

HOUSE BILL 182

G1, P5

CONSTITUTIONAL AMENDMENT
(PRE-FILED)

4lr0438

By: **Delegate Bouchat**

Requested: July 6, 2023

Introduced and read first time: January 10, 2024

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Districting – Single Member Districts and Legislative and Congressional**
3 **Redistricting and Apportionment Convention**

4 FOR the purpose of requiring that each legislative district established for the purpose of
5 electing members of the House of Delegates consist of a certain number of
6 single-member delegate districts; requiring the General Assembly to enact a law
7 establishing and governing a Legislative and Congressional Redistricting and
8 Apportionment Convention to establish legislative and congressional districts and
9 establishing certain requirements regarding the Redistricting Convention; providing
10 that plans certified by the Redistricting Convention become law on certain dates
11 under certain circumstances; establishing the Legislative and Congressional
12 Redistricting and Apportionment Convention; authorizing the General Assembly to
13 challenge the legality of a plan certified by the Redistricting Convention; requiring
14 the Supreme Court of Maryland to take certain actions under certain circumstances
15 regarding legislative and congressional districting; and generally relating to
16 legislative and congressional districting.

17 BY proposing an amendment to the Maryland Constitution
18 Article III – Legislative Department
19 Section 3 and 5

20 BY proposing an amendment to the Maryland Constitution
21 Article IV – Judiciary Department
22 Section 14

23 BY adding to
24 Article – Election Law
25 Section 8–7A–01 through 8–7A–11 to be under the new subtitle “Subtitle 7A. The
26 Legislative and Congressional Redistricting and Apportionment Convention”
27 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(2022 Replacement Volume and 2023 Supplement)

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

Article III – Legislative Department

3.

The State shall be divided by law into legislative districts for the election of members of the Senate and the House of Delegates. Each legislative district shall contain one (1) Senator and three (3) Delegates. [Nothing herein shall prohibit the subdivision of any one or more] **EACH** of the legislative districts **ESTABLISHED** for the purpose of electing members of the House of Delegates [into] **SHALL CONSIST OF** three (3) single-member delegate districts [or one (1) single-member delegate district and one (1) multi-member delegate district].

5.

(A) IN THIS SECTION, “REDISTRICTING CONVENTION” MEANS THE LEGISLATIVE AND CONGRESSIONAL REDISTRICTING AND APPORTIONMENT CONVENTION.

(B) SUBJECT TO THE REQUIREMENTS OF THIS SECTION, THE GENERAL ASSEMBLY SHALL ENACT A LAW ESTABLISHING AND GOVERNING A LEGISLATIVE AND CONGRESSIONAL REDISTRICTING AND APPORTIONMENT CONVENTION.

(C) (1) ON OR BEFORE MARCH 1 OF THE YEAR IMMEDIATELY FOLLOWING THE DECENNIAL CENSUS, THE REDISTRICTING CONVENTION SHALL BE ELECTED BY QUALIFIED VOTERS OF THE STATE ON A DATE DETERMINED BY THE STATE BOARD OF ELECTIONS.

(2) THE REDISTRICTING CONVENTION SHALL CONSIST OF 188 MEMBERS.

(3) (I) SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, ON OR BEFORE JULY 1 OF THE YEAR OF THE DECENNIAL CENSUS, THE STATE BOARD OF ELECTIONS SHALL APPORTION THE NUMBER OF SEATS FOR THE REDISTRICTING CONVENTION AMONG THE COUNTIES ACCORDING TO EACH COUNTY’S POPULATION COUNT IN THE IMMEDIATELY PRECEDING DECENNIAL CENSUS.

(II) EACH COUNTY SHALL HAVE AT LEAST THREE SEATS ON THE REDISTRICTING CONVENTION.

