOR
24 MALFEASANCE, MISFEASANCE, OR NONFEASANCE.

25 (II) IF A FULL-TIME EMPLOYEE OF THE DEPARTMENT IS
26 REMOVED FROM THE COMMISSION BY IMPEACHMENT UNDER SUBPARAGRAPH (I) OF
27 THIS PARAGRAPH, THE DEPARTMENT MAY NOT TERMINATE THE EMPLOYMENT OF
28 THE EMPLOYEE UNLESS THE MALFEASANCE, MISFEASANCE, OR NONFEASANCE
29 WOULD HAVE BEEN GROUNDS FOR TERMINATION IF COMMITTED BY THE EMPLOYEE
30 IN THE COURSE OF THE EMPLOYEE'S OTHER DUTIES.

1 (E) FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES AND
2 AFTER PUBLIC HEARINGS, THE COMMISSION SHALL PREPARE A PLAN
3 ESTABLISHING THE BOUNDARIES OF THE LEGISLATIVE DISTRICTS THAT COMPLIES
4 WITH APPLICABLE FEDERAL AND STATE LAW.

5 (F) THE COMMISSION SHALL PRESENT THE PLAN TO THE PRESIDENT OF
6 THE SENATE AND THE SPEAKER OF THE HOUSE OF DELEGATES, WHO SHALL
7 INTRODUCE THE PLAN AS A JOINT RESOLUTION TO THE GENERAL ASSEMBLY NO
8 LATER THAN THE FIRST DAY OF ITS REGULAR SESSION IN THE SECOND YEAR
9 FOLLOWING THE DECENNIAL CENSUS.

10 (G) THE GOVERNOR MAY CALL A SPECIAL SESSION FOR THE PRESENTATION
11 OF THE PLAN BEFORE THE REGULAR SESSION.

12 (H) (1) THE PLAN MAY NOT BE AMENDED.

13 (2) A MEMBER OF THE GENERAL ASSEMBLY MAY NOT INTRODUCE A
14 JOINT RESOLUTION OR A BILL CONTAINING A LEGISLATIVE DISTRICTING PLAN THAT
15 IS DIFFERENT FROM THE PLAN PROPOSED BY THE COMMISSION.

16 (I) (1) THE PLAN SHALL BECOME LAW ON ADOPTION BY THE GENERAL
17 ASSEMBLY BY A MAJORITY VOTE OF BOTH HOUSES.

18 (2) IF THE GENERAL ASSEMBLY FAILS TO ADOPT THE PLAN BY THE
19 17TH DAY AFTER THE OPENING OF THE REGULAR SESSION OF THE GENERAL
20 ASSEMBLY IN THE SECOND YEAR FOLLOWING THE DECENNIAL CENSUS, THE
21 COMMISSION SHALL PREPARE AN ALTERNATIVE PLAN AND SUBMIT IT TO THE
22 PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF DELEGATES,
23 WHO SHALL INTRODUCE THE PLAN AS A JOINT RESOLUTION TO THE GENERAL
24 ASSEMBLY.

25 (J) IF AN ALTERNATIVE PLAN INTRODUCED UNDER SUBSECTION (I)(2) OF
26 THIS SECTION FAILS TO RECEIVE A MAJORITY VOTE OF BOTH HOUSES BY THE 52ND
27 DAY AFTER THE OPENING OF THE REGULAR SESSION OF THE GENERAL ASSEMBLY
28 IN THE SECOND YEAR FOLLOWING THE DECENNIAL CENSUS, THE COURT OF
29 APPEALS SHALL PREPARE THE PLAN ESTABLISHING THE BOUNDARIES OF THE
30 LEGISLATIVE DISTRICTS.

