

SENATE BILL 266

P3
SB 91/19 – EHE

CONSTITUTIONAL AMENDMENT

0lr0152
CF HB 341

By: **The President (By Request – Administration) and Senators Bailey, Carozza, Cassilly, Eckardt, Edwards, Gallion, Hershey, Jennings, Ready, Reilly, Salling, Serafini, Simonaire, and West**

Introduced and read first time: January 20, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Redistricting Reform Act of 2020 – Constitutional Amendment**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to require
4 single-member delegate districts; altering certain standards for the drawing of
5 legislative districts; proposing a new article to the Maryland Constitution to
6 establish standards for the drawing of congressional districts; establishing a
7 Legislative and Congressional Redistricting and Apportionment Commission as an
8 independent unit of State government consisting of certain members; requiring the
9 Redistricting Commission to divide the State into certain legislative districts and
10 congressional districts; requiring legislative districts and congressional districts to
11 meet a certain standard for population size; providing for the duties of the
12 Redistricting Commission; requiring the presiding officers of the General Assembly
13 to introduce certain redistricting plans in a certain manner for consideration by the
14 General Assembly; requiring the Governor, if necessary, to convene a special session
15 of the General Assembly to consider certain redistricting plans; requiring the
16 General Assembly to consider only the certified legislative district plan and the
17 certified congressional district plan during a certain special session; prohibiting the
18 General Assembly from considering certain legislation during a certain special
19 session; requiring the presiding officers to introduce certain certified redistricting
20 plans on certain days during certain types of sessions of the General Assembly;
21 prohibiting members of the General Assembly from introducing bills proposing
22 certain plans; prohibiting certain plans from being amended except under certain
23 circumstances; requiring certain plans to be passed by a certain number of votes of
24 the members of each House of the General Assembly by a certain day of the session;
25 requiring certain plans passed by the General Assembly to be presented to the
26 Governor within a certain number of days; requiring the presiding officers to, within
27 a certain number of days, provide to the Redistricting Commission a certain notice
28 and certain information and to request an alternative plan under certain
29 circumstances; requiring the Redistricting Commission to review a certain plan and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 consider certain information on receipt of a certain notice; requiring the Redistricting
 2 Commission to take certain actions within a certain number of days after receiving
 3 a certain notice; requiring the presiding officers to prepare certain changes as an
 4 amendment to a certain plan; requiring a certain amendment to pass by a certain
 5 number of votes; providing for the reconsideration of certain plans under certain
 6 circumstances; requiring a vote on a certain plan within a certain number of days;
 7 requiring the extension of a legislative session under certain circumstances;
 8 requiring that a certain plan and amendment be considered as not passed under
 9 certain circumstances; requiring the presentment of a certain plan to the Governor
 10 within a certain period of time; requiring the Governor to sign or veto a certain plan
 11 within a certain number of days; prohibiting a certain plan from being enacted over
 12 the veto of the Governor; providing that a certain plan becomes law under certain
 13 circumstances; providing for the effective date of a certain plan under certain
 14 circumstances; requiring the Court of Appeals to adopt a certain plan under certain
 15 circumstances; requiring the Redistricting Commission to be the representative of
 16 the State in certain proceedings; providing that the Court of Appeals has original
 17 jurisdiction to establish a certain plan or consider a certain petition; altering the
 18 cases with respect to which the Attorney General has the authority to prosecute and
 19 defend the State; defining a certain term; and submitting this amendment to the
 20 qualified voters of the State for their adoption or rejection.

21 BY proposing an amendment to the Maryland Constitution
 22 Article III – Legislative Department
 23 Section 3 and 4

24 BY proposing a repeal of the Maryland Constitution
 25 Article III – Legislative Department
 26 Section 5

27 BY proposing an amendment to the Maryland Constitution
 28 Article IV – Judiciary Department
 29 Section 14

30 BY proposing an amendment to the Maryland Constitution
 31 Article V – Attorney–General and State’s Attorneys
 32 Section 3

33 BY proposing an addition to the Maryland Constitution
 34 New Article XX – Legislative and Congressional Redistricting and Apportionment
 35 Section 1 and 2

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

39 **Article III – Legislative Department**

1 3.