1 **(4) EACH MEMBER OF THE REDISTRICTING CONVENTION SHALL BE**
2 **ELECTED AT LARGE BY THE QUALIFIED VOTERS IN THE COUNTY THAT THE MEMBER**
3 **SEEKS TO REPRESENT.**

4 **(D) (1) TO BE A CANDIDATE FOR MEMBER OF THE REDISTRICTING**
5 **CONVENTION, AN INDIVIDUAL MUST:**

6 **(I) BE A REGISTERED VOTER WHO, FOR AT LEAST 3 YEARS**
7 **IMMEDIATELY PRECEDING THE DATE OF ELECTION, HAS BEEN:**

8 **1. CONTINUOUSLY REGISTERED IN THE STATE WITH**
9 **THE SAME POLITICAL PARTY; OR**

10 **2. CONTINUOUSLY NOT REGISTERED WITH A PRINCIPAL**
11 **POLITICAL PARTY;**

12 **(II) BE AT LEAST 21 YEARS OLD AT THE TIME OF ELECTION;**

13 **(III) HAVE RESIDED IN THE STATE FOR AT LEAST 1 YEAR**
14 **IMMEDIATELY PRECEDING THE DATE OF THE MEMBER'S ELECTION; AND**

15 **(V) RESIDE AND MAINTAIN A PLACE OF RESIDENCE IN THE**
16 **COUNTY THAT THE INDIVIDUAL SEEKS TO REPRESENT FOR AT LEAST 6 MONTHS**
17 **IMMEDIATELY PRECEDING THE DATE OF THE ELECTION.**

18 **(2) AN INDIVIDUAL IS NOT QUALIFIED TO BE A CANDIDATE FOR**
19 **MEMBER OF THE REDISTRICTING CONVENTION IF THE INDIVIDUAL IS:**

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

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

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

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

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

1 A. THE GOVERNOR OR A CANDIDATE FOR THAT OFFICE;

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

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

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

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

10 (VII) A STAFF MEMBER OF:

11 1. THE GOVERNOR OR A CANDIDATE FOR THAT OFFICE;

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

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

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

18 (VIII) A CURRENT OR FORMER REGISTERED LOBBYIST.

19 (3) A MEMBER OF THE REDISTRICTING CONVENTION MAY NOT BE
20 ELECTED OR APPOINTED AS A REPRESENTATIVE IN CONGRESS OR MEMBER OF THE
21 GENERAL ASSEMBLY DURING THE FIRST TERM OF OFFICE FOR WHICH THE
22 CONGRESSIONAL OR LEGISLATIVE PLAN CERTIFIED BY THE REDISTRICTING
23 CONVENTION TAKES EFFECT.

24 (E) (1) [Following each] ON OR BEFORE OCTOBER 1 OF EACH YEAR
25 IMMEDIATELY FOLLOWING THE decennial census of the United States [and after public
26 hearings, the Governor shall prepare a plan], THE REDISTRICTING CONVENTION SHALL
27 ADOPT PLANS setting forth the boundaries of the legislative districts for electing [of] the
28 members of the Senate and the House of Delegates AND THE CONGRESSIONAL
29 DISTRICTS FOR ELECTING REPRESENTATIVES TO THE UNITED STATES CONGRESS.

1 [The Governor shall present the plan to the President of the Senate and Speaker of
2 the House of Delegates who shall introduce the Governor's plan as a joint resolution to the
3 General Assembly, not later than the first day of its regular session in the second year
4 following every census, and the Governor may call a special session for the presentation of
5 the plan prior to the regular session. The plan shall conform to Sections 2, 3 and 4 of this
6 Article. Following each decennial census the General Assembly may by joint resolution
7 adopt a plan setting forth the boundaries of the legislative districts for the election of
8 members of the Senate and the House of Delegates, which plan shall conform to Sections
9 2, 3 and 4 of this Article. If a plan has been adopted by the General Assembly by the 45th
10 day after the opening of the regular session of the General Assembly in the second year
11 following every census, the plan adopted by the General Assembly shall become law. If no
12 plan has been adopted by the General Assembly for these purposes by the 45th day after
13 the opening of the regular session of the General Assembly in the second year following
14 every census, the Governor's plan presented to the General Assembly shall become law.]

