
CITY OF BALTIMORE

BERNARD C. "JACK" YOUNG
Mayor



DEPARTMENT OF LAW
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BALTIMORE, MD 21202

January 10, 2020

The Honorable President and Members
of the Baltimore City Council
Attn: Natawna B. Austin, Executive Secretary
Room 409, City Hall, 100 N. Holliday Street
Baltimore, Maryland 21202

Re: City Council Bill 19-0467 – Vetoes – Timing of Override

Dear President and City Council Members:

The Law Department has reviewed City Council Bill 19-0467 for form and legal sufficiency. The bill modifies and clarifies the time within which the Council may consider to override a mayoral veto. It also provides for submitting this amendment to the qualified voters of the City for adoption or rejection.

The Law Department notes that the current procedure to override a mayoral veto requires the City Council to act within a 5 to 20-day period after it receives written notice of the veto. Council Bill 19-0441 retains these provisions but adds an additional process: If no regular meeting of the City Council is held within the above time frame, the bill allows the City Council to reconsider and vote to override the veto at the first regular meeting scheduled after that 20-day period.

The effect of the proposed new procedure is to allow the City Council additional time to entertain a veto override. Providing this additional time does not present a legal impediment to the passage of the bill. The Law Department points out, however, that in election years, when newly elected City officials are sworn into office in December, the proposed procedure will allow a veto entered in the prior term of office to be vetoed in the new term. In effect, this means the Mayor who vetoed a bill in an election year may not be the Mayor affected by a veto override. Furthermore, the council members who heard and voted on the vetoed bill may not be the council members who vote for or against a veto override. The process at issue, nonetheless, is the process that characterizes gubernatorial vetoes overridden by the Maryland General Assembly.

Under Article XI-A, Section 5 of the Maryland Constitution, a resolution of the Mayor and City Council, such as this City Council Bill, is an appropriate method of initiating an amendment to the Baltimore City Charter. The Law Department, therefore, approves the resolution for form and legal sufficiency as drafted.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor K. Tervala". The signature is written in a cursive style with a horizontal line above the last name.

Victor K. Tervala
Chief Solicitor

cc: Andre M. Davis, City Solicitor
Matt Stegman, Mayor's Legislative Liaison
Caylin Young, President's Legislative Director
Elena DiPietro, Chief Solicitor, General Counsel Division
Hilary Ruley, Chief Solicitor
Ashlea Brown, Assistant Solicitor