2 The State shall be divided by law into legislative districts for the election of members
3 of the Senate and the House of Delegates. Each legislative district shall contain one (1)
4 Senator and three (3) Delegates. [Nothing herein shall prohibit the subdivision of any one
5 or more of the legislative districts for the purpose of electing members of the House of
6 Delegates into three (3) single-member delegate districts or one (1) single-member
7 delegate district and one (1) multi-member delegate district.] **EACH LEGISLATIVE**
8 **DISTRICT SHALL BE SUBDIVIDED INTO THREE (3) SINGLE-MEMBER DELEGATE**
9 **DISTRICTS.**

10 4.

11 Each legislative district [shall consist of adjoining territory, be compact in form, and
12 of substantially equal population. Due regard shall be given to natural boundaries and the
13 boundaries of political subdivisions]:

14 **(1) SHALL RESPECT NATURAL BOUNDARIES AND THE GEOGRAPHIC**
15 **INTEGRITY AND CONTINUITY OF ANY MUNICIPAL CORPORATION, COUNTY, OR**
16 **OTHER POLITICAL SUBDIVISION TO THE EXTENT PRACTICABLE;**

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

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

22 **(4) MAY NOT ACCOUNT FOR THE DOMICILE OR RESIDENCE OF ANY**
23 **INDIVIDUAL, INCLUDING AN INCUMBENT OFFICEHOLDER OR A POTENTIAL**
24 **CANDIDATE FOR OFFICE.**

25 [5.

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

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

1 members of the Senate and the House of Delegates, which plan shall conform to Sections
 2 2, 3 and 4 of this Article. If a plan has been adopted by the General Assembly by the 45th
 3 day after the opening of the regular session of the General Assembly in the second year
 4 following every census, the plan adopted by the General Assembly shall become law. If no
 5 plan has been adopted by the General Assembly for these purposes by the 45th day after
 6 the opening of the regular session of the General Assembly in the second year following
 7 every census, the Governor's plan presented to the General Assembly shall become law.

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

12 **Article IV – Judiciary Department**

13 14.

14 The Court of Appeals shall be composed of seven judges, one from the First Appellate
 15 Judicial Circuit consisting of Caroline, Cecil, Dorchester, Kent, Queen Anne's, Somerset,
 16 Talbot, Wicomico, and Worcester Counties; one from the Second Appellate Judicial Circuit
 17 consisting of Baltimore and Harford Counties; one from the Third Appellate Judicial
 18 Circuit, consisting of Allegany, Carroll, Frederick, Garrett, Howard, and Washington
 19 Counties; one from the Fourth Appellate Judicial Circuit, consisting of Prince George's
 20 County; one from the Fifth Appellate Judicial Circuit, consisting of Anne Arundel, Calvert,
 21 Charles, and St. Mary's Counties; one from the Sixth Appellate Judicial Circuit, consisting
 22 of Baltimore City; and one from the Seventh Appellate Judicial Circuit, consisting of
 23 Montgomery County. The Judges of the Court of Appeals shall be residents of their
 24 respective Appellate Judicial Circuits. The term of each Judge of the Court of Appeals shall
 25 begin on the date of his qualification. One of the Judges of the Court of Appeals shall be
 26 designated by the Governor as the Chief Judge. The jurisdiction of the Court of Appeals
 27 shall be co-extensive with the limits of the State and such as now is or may hereafter be
 28 prescribed by law. **EXCLUSIVE AMONG THE STATE COURTS, THE COURT OF APPEALS**
 29 **SHALL HAVE ORIGINAL JURISDICTION: (1) TO ESTABLISH THE LEGISLATIVE**
 30 **DISTRICT PLAN AND THE CONGRESSIONAL DISTRICT PLAN IN THE EVENT THAT A**
 31 **PLAN IS NOT ENACTED UNDER ARTICLE XX, SECTION 2 OF THIS CONSTITUTION;**
 32 **AND (2) TO CONSIDER A PETITION SEEKING REVIEW OF THE LEGALITY OF A PLAN TO**
 33 **ESTABLISH LEGISLATIVE OR CONGRESSIONAL DISTRICTS ENACTED UNDER**
 34 **ARTICLE XX, SECTION 2 OF THIS CONSTITUTION.** It shall hold its sessions in the City
 35 of Annapolis at such time or times as it shall from time to time by rule prescribe. Its session
 36 or sessions shall continue not less than ten months in each year, if the business before it
 37 shall so require, and it shall be competent for the judges temporarily to transfer their
 38 sittings elsewhere upon sufficient cause. The salary of each Judge of the Court of Appeals
 39 shall be that now or hereafter prescribed by the General Assembly and shall not be
 40 diminished during his continuance in office. Five of the judges shall constitute a quorum,
 41 and five judges shall sit in each case unless the Court shall direct that an additional judge
 42 or judges sit for any case. The concurrence of a majority of those sitting shall be sufficient