31 (K) IF THE GENERAL ASSEMBLY ADOPTS A PLAN, ON PETITION OF ANY
32 REGISTERED VOTER, THE COURT OF APPEALS:

33 (1) SHALL HAVE ORIGINAL JURISDICTION TO REVIEW THE
34 LEGISLATIVE DISTRICTING OF THE STATE; AND

1 **(2) MAY GRANT APPROPRIATE RELIEF IF IT FINDS THAT THE**
2 **LEGISLATIVE DISTRICTING OF THE STATE IS NOT CONSISTENT WITH APPLICABLE**
3 **FEDERAL AND STATE LAW.**

4 **ARTICLE XX – CONGRESSIONAL DISTRICTING**

5 **1.**

6 **(A) IN THIS ARTICLE THE FOLLOWING WORDS HAVE THE MEANINGS**
7 **INDICATED.**

8 **(B) “COMMISSION” MEANS THE CONGRESSIONAL DISTRICTING**
9 **COMMISSION.**

10 **(C) “DEPARTMENT” MEANS THE DEPARTMENT OF LEGISLATIVE SERVICES,**
11 **OR ITS SUCCESSOR.**

12 **(D) “EXECUTIVE DIRECTOR” MEANS THE EXECUTIVE DIRECTOR OF THE**
13 **DEPARTMENT.**

14 **(E) “PLAN” MEANS THE CONGRESSIONAL DISTRICTING PLAN PREPARED BY**
15 **THE COMMISSION UNDER § 5(A) OR § 5(E)(2) OF THIS ARTICLE.**

16 **2.**

17 **(A) THIS ARTICLE APPLIES ONLY IF THE DEPARTMENT DETERMINES AFTER**
18 **CONSULTATION WITH AND ON THE ADVICE OF THE ATTORNEY GENERAL THAT**
19 **VIRGINIA HAS ADOPTED A CONGRESSIONAL DISTRICTING PROCESS THAT IS**
20 **SUBSTANTIALLY SIMILAR TO THE PROCESS IN THIS ARTICLE.**

21 **(B) A PROCESS SHALL BE CONSIDERED SUBSTANTIALLY SIMILAR FOR THE**
22 **PURPOSES OF SUBSECTION (A) OF THIS SECTION ONLY IF:**

23 **(1) A CONGRESSIONAL DISTRICTING PLAN IS INITIALLY DEVELOPED**
24 **AND PROPOSED BY A COMMISSION COMPOSED OF INDIVIDUALS WHO ARE:**

25 **(I) EMPLOYEES OF OR CONTRACTED BY A NONPARTISAN STATE**
26 **AGENCY THAT PROVIDES NONPARTISAN RESEARCH OR ANALYSIS; AND**

27 **(II) NOT SELECTED BY THE GOVERNOR OF THE STATE,**
28 **MEMBERS OF THE STATE LEGISLATURE, OR AN INDIVIDUAL SELECTED BY THE**
29 **GOVERNOR OF THE STATE OR THE STATE LEGISLATURE;**

1 **(2) THE STATE LEGISLATURE IS ALLOWED TO VOTE ON THE**
2 **CONGRESSIONAL DISTRICTING PLAN PROPOSED BY THE COMMISSION BUT IS**
3 **PROHIBITED FROM ALTERING THE PLAN; AND**

4 **(3) A CONGRESSIONAL DISTRICTING PLAN PREPARED BY THE**
5 **STATE'S HIGHEST COURT BECOMES LAW IF THE STATE LEGISLATURE FAILS TO**
6 **ADOPT THE CONGRESSIONAL DISTRICTING PLAN PROPOSED BY THE COMMISSION.**

7 **3.**

8 **EACH CONGRESSIONAL DISTRICT SHALL CONSIST OF ADJOINING TERRITORY,**
9 **BE COMPACT IN FORM, AND BE OF SUBSTANTIALLY EQUAL POPULATION. DUE**
10 **REGARD SHALL BE GIVEN TO NATURAL BOUNDARIES AND THE BOUNDARIES OF**
11 **POLITICAL SUBDIVISIONS.**