15 (2) ON ADOPTION OF A PLAN, THE REDISTRICTING CONVENTION
16 SHALL:

17 (I) CERTIFY THAT THE PLAN IS THE PLAN ADOPTED BY THE
18 REDISTRICTING CONVENTION; AND

19 (II) SEND THE CERTIFIED PLAN TO THE PRESIDING OFFICERS
20 OF THE GENERAL ASSEMBLY.

21 (3) (I) ON RECEIPT OF A CERTIFIED PLAN SENT UNDER
22 PARAGRAPH (2) OF THIS SUBSECTION, THE PRESIDING OFFICERS SHALL PREPARE
23 THE PLAN FOR CONSIDERATION BY THE GENERAL ASSEMBLY.

24 (II) THE GENERAL ASSEMBLY, BY A MAJORITY VOTE OF EACH
25 OF THE TWO HOUSES, MAY CHALLENGE LEGALITY OF THE CERTIFIED PLAN.

26 (III) IF THE GENERAL ASSEMBLY VOTES TO CHALLENGE THE
27 CERTIFIED PLAN, THE SUPREME COURT OF MARYLAND SHALL:

28 1. CONSIDER THE CHALLENGE; AND

29 2. WITHIN 30 DAYS AFTER THE GENERAL ASSEMBLY
30 VOTE, ISSUE A DECISION THAT AFFIRMS THE PLAN AS MEETING ALL
31 CONSTITUTIONAL AND STATUTORY REQUIREMENTS OR REJECTS THE PLAN AS
32 FAILING TO MEET CONSTITUTIONAL AND STATUTORY REQUIREMENTS.

33 (IV) IF THE SUPREME COURT OF MARYLAND REJECTS THE
34 PLAN, THE REDISTRICTING CONVENTION SHALL ADOPT AND CERTIFY A NEW PLAN
35 THAT ADDRESSES THE RULING OF THE SUPREME COURT OF MARYLAND.

(4) 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.

(5) A PLAN CERTIFIED BY THE REDISTRICTING CONVENTION SHALL BECOME LAW:

(I) ON THE 31ST DAY AFTER CERTIFICATION IF THE GENERAL ASSEMBLY DOES NOT CHALLENGE THE PLAN; OR

(II) ON THE DAY THAT THE SUPREME COURT OF MARYLAND ISSUES A DECISION AFFIRMING THE PLAN IF THE GENERAL ASSEMBLY CHALLENGED THE PLAN.

(F) THE REDISTRICTING CONVENTION SHALL PETITION THE SUPREME COURT OF MARYLAND TO ESTABLISH LEGISLATIVE DISTRICTS OR CONGRESSIONAL DISTRICTS ACCORDING TO THE STANDARDS SET FORTH IN THIS SUBTITLE AND ARTICLE III, §§ 3 AND 4 OF THE MARYLAND CONSTITUTION IF THE REDISTRICTING CONVENTION FAILS TO ADOPT AND CERTIFY A PLAN UNDER THIS SECTION.

(G) Upon petition of any registered voter, the Supreme Court of Maryland shall have original jurisdiction to review the legislative districting OR CONGRESSIONAL DISTRICTING of the State and may grant appropriate relief, if it finds that the districting of the State is not consistent with requirements of either the Constitution of the United States of America, or the Constitution of Maryland.

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] 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 LEGISLATIVE DISTRICT PLAN AND THE CONGRESSIONAL DISTRICT PLAN IN THE EVENT THAT A PLAN IS NOT ENACTED UNDER ARTICLE III, SECTION 5 OF THIS CONSTITUTION; AND (2) TO CONSIDER A PETITION SEEKING REVIEW OF THE LEGALITY OF A PLAN TO ESTABLISH LEGISLATIVE OR CONGRESSIONAL DISTRICTS ENACTED UNDER ARTICLE III, SECTION 5 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] **JUSTICE'S** continuance in office. Five of the justices shall constitute a quorum, and five justices shall sit in each case unless the Supreme Court of Maryland 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 Supreme Court of Maryland a reargument before the full Court of seven justices shall be granted to the losing party upon application as a matter of right.