1 for the decision of any cause, and an equal division of those sitting in a case has the effect
2 of affirming the decision appealed from if there is no application for reargument as
3 hereinafter provided. In any case where there is an equal division or a three to two division
4 of the Court a reargument before the full Court of seven judges shall be granted to the
5 losing party upon application as a matter of right.

6 Article V – Attorney–General and State’s Attorneys

7 3.

8 (a) The Attorney General shall:

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

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

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

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

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

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

1 official duty.

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

4 **ARTICLE XX – LEGISLATIVE AND CONGRESSIONAL REDISTRICTING AND**
5 **APPORTIONMENT**

6 **1.**

7 **EACH CONGRESSIONAL DISTRICT:**

8 (1) SHALL RESPECT NATURAL BOUNDARIES AND THE GEOGRAPHIC
9 INTEGRITY AND CONTINUITY OF ANY MUNICIPAL CORPORATION, COUNTY, OR
10 OTHER POLITICAL SUBDIVISION TO THE EXTENT PRACTICABLE;

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

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

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

19 **2.**

20 (A) IN THIS SECTION, “REDISTRICTING COMMISSION” MEANS THE
21 LEGISLATIVE AND CONGRESSIONAL REDISTRICTING AND APPORTIONMENT
22 COMMISSION.

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

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

28 (2) THE REDISTRICTING COMMISSION IS AN INDEPENDENT UNIT OF
29 STATE GOVERNMENT, ESTABLISHED BY LAW, CONSISTING OF MEMBERS WHO ARE
30 IMPARTIAL AND REASONABLY REPRESENTATIVE OF THE STATE’S GEOGRAPHICAL,
31 RACIAL, AND GENDER MAKEUP.

1 (D) IN THE YEAR FOLLOWING EACH DECENNIAL CENSUS OF THE UNITED
2 STATES, THE REDISTRICTING COMMISSION SHALL:

3 (1) DIVIDE THE STATE INTO CONSECUTIVELY NUMBERED
4 LEGISLATIVE DISTRICTS THAT CONFORM TO ARTICLE III, SECTIONS 2, 3, AND 4 OF
5 THIS CONSTITUTION; AND

6 (2) DIVIDE THE STATE INTO AS MANY CONGRESSIONAL DISTRICTS
7 THAT CONFORM TO SECTION 1 OF THIS ARTICLE AS THERE ARE REPRESENTATIVES
8 IN CONGRESS APPORTIONED TO THE STATE.

9 (E) (1) LEGISLATIVE DISTRICTS SHALL BE AS NEARLY EQUAL IN
10 POPULATION AS PRACTICABLE BUT MAY NOT DEVIATE MORE THAN 2% IN
11 POPULATION BETWEEN LEGISLATIVE DISTRICTS.

12 (2) EACH DELEGATE DISTRICT SHALL BE AS NEARLY EQUAL IN
13 POPULATION AS PRACTICABLE BUT MAY NOT DEVIATE MORE THAN 2% IN
14 POPULATION BETWEEN THE OTHER DELEGATE DISTRICTS IN THE LEGISLATIVE
15 DISTRICT.

16 (F) THE REDISTRICTING COMMISSION SHALL:

17 (1) ADOPT ONE PLAN FOR LEGISLATIVE DISTRICTS AND ONE PLAN
18 FOR CONGRESSIONAL DISTRICTS;

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

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

23 (G) ON RECEIPT OF THE CERTIFIED LEGISLATIVE DISTRICT PLAN AND THE
24 CERTIFIED CONGRESSIONAL DISTRICT PLAN FROM THE REDISTRICTING
25 COMMISSION, THE PRESIDING OFFICERS SHALL INTRODUCE EACH PLAN
26 SEPARATELY FOR CONSIDERATION BY THE GENERAL ASSEMBLY.

