

CITY OF BALTIMORE

STEPHANIE RAWLINGS-BLAKE, Mayor



DEPARTMENT OF LAW

GEORGE A. NILSON, City Solicitor
101 City Hall
Baltimore, Maryland 21202

May 17, 2012

The Honorable President and
Members of the Baltimore
City Council
c/o Karen Randle, Executive Secretary
409 City Hall
Baltimore, MD 21202

RE: City Council Bill No. 12-0023—Charter Amendment- Municipal
Elections **REVISED**

Dear President and Members

You have requested the advice of the Law Department regarding City Council Bill 12-0023. City Council Bill 23 amends the Baltimore City Charter to change the date for the election of the Mayor, the City Council and the Comptroller to” the Tuesday next after the first Monday in November 2016 and on the same date and month in every succeeding year.”

It is anticipated that House Bill 250 enacted by the Maryland General Assembly in the 2012 session will soon be signed into law by the Governor. House Bill 250 provides that the primary election for elections for municipal offices in Baltimore City shall occur on the first Tuesday in April in the year in which the President of the United States is elected. The Bill also states that in Baltimore City the general election for municipal officers will occur on the Tuesday following the First Monday in November in the year in which the President of the United States is elected.

In order to be consistent with House Bill 250, it is the opinion of the Law Department that the City Council Bill 12-0023 should be amended to change the purpose clause to recognize the action by the General Assembly. The recommended amendment is: in line 3, after “purpose of” insert “confirming the State legislative enactment”.

Article XI-A, Sec. 5 of the Maryland Constitution provides that an amendment to the Baltimore City Charter may be proposed by a resolution of the Mayor and City Council.



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Accordingly, City Council Bill 12-0023 is consistent with the authority of the City Council to initiate a Charter amendment. The Law Department, therefore, approves the City Council Bill 12-0023 for form and legal sufficiency.

Sincerely yours,



Elena R. DiPietro
Chief Solicitor

cc: George A. Nilson, City Solicitor
Angela Gibson, City Council Liaison
Ashlea Brown, Assistant Solicitor
Hilary Ruley, Assistant Solicitor
Victor Tervalá, Assistant Solicitor