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

Article – Election Law

SUBTITLE 7A. THE LEGISLATIVE AND CONGRESSIONAL REDISTRICTING AND APPORTIONMENT CONVENTION.

8-7A-01.

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

(B) “PLAN” MEANS THE PROPOSED LEGISLATIVE DISTRICT PLAN OR THE PROPOSED CONGRESSIONAL DISTRICT PLAN ADOPTED BY THE REDISTRICTING CONVENTION.

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

8-7A-02.

1 **IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT:**

2 **(1) NEITHER THE LEGISLATIVE DISTRICTS NOR THE CONGRESSIONAL**
3 **DISTRICTS BE ESTABLISHED FOR THE PURPOSE OF FAVORING OR DISCRIMINATING**
4 **AGAINST AN INCUMBENT OFFICEHOLDER, A CANDIDATE FOR OFFICE, OR A**
5 **POLITICAL PARTY; AND**

6 **(2) THE PROVISIONS OF THIS SUBTITLE COMPLY WITH AND**
7 **IMPLEMENT THE PROVISIONS OF ARTICLE III, §§ 2, 3, 4, AND 5 AND ARTICLE IV, §**
8 **14 OF THE MARYLAND CONSTITUTION.**

9 **8-7A-03.**

10 **THERE IS A LEGISLATIVE AND CONGRESSIONAL REDISTRICTING AND**
11 **APPORTIONMENT CONVENTION.**

12 **8-7A-04.**

13 **(A) ON OR BEFORE MARCH 1, 2031, AND EACH YEAR ENDING IN THE**
14 **NUMERAL 1 THEREAFTER, THE REDISTRICTING CONVENTION SHALL BE ELECTED**
15 **BY QUALIFIED VOTERS OF THE STATE ON A DATE DETERMINED BY THE STATE**
16 **BOARD.**

17 **(B) THE ELECTION OF MEMBERS OF THE REDISTRICTING CONVENTION IS**
18 **DESIGNED TO PRODUCE A REDISTRICTING CONVENTION THAT IS:**

19 **(1) INDEPENDENT FROM LEGISLATIVE INFLUENCE; AND**

20 **(2) REASONABLY REPRESENTATIVE OF THE STATE'S GEOGRAPHICAL**
21 **MAKEUP.**

22 **8-7A-05.**

23 **(A) THE REDISTRICTING CONVENTION CONSISTS OF 188 MEMBERS.**

24 **(B) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ON OR**
25 **BEFORE JULY 1, 2030, AND EACH YEAR ENDING IN THE NUMERAL 0 THEREAFTER,**
26 **THE STATE BOARD SHALL APPORTION THE NUMBER OF SEATS FOR THE**
27 **REDISTRICTING CONVENTION AMONG THE COUNTIES ACCORDING TO EACH**
28 **COUNTY'S POPULATION COUNT IN THE IMMEDIATELY PRECEDING DECENNIAL**
29 **CENSUS.**

30 **(2) EACH COUNTY SHALL HAVE AT LEAST THREE SEATS ON THE**

1 **REDISTRICTING CONVENTION.**

2 **(C) EACH MEMBER OF THE REDISTRICTING CONVENTION SHALL BE**
3 **ELECTED AT LARGE BY THE QUALIFIED VOTERS IN THE COUNTY THAT THE MEMBER**
4 **SEEKS TO REPRESENT.**

5 **(D) THE MEMBERS OF THE REDISTRICTING CONVENTION SHALL CONSIST**
6 **OF THE CANDIDATES WHO RECEIVE THE HIGHEST NUMBER OF VOTES CAST WITHIN**
7 **EACH COUNTY.**