27 (H) (1) UNLESS THE GOVERNOR FINDS THAT A SPECIAL SESSION IS NOT
28 REQUIRED, THE GOVERNOR SHALL ISSUE A PROCLAMATION CONVENING A SPECIAL
29 SESSION OF THE GENERAL ASSEMBLY TO CONSIDER THE PLANS REQUIRED TO BE
30 INTRODUCED UNDER SUBSECTION (G) OF THIS SECTION.

31 (2) DURING A SPECIAL SESSION CONVENED UNDER THIS

1 SUBSECTION, THE GENERAL ASSEMBLY:

2 (I) SHALL CONSIDER ONLY THE CERTIFIED LEGISLATIVE
3 DISTRICT PLAN AND THE CERTIFIED CONGRESSIONAL DISTRICT PLAN AND ANY
4 AMENDMENTS TO THE PLANS AUTHORIZED UNDER SUBSECTION (N) OF THIS
5 SECTION; AND

6 (II) MAY NOT CONSIDER ANY LEGISLATION, INCLUDING BILLS
7 THAT HAVE BEEN VETOED.

8 (I) THE PRESIDING OFFICERS SHALL INTRODUCE THE CERTIFIED
9 LEGISLATIVE DISTRICT PLAN AND THE CERTIFIED CONGRESSIONAL DISTRICT PLAN
10 AT THE FOLLOWING TIME:

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

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

16 (J) EXCEPT FOR THE PLANS REQUIRED TO BE INTRODUCED BY THE
17 PRESIDING OFFICERS UNDER SUBSECTION (G) OF THIS SECTION, A MEMBER OF THE
18 GENERAL ASSEMBLY MAY NOT INTRODUCE A BILL PROPOSING A PLAN FOR
19 LEGISLATIVE DISTRICTS OR CONGRESSIONAL DISTRICTS.

20 (K) EXCEPT FOR AN AMENDMENT PREPARED BY THE PRESIDING OFFICERS
21 UNDER SUBSECTION (N) OF THIS SECTION, A LEGISLATIVE DISTRICT PLAN OR A
22 CONGRESSIONAL DISTRICT PLAN MAY NOT BE AMENDED.

23 (L) (1) (I) DURING A REGULAR SESSION OF THE GENERAL ASSEMBLY,
24 EACH HOUSE OF THE GENERAL ASSEMBLY SHALL PASS A LEGISLATIVE DISTRICT
25 PLAN AND A CONGRESSIONAL DISTRICT PLAN BY A VOTE OF THREE-FIFTHS OF THE
26 MEMBERS ELECTED TO THAT HOUSE BY THE 45TH DAY AFTER THE OPENING OF THE
27 REGULAR SESSION.

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

33 (2) THE LEGISLATIVE DISTRICT PLAN AND CONGRESSIONAL

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

3 (M) (1) IF THE LEGISLATIVE DISTRICT PLAN OR THE CONGRESSIONAL
4 DISTRICT PLAN DOES NOT PASS BY THE DEADLINE ESTABLISHED UNDER
5 SUBSECTION (L)(1) OF THIS SECTION, OR THE GOVERNOR VETOES THE LEGISLATIVE
6 DISTRICT PLAN OR THE CONGRESSIONAL DISTRICT PLAN UNDER SUBSECTION (P) OF
7 THIS SECTION, THE PRESIDING OFFICERS OF THE GENERAL ASSEMBLY SHALL,
8 WITHIN 3 DAYS:

9 (I) NOTIFY THE REDISTRICTING COMMISSION THAT THE
10 LEGISLATIVE DISTRICT PLAN OR THE CONGRESSIONAL DISTRICT PLAN DID NOT
11 PASS OR WAS VETOED;

12 (II) SEND THE REDISTRICTING COMMISSION THE
13 RECOMMENDATIONS OF THE GENERAL ASSEMBLY FOR CHANGES TO THE
14 LEGISLATIVE DISTRICT PLAN OR THE CONGRESSIONAL DISTRICT PLAN AND THE
15 GOVERNOR'S OBJECTIONS, IF ANY; AND

16 (III) REQUEST THAT THE REDISTRICTING COMMISSION
17 PROPOSE AN ALTERNATIVE PLAN.