12 **4.**

13 **(A) THERE IS A CONGRESSIONAL DISTRICTING COMMISSION.**

14 **(B) SUBJECT TO SUBSECTIONS (C) AND (D) OF THIS SECTION, THE**
15 **EXECUTIVE DIRECTOR SHALL:**

16 **(1) DETERMINE THE SIZE AND COMPOSITION OF THE COMMISSION;**
17 **AND**

18 **(2) ON OR BEFORE JUNE 1 OF THE YEAR FOLLOWING THE DECENNIAL**
19 **CENSUS, SELECT THE MEMBERS OF THE COMMISSION.**

20 **(C) (1) THE MEMBERS OF THE COMMISSION SHALL INCLUDE:**

21 **(I) A DEMOGRAPHER;**

22 **(II) A CARTOGRAPHER;**

23 **(III) AN APPLIED MATHEMATICIAN;**

24 **(IV) A COMPUTER SCIENTIST; AND**

25 **(V) A LAWYER OR LEGAL EXPERT WHO SPECIALIZES IN**
26 **ELECTION AND REDISTRICTING LAW.**

1 **(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, THE**
2 **EXECUTIVE DIRECTOR SHALL DETERMINE THE EDUCATION AND EXPERIENCE THAT**
3 **AN INDIVIDUAL IS REQUIRED TO HAVE IN ORDER TO BE SELECTED AS ONE OF THE**
4 **MEMBERS LISTED IN PARAGRAPH (1) OF THIS SUBSECTION.**

5 **(3) IN DETERMINING THE EDUCATION AND EXPERIENCE REQUIRED,**
6 **THE EXECUTIVE DIRECTOR MAY NOT DEVIATE FROM WHAT IS NORMALLY**
7 **CONSIDERED TO BE THE MINIMUM QUALIFICATIONS REQUIRED TO BE EMPLOYED AS**
8 **THE PROFESSIONAL LISTED.**

9 **(D) MEMBERS OF THE COMMISSION SHALL BE:**

10 **(1) FULL-TIME EMPLOYEES OF THE DEPARTMENT; OR**

11 **(2) IF THE EXECUTIVE DIRECTOR DETERMINES THAT THE NEEDS OF**
12 **THE COMMISSION CANNOT BE MET WITH THE AVAILABLE FULL-TIME EMPLOYEES**
13 **OF THE DEPARTMENT, EMPLOYEES HIRED ON A CONTRACTUAL BASIS FOR THE**
14 **PURPOSE OF SERVING ON THE COMMISSION.**

15 **(E) THE TERM OF A MEMBER OF THE COMMISSION BEGINS WHEN THE**
16 **MEMBER IS SELECTED AND ENDS WHEN A CONGRESSIONAL DISTRICTING PLAN IS**
17 **ADOPTED BY THE GENERAL ASSEMBLY UNDER § 5(E)(1) OF THIS ARTICLE OR THE**
18 **COURT OF APPEALS IS REQUIRED TO PREPARE THE CONGRESSIONAL DISTRICTING**
19 **PLAN UNDER § 5(F) OF THIS ARTICLE.**

20 **(F) WHILE SERVING ON THE COMMISSION, A MEMBER MAY NOT BE:**

21 **(1) AN ELECTED OFFICIAL;**

22 **(2) AN OFFICIAL WHOSE APPOINTMENT IS SUBJECT TO SENATE**
23 **CONFIRMATION; OR**

24 **(3) A CANDIDATE FOR ELECTED OFFICE.**

25 **(G) A MEMBER OF THE LEGISLATIVE DISTRICTING COMMISSION**
26 **ESTABLISHED BY ARTICLE III, § 5A OF THIS CONSTITUTION MAY BE A MEMBER OF**
27 **THE COMMISSION.**

28 **(H) (1) A MEMBER OF THE COMMISSION MAY BE REMOVED DURING THE**
29 **MEMBER'S TERM ONLY BY IMPEACHMENT UNDER ARTICLE III, § 26 OF THIS**
30 **CONSTITUTION FOR MALFEASANCE, MISFEASANCE, OR NONFEASANCE.**

1 **(2) IF A FULL-TIME EMPLOYEE OF THE DEPARTMENT IS REMOVED**
2 **FROM THE COMMISSION BY IMPEACHMENT UNDER PARAGRAPH (1) OF THIS**
3 **SUBSECTION, THE DEPARTMENT MAY NOT TERMINATE THE EMPLOYMENT OF THE**
4 **EMPLOYEE UNLESS THE MALFEASANCE, MISFEASANCE, OR NONFEASANCE WOULD**
5 **HAVE BEEN GROUNDS FOR TERMINATION IF COMMITTED BY THE EMPLOYEE IN THE**
6 **COURSE OF THE EMPLOYEE'S OTHER DUTIES.**

7 **5.**

8 **(A) FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED STATES AND**
9 **AFTER PUBLIC HEARINGS, THE COMMISSION SHALL PREPARE A PLAN**
10 **ESTABLISHING THE BOUNDARIES OF THE CONGRESSIONAL DISTRICTS THAT**
11 **COMPLIES WITH APPLICABLE FEDERAL LAW AND § 3 OF THIS ARTICLE AND ANY**
12 **OTHER APPLICABLE STATE LAW.**