8 **(E) (1) TO BE A CANDIDATE FOR MEMBER OF THE REDISTRICTING**
9 **CONVENTION, AN INDIVIDUAL MUST:**

10 **(I) BE A REGISTERED VOTER WHO, FOR AT LEAST 3 YEARS**
11 **IMMEDIATELY PRECEDING THE DATE OF ELECTION, HAS BEEN:**

12 **1. CONTINUOUSLY REGISTERED IN THE STATE WITH**
13 **THE SAME POLITICAL PARTY; OR**

14 **2. CONTINUOUSLY NOT REGISTERED WITH A PRINCIPAL**
15 **POLITICAL PARTY;**

16 **(II) BE AT LEAST 21 YEARS OLD AT THE TIME OF ELECTION;**

17 **(III) HAVE RESIDED IN THE STATE FOR AT LEAST 1 YEAR**
18 **IMMEDIATELY PRECEDING THE DATE OF THE ELECTION; AND**

19 **(V) RESIDE AND MAINTAIN A PLACE OF RESIDENCE IN THE**
20 **COUNTY THAT THE INDIVIDUAL SEEKS TO REPRESENT FOR AT LEAST 6 MONTHS**
21 **IMMEDIATELY PRECEDING THE DATE OF THE ELECTION.**

22 **(2) AN INDIVIDUAL IS NOT QUALIFIED TO BE A CANDIDATE FOR**
23 **MEMBER OF THE REDISTRICTING CONVENTION IF THE INDIVIDUAL IS:**

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

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

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

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

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

5 A. THE GOVERNOR OR A CANDIDATE FOR THAT OFFICE;

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

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

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

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

14 (VII) A STAFF MEMBER OF:

15 1. THE GOVERNOR OR A CANDIDATE FOR THAT OFFICE;

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

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

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

22 (VIII) A CURRENT OR FORMER REGISTERED LOBBYIST.

23 (3) A MEMBER OF THE REDISTRICTING CONVENTION MAY NOT BE
24 ELECTED OR APPOINTED AS A REPRESENTATIVE IN CONGRESS OR MEMBER OF THE
25 GENERAL ASSEMBLY DURING THE FIRST TERM OF OFFICE FOR WHICH THE
26 CONGRESSIONAL OR LEGISLATIVE PLAN CERTIFIED BY THE REDISTRICTING
27 CONVENTION TAKES EFFECT.

28 (F) (1) THE TERM OF A MEMBER OF THE REDISTRICTING CONVENTION
29 CONTINUES UNTIL LEGISLATIVE AND CONGRESSIONAL PLANS BECOME LAW.

1 **(2) A MEMBER OF THE REDISTRICTING CONVENTION IS ELIGIBLE**
2 **FOR REELECTION.**

3 **(G) EACH MEMBER OF THE REDISTRICTING CONVENTION SHALL APPLY**
4 **THE PROVISIONS OF THIS SUBTITLE IN A MANNER THAT IS IMPARTIAL AND THAT**
5 **REINFORCES PUBLIC CONFIDENCE IN THE INTEGRITY OF THE REDISTRICTING**
6 **PROCESS.**

7 **(H) A MEMBER OF THE REDISTRICTING CONVENTION:**

8 **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**
9 **REDISTRICTING CONVENTION; BUT**

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

12 **8-7A-06.**

13 **(A) THE 188 MEMBERS ELECTED UNDER THIS SECTION SHALL SERVE AS**
14 **THE MEMBERS OF THE REDISTRICTING CONVENTION BEGINNING ON THE DATE**
15 **THEY ARE ELECTED UNTIL THE DATE ON WHICH THE LEGISLATIVE AND**
16 **CONGRESSIONAL DISTRICTING PLANS BECOME LAW.**

17 **(B) IF THERE IS A VACANCY IN THE MEMBERSHIP OF THE REDISTRICTING**
18 **CONVENTION, THE LOSING CANDIDATE FROM THE SAME COUNTY WHO RECEIVED**
19 **THE NEXT HIGHEST NUMBER OF VOTES SHALL FILL THE VACANCY FOR THE**
20 **REMAINDER OF THE TERM.**