18 (2) (I) ON RECEIPT OF THE NOTICE FROM THE GENERAL
19 ASSEMBLY UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION, THE REDISTRICTING
20 COMMISSION SHALL REVIEW THE LEGISLATIVE DISTRICT PLAN OR THE
21 CONGRESSIONAL DISTRICT PLAN AND CONSIDER ANY RECOMMENDATIONS FOR
22 CHANGES TO A PLAN FROM THE GENERAL ASSEMBLY AND THE OBJECTIONS OF THE
23 GOVERNOR, IF ANY.

24 (II) THE REDISTRICTING COMMISSION SHALL SEND THE
25 LEGISLATIVE DISTRICT PLAN OR THE CONGRESSIONAL DISTRICT PLAN, INCLUDING
26 ANY CHANGES APPROVED BY THE REDISTRICTING COMMISSION, TO THE PRESIDING
27 OFFICERS WITHIN 20 DAYS AFTER RECEIVING THE NOTIFICATION OF THE GENERAL
28 ASSEMBLY UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION.

29 (N) (1) WITHIN 3 DAYS AFTER RECEIVING THE LEGISLATIVE DISTRICT
30 PLAN OR THE CONGRESSIONAL DISTRICT PLAN FROM THE REDISTRICTING
31 COMMISSION UNDER SUBSECTION (M)(2)(II) OF THIS SECTION, THE PRESIDING
32 OFFICERS SHALL PREPARE ANY CHANGES RECOMMENDED BY THE REDISTRICTING
33 COMMISSION AS AN AMENDMENT TO THE LEGISLATIVE DISTRICT PLAN OR THE
34 CONGRESSIONAL DISTRICT PLAN.

35 (2) (I) IN ORDER FOR AN AMENDMENT PREPARED UNDER

1 PARAGRAPH (1) OF THIS SUBSECTION TO BE PASSED, THE AMENDMENT SHALL BE
2 PASSED BY A VOTE OF THREE-FIFTHS OF THE MEMBERS ELECTED TO EACH HOUSE.

3 (II) IF AN AMENDMENT IS NOT PASSED UNDER SUBPARAGRAPH
4 (I) OF THIS PARAGRAPH, THE LEGISLATIVE DISTRICT PLAN OR THE CONGRESSIONAL
5 DISTRICT PLAN SHALL BE CONSIDERED AS NOT PASSED.

6 (III) AFTER AN AMENDMENT IS PASSED UNDER SUBPARAGRAPH
7 (I) OF THIS PARAGRAPH, IN ORDER TO BECOME LAW, EACH HOUSE OF THE GENERAL
8 ASSEMBLY SHALL PASS THE LEGISLATIVE DISTRICT PLAN OR THE CONGRESSIONAL
9 DISTRICT PLAN, AS AMENDED, BY A VOTE OF THREE-FIFTHS OF THE MEMBERS
10 ELECTED TO EACH HOUSE.

11 (3) IF THE REDISTRICTING COMMISSION SENDS THE LEGISLATIVE
12 DISTRICT PLAN OR THE CONGRESSIONAL DISTRICT PLAN TO THE PRESIDING
13 OFFICERS WITH NO CHANGES UNDER SUBSECTION (M)(2)(II) OF THIS SECTION, THE
14 GENERAL ASSEMBLY SHALL:

15 (I) RECONSIDER THE LEGISLATIVE DISTRICT PLAN OR THE
16 CONGRESSIONAL DISTRICT PLAN; AND

17 (II) IN ORDER FOR THE PLAN TO BECOME LAW, PASS THE PLAN
18 BY A VOTE OF THREE-FIFTHS OF THE MEMBERS ELECTED TO EACH HOUSE.

19 (4) EXCEPT FOR AN AMENDMENT PREPARED BY THE PRESIDING
20 OFFICERS UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE LEGISLATIVE
21 DISTRICT PLAN OR THE CONGRESSIONAL DISTRICT PLAN AND AN AMENDMENT MAY
22 NOT BE AMENDED.

23 (5) THE GENERAL ASSEMBLY SHALL VOTE ON THE LEGISLATIVE
24 DISTRICT PLAN OR THE CONGRESSIONAL DISTRICT PLAN AND ANY AMENDMENT
25 WITHIN 15 DAYS AFTER THE OFFERING OF THE AMENDMENT.