13 **(B) THE COMMISSION SHALL PRESENT THE PLAN TO THE PRESIDENT OF**
14 **THE SENATE AND THE SPEAKER OF THE HOUSE OF DELEGATES, WHO SHALL**
15 **INTRODUCE THE PLAN AS A JOINT RESOLUTION TO THE GENERAL ASSEMBLY NO**
16 **LATER THAN THE FIRST DAY OF ITS REGULAR SESSION IN THE SECOND YEAR**
17 **FOLLOWING THE DECENNIAL CENSUS.**

18 **(C) THE GOVERNOR MAY CALL A SPECIAL SESSION FOR THE PRESENTATION**
19 **OF THE PLAN BEFORE THE REGULAR SESSION.**

20 **(D) (1) THE PLAN MAY NOT BE AMENDED.**

21 **(2) A MEMBER OF THE GENERAL ASSEMBLY MAY NOT INTRODUCE A**
22 **JOINT RESOLUTION OR A BILL CONTAINING A CONGRESSIONAL DISTRICTING PLAN**
23 **THAT IS DIFFERENT FROM THE PLAN PROPOSED BY THE COMMISSION.**

24 **(E) (1) THE PLAN SHALL BECOME LAW ON ADOPTION BY THE GENERAL**
25 **ASSEMBLY BY A MAJORITY VOTE OF BOTH HOUSES.**

26 **(2) IF THE GENERAL ASSEMBLY FAILS TO ADOPT THE PLAN BY THE**
27 **17TH DAY AFTER THE OPENING OF THE REGULAR SESSION OF THE GENERAL**
28 **ASSEMBLY IN THE SECOND YEAR FOLLOWING THE DECENNIAL CENSUS, THE**
29 **COMMISSION SHALL PREPARE AN ALTERNATIVE PLAN AND SUBMIT IT TO THE**
30 **PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF DELEGATES,**
31 **WHO SHALL INTRODUCE THE PLAN AS A JOINT RESOLUTION TO THE GENERAL**
32 **ASSEMBLY.**

33 **(F) IF AN ALTERNATIVE PLAN INTRODUCED UNDER SUBSECTION (E)(2) OF**
34 **THIS SECTION FAILS TO RECEIVE A MAJORITY VOTE OF BOTH HOUSES BY THE 52ND**

1 DAY AFTER THE OPENING OF THE REGULAR SESSION OF THE GENERAL ASSEMBLY
2 IN THE SECOND YEAR FOLLOWING THE DECENNIAL CENSUS, THE COURT OF
3 APPEALS SHALL PREPARE THE PLAN ESTABLISHING THE BOUNDARIES OF THE
4 CONGRESSIONAL DISTRICTS.

5 (G) IF THE GENERAL ASSEMBLY ADOPTS A PLAN, ON PETITION OF ANY
6 REGISTERED VOTER, THE COURT OF APPEALS:

7 (1) SHALL HAVE ORIGINAL JURISDICTION TO REVIEW THE
8 CONGRESSIONAL DISTRICTING OF THE STATE; AND

9 (2) MAY GRANT APPROPRIATE RELIEF IF IT FINDS THAT THE
10 CONGRESSIONAL DISTRICTING OF THE STATE IS NOT CONSISTENT WITH
11 APPLICABLE FEDERAL AND STATE LAW.

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

16 SECTION 3. AND BE IT FURTHER ENACTED, That the foregoing section
17 proposed as an amendment to the Maryland Constitution shall be submitted to the
18 qualified voters of the State at the next general election to be held in November 2018 for
19 their adoption or rejection pursuant to Article XIV of the Maryland Constitution. At that
20 general election, the vote on this proposed amendment to the Constitution shall be by
21 ballot, and upon each ballot there shall be printed the words "For the Constitutional
22 Amendment" and "Against the Constitutional Amendment," as now provided by law.
23 Immediately after the election, all returns shall be made to the Governor of the vote for and
24 against the proposed amendment, as directed by Article XIV of the Maryland Constitution,
25 and further proceedings had in accordance with Article XIV.