21 **(C) (1) THE REDISTRICTING CONVENTION MAY REMOVE A MEMBER:**

22 **(I) FOR NEGLIGENCE OF DUTY;**

23 **(II) FOR MISCONDUCT IN OFFICE;**

24 **(III) FOR A DISABILITY THAT MAKES THE MEMBER UNABLE TO**
25 **DISCHARGE THE POWERS AND DUTIES OF OFFICE;**

26 **(IV) FOR FAILING TO MAINTAIN THE QUALIFICATIONS UNDER §**
27 **8-7A-05 OF THIS SUBTITLE; OR**

28 **(V) IF THE MEMBER IS CONVICTED OF OR PLEADS GUILTY OR**
29 **NOLO CONTENDERE WITH RESPECT TO A FELONY OR CRIME INVOLVING MORAL**

TURPITUDE, WHETHER OR NOT ANY APPEAL OR OTHER PROCEEDING IS PENDING TO HAVE THE CONVICTION OR PLEA SET ASIDE.

(2) BEFORE REMOVING A MEMBER OF THE REDISTRICTING CONVENTION, THE REDISTRICTING CONVENTION SHALL GIVE THE MEMBER:

(I) WRITTEN NOTICE OF THE CHARGES; AND

(II) AN OPPORTUNITY TO ANSWER THE CHARGES.

(3) A MAJORITY VOTE OF THE MEMBERS OF THE REDISTRICTING CONVENTION SHALL BE REQUIRED TO REMOVE A MEMBER OF THE REDISTRICTING CONVENTION UNDER THIS SUBSECTION.

8-7A-07.

(A) A MAJORITY OF THE MEMBERS ELECTED TO THE REDISTRICTING CONVENTION IS A QUORUM.

(B) FROM AMONG ITS MEMBERS, THE REDISTRICTING CONVENTION SHALL ELECT A CHAIR AND VICE CHAIR.

(C) THE OFFICE OF THE ATTORNEY GENERAL AND THE DEPARTMENT OF LEGISLATIVE SERVICES JOINTLY SHALL STAFF THE REDISTRICTING CONVENTION.

8-7A-08.

(A) THE REDISTRICTING CONVENTION SHALL:

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

(2) ESTABLISH LEGISLATIVE DISTRICTS AND CONGRESSIONAL DISTRICTS ACCORDING TO THE REDISTRICTING STANDARDS ESTABLISHED UNDER ARTICLE III, §§ 3 AND 4 OF THE MARYLAND CONSTITUTION AND FEDERAL AND STATE LAW; AND

(3) CONDUCT BUSINESS WITH INTEGRITY AND FAIRNESS.

(B) (1) THE ACTIVITIES OF THE REDISTRICTING CONVENTION ARE SUBJECT TO THE OPEN MEETINGS ACT AND THE PUBLIC INFORMATION ACT; AND

1 **(2) MEETINGS OF THE REDISTRICTING CONVENTION SHALL BE**
2 **LIVE-STREAMED TO ALLOW MEMBERS OF THE PUBLIC TO OBSERVE THE**
3 **PROCEEDINGS OF THE REDISTRICTING CONVENTION.**

4 **(C) (1) THE MEMBERS OF EACH COUNTY DELEGATION TO THE**
5 **REDISTRICTING CONVENTION SHALL HOLD AT LEAST ONE HEARING IN THE COUNTY**
6 **THAT IS OPEN TO THE PUBLIC FOR PUBLIC INPUT AND DELIBERATION THAT IS:**

7 **(I) SUBJECT TO PUBLIC NOTICE; AND**

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

10 **(2) EACH HEARING HELD UNDER PARAGRAPH (1) OF THIS**
11 **SUBSECTION SHALL BE SCHEDULED BEFORE THE CONSIDERATION OF ANY PLAN BY**
12 **THE REDISTRICTING CONVENTION.**

13 **8-7A-09.**

14 **(A) (1) IN THE YEAR FOLLOWING EACH DECENNIAL CENSUS OF THE**
15 **UNITED STATES, OR WHEN OTHERWISE REQUIRED BY LAW, THE REDISTRICTING**
16 **CONVENTION SHALL ADOPT PLANS TO ESTABLISH LEGISLATIVE DISTRICTS AND**
17 **CONGRESSIONAL DISTRICTS IN CONFORMANCE WITH THE STANDARDS AND**
18 **PROCESSES ESTABLISHED UNDER THIS SUBTITLE, THE MARYLAND CONSTITUTION,**
19 **AND FEDERAL LAW.**