26 (6) A REGULAR SESSION OR A SPECIAL SESSION OF THE GENERAL
27 ASSEMBLY SHALL BE EXTENDED, IF NEEDED, TO ALLOW FOR CONSIDERATION OF
28 THE LEGISLATIVE DISTRICT PLAN OR THE CONGRESSIONAL DISTRICT PLAN AND ANY
29 AMENDMENT IN THE TIME SET FORTH IN PARAGRAPH (5) OF THIS SUBSECTION.

30 (7) IF THE LEGISLATIVE DISTRICT PLAN OR THE CONGRESSIONAL
31 DISTRICT PLAN AND AMENDMENT DO NOT RECEIVE A VOTE OF THE MEMBERS OF
32 THE GENERAL ASSEMBLY WITHIN THE TIME PERIOD SET FORTH UNDER
33 PARAGRAPH (5) OF THIS SUBSECTION, THE LEGISLATIVE DISTRICT PLAN OR THE
34 CONGRESSIONAL DISTRICT PLAN AND AMENDMENT SHALL BE CONSIDERED AS NOT

1 PASSED.

2 (O) THE GENERAL ASSEMBLY SHALL PRESENT THE LEGISLATIVE DISTRICT
3 PLAN OR THE CONGRESSIONAL DISTRICT PLAN PASSED UNDER THIS SECTION TO
4 THE GOVERNOR WITHIN 1 DAY AFTER PASSAGE.

5 (P) (1) (I) THE GOVERNOR SHALL SIGN OR VETO THE LEGISLATIVE
6 DISTRICT PLAN OR THE CONGRESSIONAL DISTRICT PLAN WITHIN 6 DAYS AFTER
7 PRESENTMENT.

8 (II) A LEGISLATIVE DISTRICT PLAN OR A CONGRESSIONAL
9 DISTRICT PLAN PASSED UNDER THIS SECTION MAY NOT BE ENACTED OVER THE
10 VETO OF THE GOVERNOR UNDER ARTICLE II, SECTION 17(D) OF THIS
11 CONSTITUTION.

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

16 (Q) A LEGISLATIVE DISTRICT PLAN OR A CONGRESSIONAL DISTRICT PLAN
17 ADOPTED UNDER THIS SECTION SHALL BECOME EFFECTIVE:

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

19 (2) IF THE GOVERNOR DOES NOT SIGN OR VETO THE PLAN, ON THE
20 SIXTH DAY AFTER PRESENTMENT TO THE GOVERNOR; OR

21 (3) IF THERE IS A PROCEEDING INVOLVING THE LEGISLATIVE
22 DISTRICT PLAN OR THE CONGRESSIONAL DISTRICT PLAN IN THE COURT OF
23 APPEALS UNDER ARTICLE IV, SECTION 14 OF THIS CONSTITUTION, ON THE DATE
24 ORDERED BY THE COURT OF APPEALS.

25 (R) AS PROVIDED IN ARTICLE IV, SECTION 14 OF THIS CONSTITUTION, THE
26 COURT OF APPEALS SHALL ADOPT A LEGISLATIVE DISTRICT PLAN OR A
27 CONGRESSIONAL DISTRICT PLAN IF:

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

30 (2) THE GENERAL ASSEMBLY DOES NOT PASS A PLAN UNDER THIS
31 SECTION; OR

1 **(3) THE GOVERNOR VETOES A PLAN PASSED UNDER SUBSECTION (N)**
2 **OF THIS SECTION.**

3 **(S) THE REDISTRICTING COMMISSION SHALL BE THE REPRESENTATIVE OF**
4 **THE STATE:**

5 **(1) IN A PROCEEDING UNDER SUBSECTION (R) OF THIS SECTION; OR**

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

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

12 SECTION 3. AND BE IT FURTHER ENACTED, That the amendment to the
13 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified
14 voters of the State at the next general election to be held in November 2020 for adoption or
15 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,
16 the vote on the proposed amendment to the Constitution shall be by ballot, and on each
17 ballot there shall be printed the words “For the Constitutional Amendment” and “Against
18 the Constitutional Amendment”, as now provided by law. Immediately after the election,
19 all returns shall be made to the Governor of the vote for and against the proposed
20 amendment, as directed by Article XIV of the Maryland Constitution, and further
21 proceedings had in accordance with Article XIV.