

CITY OF BALTIMORE
COUNCIL BILL 19-0381
(Resolution)
(Charter Amendment)

Introduced by: Councilmembers Burnett, Henry, Pinkett, Clarke, Scott, Ex Officio President
Middleton, Councilmembers Costello, Bullock, Cohen, Dorsey, Schleifer, Stokes, Sneed,
Reisinger

Introduced and read first time: April 29, 2019

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance

A RESOLUTION ENTITLED

1 A RESOLUTION OF THE MAYOR AND CITY COUNCIL concerning

2 **Charter Amendment – Removal of Elected Officials**

3 FOR the purpose of providing for the removal from office by the City Council of certain City
4 elected officials under certain circumstances; expanding the potential individuals or entities
5 entitled to prefer charges for consideration of removal from office; conforming and clarifying
6 related provisions; and submitting this amendment to the qualified voters of the City for
7 adoption or rejection.

8 BY proposing to add

9 Article III - City Council
10 Section 2(d)
11 Baltimore City Charter
12 (1996 Edition)

13 BY proposing to amend

14 Article III - City Council
15 Sections 3(b) and 10(d)
16 Baltimore City Charter
17 (1996 Edition)

18 BY proposing to amend

19 Article IV - Mayor
20 Section 2
21 Baltimore City Charter
22 (1996 Edition)

23 BY proposing to amend

24 Article V - Comptroller
25 Section 2
26 Baltimore City Charter
27 (1996 Edition)

EXPLANATION: Underlining indicates matter added by amendment.
~~Strike out~~ indicates matter deleted by amendment.

Council Bill 19-0381

1 GENERAL, AND AFTER NOTICE OF THOSE CHARGES AND AN OPPORTUNITY TO BE HEARD BY
2 THE CITY COUNCIL ARE GIVEN TO THE MAYOR.

3 (B) [(a)] *Vacancy.*

4 In case of vacancy in the office of the Mayor by death, resignation, REMOVAL, or
5 permanent disqualification, the President of the City Council shall be Mayor for the
6 remainder of the term for which the Mayor was elected.

7 (C) [(b)] *Absence.*

8 In case of, and during, sickness, temporary disqualification or necessary absence of the
9 Mayor, the President of the City Council shall be ex officio Mayor of the City.

10 **Article V. Comptroller**

11 **§ 2. Removal; Vacancy.**

12 (A) *REMOVAL.*

13 The City Council by a [majority] THREE-FOURTHS vote of its members may remove the
14 Comptroller from office for incompetency, MISCONDUCT IN OFFICE, wilful neglect of duty,
15 or FELONY OR misdemeanor in office, [upon] ON charges preferred by the Mayor, BY THE
16 CITY COUNCIL'S COMMITTEE ON LEGISLATIVE INVESTIGATIONS, OR BY THE INSPECTOR
17 GENERAL, and after notice of [such] THOSE charges and an opportunity to be heard by the
18 City Council are given to the Comptroller.

19 (B) *VACANCY.*

20 In the event of the death, resignation, or removal from office of the Comptroller, a
21 successor, to fill out the unexpired term, shall be elected by the City Council by a
22 majority vote of its members.

23 **SECTION 2. AND BE IT FURTHER RESOLVED,** That the City Council shall amend the Rules of
24 the City Council of Baltimore to provide for the conduct and procedures of the notice and
25 hearings required for removal of an elected official under this proposed amendment.

26 **SECTION 3. AND BE IT FURTHER RESOLVED,** That this proposed amendment to the City
27 Charter be submitted to the legal and qualified voters of Baltimore City, for adoption or rejection,
28 in accordance with Article XI-A, § 5 of the Maryland Constitution, in the form specified by the
29 City Solicitor.