20 **(2) ON OR BEFORE OCTOBER 1 EACH YEAR ENDING IN THE NUMERAL**
21 **1, THE REDISTRICTING CONVENTION SHALL APPROVE TWO PLANS:**

22 **(I) ONE PLAN SHALL DESCRIBE THE DISTRICT BOUNDARY**
23 **LINE FOR THE ELECTION OF MEMBERS OF THE SENATE AND HOUSE OF**
24 **DELEGATES; AND**

25 **(II) ONE PLAN SHALL DESCRIBE THE DISTRICT BOUNDARY**
26 **LINE FOR THE STATE'S REPRESENTATIVES IN CONGRESS.**

27 **(B) THE REDISTRICTING CONVENTION SHALL ISSUE WITH EACH PLAN:**

28 **(1) MAPS SHOWING THE LEGISLATIVE DISTRICTS AND THE**
29 **CONGRESSIONAL DISTRICTS; AND**

30 **(2) A REPORT THAT:**

1 **(I) EXPLAINS THE BASIS ON WHICH THE REDISTRICTING**
2 **CONVENTION MADE ITS DECISIONS TO ACHIEVE COMPLIANCE WITH THE CRITERIA**
3 **SPECIFIED UNDER THIS SUBTITLE; AND**

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

6 **(C) ON ADOPTION OF A PLAN, THE REDISTRICTING CONVENTION SHALL:**

7 **(1) CERTIFY THAT THE PLAN IS THE PLAN ADOPTED BY THE**
8 **REDISTRICTING CONVENTION; AND**

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

11 **(D) (1) ON RECEIPT OF A CERTIFIED PLAN SENT UNDER SUBSECTION (C)**
12 **OF THIS SECTION, THE PRESIDING OFFICERS SHALL PREPARE THE PLAN FOR**
13 **CONSIDERATION BY THE GENERAL ASSEMBLY.**

14 **(2) THE GENERAL ASSEMBLY, BY A MAJORITY VOTE OF EACH OF THE**
15 **TWO HOUSES, MAY CHALLENGE LEGALITY OF THE CERTIFIED PLAN.**

16 **(3) IF THE GENERAL ASSEMBLY VOTES TO CHALLENGE THE**
17 **CERTIFIED PLAN, THE SUPREME COURT OF MARYLAND SHALL:**

18 **(I) CONSIDER THE CHALLENGE; AND**

19 **(II) WITHIN 30 DAYS AFTER THE GENERAL ASSEMBLY VOTE,**
20 **ISSUE A DECISION THAT AFFIRMS THE PLAN AS MEETING ALL CONSTITUTIONAL AND**
21 **STATUTORY REQUIREMENTS OR REJECTS THE PLAN AS FAILING TO MEET**
22 **CONSTITUTIONAL AND STATUTORY REQUIREMENTS.**

23 **(4) IF THE SUPREME COURT OF MARYLAND REJECTS THE PLAN, THE**
24 **REDISTRICTING CONVENTION SHALL CERTIFY A NEW PLAN THAT ADDRESSES THE**
25 **RULING OF THE SUPREME COURT OF MARYLAND.**

26 **(E) A PLAN CONSIDERED BY THE GENERAL ASSEMBLY SHALL BE TREATED**
27 **IN THE SAME MANNER AS A BILL FOR PURPOSES OF PUBLICATION, CODIFICATION,**
28 **NOTIFICATION, AND DISTRIBUTION.**

29 **(F) A PLAN CERTIFIED BY THE REDISTRICTING CONVENTION SHALL**
30 **BECOME LAW:**

1 (1) ON THE 31ST DAY AFTER CERTIFICATION IF THE GENERAL
2 ASSEMBLY DOES NOT CHALLENGE THE PLAN; OR

3 (2) ON THE DAY THAT THE SUPREME COURT OF MARYLAND ISSUES A
4 DECISION AFFIRMING THE PLAN IF THE GENERAL ASSEMBLY CHALLENGED THE
5 PLAN.

6 8-7A-10.

7 (A) THE REDISTRICTING CONVENTION SHALL PETITION THE SUPREME
8 COURT OF MARYLAND TO ESTABLISH LEGISLATIVE DISTRICTS OR CONGRESSIONAL
9 DISTRICTS IN CONFORMANCE WITH FEDERAL AND STATE CONSTITUTIONAL AND
10 STATUTORY STANDARDS IF THE REDISTRICTING CONVENTION FAILS TO ADOPT AND
11 CERTIFY A PLAN UNDER THIS SUBTITLE.

12 (B) THE REDISTRICTING CONVENTION SHALL REPRESENT THE STATE
13 REGARDING ANY PETITION SEEKING A REVIEW OF A CERTIFIED PLAN.

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

17 8-7A-11.

18 (A) THE SUPREME COURT OF MARYLAND SHALL HAVE ORIGINAL
19 JURISDICTION TO ESTABLISH LEGISLATIVE DISTRICTS AND CONGRESSIONAL
20 DISTRICTS IN CONFORMANCE WITH FEDERAL AND STATE CONSTITUTIONAL AND
21 STATUTORY STANDARDS IF:

22 (1) THE REDISTRICTING CONVENTION FAILS TO APPROVE A PLAN
23 UNDER THIS SUBTITLE; OR

24 (2) A REGISTERED VOTER FILES A PETITION UNDER SUBSECTION (B)
25 OF THIS SECTION.

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

32 (2) THE REDISTRICTING CONVENTION SHALL BE THE DEFENDANT IN

1 A PETITION FILED UNDER PARAGRAPH (1) OF THIS SUBSECTION.

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

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

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

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

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

12 (I) HOLD A HEARING;

13 (II) CONSIDER A PLAN APPROVED BY THE REDISTRICTING
14 CONVENTION, IF ANY; AND

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

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

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

22 (I) HOLD A HEARING;

23 (II) CONSIDER A PLAN APPROVED BY THE REDISTRICTING
24 CONVENTION, IF ANY; AND

25 (III) CONSIDER ANY RECOMMENDATIONS OF A SPECIAL MASTER.

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

28 (2) IN ORDERING RELIEF:

1 **(I) IF THE REDISTRICTING CONVENTION ADOPTED AND**
2 **CERTIFIED A PLAN, THE SUPREME COURT OF MARYLAND MAY APPROVE, MODIFY,**
3 **OR ADOPT A NEW PLAN; OR**

4 **(II) IF THE REDISTRICTING CONVENTION HAS NOT ADOPTED**
5 **AND CERTIFIED A PLAN, THE SUPREME COURT OF MARYLAND SHALL ESTABLISH**
6 **LEGISLATIVE DISTRICTS AND CONGRESSIONAL DISTRICTS ACCORDING TO THE**
7 **STANDARDS SET FORTH IN THIS SUBTITLE AND ARTICLE III, §§ 3 AND 4 OF THE**
8 **MARYLAND CONSTITUTION.**

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

11 SECTION 3. AND BE IT FURTHER ENACTED, That the General Assembly
12 determines that the amendment to the Maryland Constitution proposed by Section 1 of this
13 Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of the Maryland
14 Constitution concerning local approval of constitutional amendments do not apply.

15 SECTION 4. AND BE IT FURTHER ENACTED, That the amendment to the
16 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the qualified
17 voters of the State at the next general election to be held in November 2024 for adoption or
18 rejection pursuant to Article XIV of the Maryland Constitution. At that general election,
19 the vote on the proposed amendment to the Constitution shall be by ballot, and on each
20 ballot there shall be printed the words “For the Constitutional Amendment” and “Against
21 the Constitutional Amendment”, as now provided by law. Immediately after the election,
22 all returns shall be made to the Governor of the vote for and against the proposed
23 amendment, as directed by Article XIV of the Maryland Constitution, and further
24 proceedings had in accordance with Article XIV.

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

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